

No. 25
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, March 15, 2000.

10:00 a.m.

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

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

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

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

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

Senator Burton Leland of the 5th District offered the following invocation:

Dearest God, we bow before You and ask for Your guidance. As Your servants, give us the strength to do Your will—to feed the hungry, house the homeless, clothe the naked, heal the afflicted, and comfort the troubled souls among us.

Keep us ever mindful of the wonderful diversity that makes up our state and be humble in knowledge that we are all children of God. Shalom.

Senator McManus entered the Senate Chamber.

Motions and Communications

Senator Rogers moved that Senators Gougeon and Hammerstrom be temporarily excused from today's session.

The motion prevailed.

Senator Emerson moved that Senators Miller, Murphy and Young 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.

The following communications were received:

Department of State

Administrative Rules

Notices of Filing

March 1, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:00 p.m. this date, administrative rule (00-03-01) for the Department of Consumer and Industry Services, Public Service Commission, entitled "*Consumer Standards and Billing Practices for Electric and Gas Residential Services*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:20 p.m. this date, administrative rule (00-03-02) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Vendor Representative and Salesman*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:23 p.m. this date, administrative rule (00-03-03) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Off-Premises Licenses*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:25 p.m. this date, administrative rule (00-03-04) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*On-Premises Licenses*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:28 p.m. this date,

administrative rule (00-03-05) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Beer*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:30 p.m. this date, administrative rule (00-03-06) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*General Rules*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:32 p.m. this date, administrative rule (00-03-07) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Licensing Qualifications*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:35 p.m. this date, administrative rule (00-03-08) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Spirits*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:37 p.m. this date, administrative rule (00-03-09) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Advertising*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:40 p.m. this date, administrative rule (00-03-10) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Wines*," effective 15 days hereafter.

March 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:42 p.m. this date, administrative rule (00-03-11) for the Department of Consumer and Industry Services, Liquor Control Commission, entitled "*Special Licenses For Sale Of Alcoholic Liquor At Retail For Consumption On Premises*," effective 15 days hereafter.

March 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:20 p.m. this date, administrative rule (00-03-12) for the Department of Treasury, Bureau of State Lottery, entitled "*Charitable Gaming Rules*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
James Fackler, Acting Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

March 9, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit, Including the Provisions of the Single Audit Act, of the Department of Education, October 1, 1995, through September 30, 1997.

March 9, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the G. Robert Cotton Correctional Facility and Camp Waterloo, Department of Corrections, March 2000.

March 13, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Legal and Hearings Division, Department of Treasury, March 2000.

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

The communications were referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 10, for his approval the following bill:

Enrolled Senate Bill No. 910 at 3:07 p.m.

Messages from the Governor

The following messages from the Governor were received and read:

March 14, 2000

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:
Automobile Theft Prevention Authority Board of Directors

Ms. Janet C. Deni, 7295 Dutch Road, P.O. Box 77, Goodrich, Michigan 48438, county of Genesee, as a member representing automobile insurers, succeeding Mr. James W. Oliver of Novi, who has resigned, for a term expiring on July 1, 2002.

March 14, 2000

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

Mr. Blaine M. Baker, 10100 Cadmus Road, Clayton, Michigan 49235, county of Lenawee, as a member representing growers from District 3, succeeding himself, for a term expiring on September 23, 2002.

Mr. Edward J. Cagney, 7439 East "PQ" Avenue, Scotts, Michigan 49088, county of Kalamazoo, as a member representing growers from District 1, succeeding himself, for a term expiring on September 23, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senators Murphy, Dunaskiss, Hammerstrom, Young, Gougeon and Miller entered the Senate Chamber.

Messages from the House

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

Senate Bill No. 525, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69), by adding section 1g to chapter IX.

Substitute (H-2).

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. 77**Yeas—34**

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

Nays—3

Murphy	Smith, A.	Vaughn
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Excused—1

Smith, V.

Not Voting—0

In The Chair: Schwarz

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 664, entitled

A bill to amend 1975 PA 148, entitled “Debt management act,” by amending sections 2, 5, 6, 8, 13, 14, 15, 16, and 18 (MCL 451.412, 451.415, 451.416, 451.418, 451.423, 451.424, 451.425, 451.426, and 451.428); and to repeal acts and parts of acts.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Emmons offered the following amendment:

1. Amend page 3, following line 27, by inserting:

“(C) A CERTIFIED FINANCIAL PLANNER, IF PROVIDING DEBT MANAGEMENT ADVICE INCIDENTAL TO HIS OR HER BUSINESS.” and relettering the remaining subdivisions.

