

No. 77
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, December 12, 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—excused
Emerson—excused
Emmons—present
Gast—excused
Goschka—present
Gougeon—present

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

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

Recess

President, Lieutenant Governor Dick Posthumus, declared that the Senate recess until 1:30 p.m., the time being 10:05 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

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

Our Father, who art in heaven, we give You thanks and praise for giving us this opportunity to come together in the true spirit of camaraderie and friendship in doing the people's work. We ask that You continue to provide us with Your guidance. In Your name we ask. Amen.

Recess

Senator Hoffman moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 1:31 p.m.

2:12 p.m.

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

Motions and Communications

Senator Emmons entered the Senate Chamber.

Senator McCotter moved that Senator Jaye be temporarily excused from today's session.
The motion prevailed.

Senator McCotter moved that Senators Dunaskiss, Johnson, Rogers, Van Regenmorter and Gast be excused from today's session.

The motion prevailed.

Senator Van Regenmorter is attending an emergency surgery for his son.

Senator Dingell moved that Senators Cherry, Emerson, Murphy, V. Smith, Vaughn and Young be excused from today's session.

The motion prevailed.

Senator McCotter stated that Senators Cherry and Emerson are absent due to a state of emergency declared in their respective county.

Senator Jaye entered the Senate Chamber.

The Secretary announced the printing and placement in the members' files on Friday, December 8, of:

House Bill Nos. 6180 6181 6182

Committee Reports

The Committee on Families, Mental Health and Human Services reported

House Bill No. 4828, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

With the recommendation that the bill pass.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Mental Health and Human Services reported

House Bill No. 6064, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 126 and 132 (MCL 125.526 and 125.532), section 126 as amended by 1997 PA 200.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Mental Health and Human Services reported

House Bill No. 6063, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

House Bill No. 5812, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907).

With the recommendation that the bill pass.

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

Bill Bullard Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 6139, entitled

A bill to name a certain portion of highway I-69 the "Pearl Harbor Memorial Highway"; and to prescribe certain duties of the state transportation department.

With the recommendation that the bill pass.

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

Bill Bullard Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submits the following:

Meeting held on Thursday, December 7, 2000, at 2:06 p.m., Room 100, Farnum Building

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

Excused: Senator Leland

The Committee on Government Operations reported

House Bill No. 6016, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 1998 PA 237.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 3, line 18, after "BY" by striking out "LAW" and inserting "THE LEGISLATIVE SERGEANT AT ARMS POLICE POWERS ACT".

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

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom, Sikkema and Miller

Nays: None

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

The Committee on Government Operations reported

House Bill No. 6017, entitled

A bill to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; and to prescribe certain duties and responsibilities of certain state employees.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 1. This act shall be known and may be cited as the "legislative sergeant at arms police powers act" and renumbering the remaining sections.

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

"(4) The commission on law enforcement standards shall grant certification to a person who is employed as the sergeant at arms or an assistant sergeant at arms of the senate on the effective date of this act who is commissioned as a police officer by the senate within 2 years after the effective date of this act." and renumbering the remaining subsections.

3. Amend page 3, following line 4, section 2(2), after the second "arms" by striking out "provided in this act" and inserting "of the house of representatives".

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

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom, Sikkema and Miller

Nays: None

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

The Committee on Government Operations reported

Senate Resolution No. 225

A resolution requesting the Governor to negotiate and conclude a tribal-state gaming compact with the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan.

(For text of resolution, see Senate Journal No. 75, p. 2031.)

With the recommendation that the following amendment be adopted and that the resolution then be adopted as amended:

1. Amend the first Resolving clause, line 5, after "Allegan" by striking out "County" and inserting a comma and "Ottawa, Kent, Kalamazoo, and Barry Counties".

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom and Miller

Nays: Senator Sikkema

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Thursday, December 7, 2000, at 2:11 p.m., Room 405, Capitol Building

Present: Senators McCotter (C), Hammerstrom, Sikkema and Miller

Excused: Senator V. Smith

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 5586, entitled

A bill to repeal 1