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

The question being on the passage of the bill,

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

Roll Call No. 78**Yeas—37**

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Rogers
Schuette

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

Nays—0**Excused—1**

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. 584, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 10.

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. 79**Yeas—37**

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Rogers
Schuette

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

Nays—0**Excused—1**

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators DeBeaussaert, Byrum, Young, A. Smith, Murphy, Peters, Vaughn, Hoffman, Miller, Hart and Sikkema moved that they be named co-sponsors of the following bill:

Senate Bill No. 584

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 585, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 11.

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. 80**Yeas—37**

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

Nays—0**Excused—1**

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Young, Peters, Murphy, Byrum, Hoffman, DeBeaussaert, A. Smith, Vaughn and Miller moved that they be named co-sponsors of the following bill:

Senate Bill No. 585

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 694, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2006 (MCL 500.2006).

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. 81

Yeas—37

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

Nays—0

Excused—1

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Rogers, Van Regenmorter, Goschka, Gast, Bennett, Johnson, Koivisto, North, McManus, Murphy, A. Smith, Peters, Gougeon, Steil, Jaye, Hoffman, Vaughn, Miller, Byrum, Leland, Young, Hart, Hammerstrom and Schwarz moved that they be named co-sponsors of the following bill:

Senate Bill No. 694

The motion prevailed.

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

The motion prevailed.

Senator Schuetz's statement is as follows:

This bill, Senate Bill No. 694, and its companion measures, Senate Bill Nos. 696 and 698, fit hand in glove with measures that passed this Senate two weeks ago as offered by Senator Gougeon in Senate Bill No. 938. Senator Gougeon's legislation dealt with the Medicaid funding side of making sure that health care providers and a nurse practitioners, a hospital, and doctors would be paid on time for services they rendered helping a family or person.

This legislation now before us, Senate Bill Nos. 694, 696, and 698, deals with the non-Medicaid side, again, part of this whole effort to make sure that when a physician or a hospital or a doctor aids and helps a family member and services are rendered, bills would be paid in a prompt, timely fashion. I liken it to this. If you go buy a furnace or an air conditioner, and that's installed, you get a bill that says you need to pay or within a period of time, maybe 30 or 45 days. If you don't pay, the interest will run on that service at 1 percent or 1.5 percent per month.

Well, you know the chickens need to come to roost. The bills need to be paid. It's time that we make sure that, indeed, for providers of health care that they get paid in a timely fashion. Frequently enough, not with malice—I'm not implying that—when bills aren't paid in a timely fashion, it clogs the health care artery in our state, and it impacts families. It impacts the access to health care. It impacts the delivery of health care services, but most importantly, it fractures a relationship of trust that has been built up over time.

I'm very appreciative that Senator Shugars and the Health Policy Committee passed these bills out that deal with the commercial side, the non-Medicaid side of timely payment. It's important that in this legislation we free up the health care artery, and we do what some would describe as a little legislative angioplasty to make sure that the artery of health care flows across the state of Michigan.

Fortunately, we have a lot of support for this legislation not just in the Senate, but from outside groups that are helpful on this from the Hospital Association to Blue Cross/Blue Shield to the Michigan Medical Society. As we discussed yesterday on General Orders, what this legislation does is makes sure you put in a process of having claims that are clean and precise and detailed. It also has a process whereby you can make sure that there is a dispute opportunity here to work these things out and a reporting period—within a period of time the Insurance Commissioner will be able to receive from the payers those claims that haven't been paid within a 90-day period. So four times a year there will a reporting period by the payers to the Insurance Commissioner, which will then be published so we can see if there has been improvement in this whole payment of claims in a timely fashion.

I'd encourage the members here to support this bill and the companion measures, Senate Bill Nos. 696 and 698, and that we make sure we help the nurse practitioner, help the hospital, and help the physician who are providing services and making sure that health care delivery is done in an efficient, fair, and in a timely fashion. I urge adoption of this legislation.

The following bill was read a third time:

Senate Bill No. 696, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403).

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. 82

Yeas—37

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

Nays—0

Excused—1

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Rogers, Gougeon, Bennett, Johnson, Hoffman, Gast, Steil, Jaye, Van Regenmorter, Goschka, McCotter, North, McManus, Koivisto, Murphy, Hart, Byrum, Peters, Leland, Hammerstrom, Miller, DeBeaussiaert, A. Smith, Young, Vaughn and Schwarz moved that they be named co-sponsors of the following bill:

Senate Bill No. 696

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 698, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21095.

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. 83

Yeas—37

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

Nays—0

Excused—1

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Rogers, Van Regenmorter, Gougeon, Bennett, Hammerstrom, Johnson, Jaye, Steil, Gast, McCotter, Leland, Peters, Young, Vaughn, Byrum, Hart, Murphy, Koivisto, North, A. Smith, Miller, DeBeaussiaert, Bullard, Goschka, Sikkema and Schwarz moved that they be named co-sponsors of the following bill:

Senate Bill No. 698

The motion prevailed.

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 Dingell as Chairperson.

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

Senate Bill No. 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.

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.

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

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

House Bill No. 5184, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 1999 PA 67.

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. 5185, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 6 (MCL 752.796), as amended by 1996 PA 326.

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 13, by striking out all of subdivision (d) and relettering the remaining subdivisions.

The Senate agreed to the substitute, as amended, 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. 5186, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 7 (MCL 752.797), as amended by 1996 PA 326.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 6, line 16, by striking out all of subdivision (d) and relettering the remaining subdivisions.

The Senate agreed to the substitute, as amended, 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. 5187, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 2 (MCL 752.792), as amended by 1996 PA 326.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 3, line 15, by striking out all of subdivision (d) and relettering the remaining subdivisions.

The Senate agreed to the substitute, as amended, 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. 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.

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. 893, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1998 PA 547.

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. 894, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145d (MCL 750.145d), as added by 1999 PA 32.

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. 257, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

Substitute (S-4).

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 resolutions, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

Senate Resolution No. 138

Senate Resolution No. 139

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

Resolutions

Senate Resolution No. 138.

A resolution to memorialize the Congress of the United States to enact legislation to increase the cap on the low-income housing tax credit and index it in accordance with the Consumer Price Index.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator McManus was named co-sponsor of the resolution.

Senate Resolution No. 139.

A resolution to memorialize the Congress of the United States to enact legislation to increase the state ceiling on Mortgage Revenue Bonds and index it in accordance with the Consumer Price Index.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Young was named co-sponsor of the resolution.

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

The following communication was received and read:
Office of the Senate Majority Leader

March 15, 2000

Pursuant to Senate Rule 1.105, I hereby appoint the following members to the conference committee on Senate Bill 404:

Senator Shugars
Senator Schwarz
Senator Murphy

Sincerely,
Dan L. DeGrow
Senate Majority Leader

The communication was referred to the Secretary for record.

Introduction and Referral of Bills

Senators Shugars, Dunaskiss, Goschka, Emmons, Koivisto, Jaye, Hoffman and McManus introduced
Senate Bill No. 1167, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1345. The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Emerson introduced

Senate Bill No. 1168, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21729. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Gougeon, Stille, Koivisto, McManus, North, Schuette, Bennett, Sikkema, Dunaskiss, Jaye, Steil, Bullard, Goschka, Van Regenmorter, Gast and Shugars introduced

Senate Bill No. 1169, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 794; and to make an appropriation.

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

Committee Reports

The Committee on Gaming and Casino Oversight reported

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.

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

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

Glenn Steil
Chairperson

To Report Out:

Yeas: Senators Steil, Shugars, Van Regenmorter and Koivisto

Nays: None

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

The Committee on Finance reported

Senate Resolution No. 138.

A resolution to memorialize the Congress of the United States to enact legislation to increase the cap on the low-income housing tax credit and index it in accordance with the Consumer Price Index.

(For text of resolution, see Senate Journal No. 21, p. 227.)

With the recommendation that the resolution be adopted.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Finance reported

Senate Resolution No. 139.

A resolution to memorialize the Congress of the United States to enact legislation to increase the state ceiling on Mortgage Revenue Bonds and index it in accordance with the Consumer Price Index.

(For text of resolution, see Senate Journal No. 21, p. 227.)

With the recommendation that the resolution be adopted.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Finance reported

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.

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.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, March 14, 2000, at 1:15 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons (C), Bullard, Hammerstrom, Peters and Dingell

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, March 14, 2000, at 1:14 p.m., Room 110, Farnum Building

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

Scheduled Meetings

Appropriations -

Subcommittees -

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

Family Independence Agency - Thursday, March 16, 3:00 p.m., Room 100, Farnum Building; 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; Tuesday, May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

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

Families, Mental Health and Human Services - Thursday, March 16, 2:30 p.m., Room 210, Farnum Building (373-3543)

Government Operations - Thursday, March 16, 1:00 p.m., Room 100, Farnum Building (373-1707)

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, Cisler 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)

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 11:10 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, March 16, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

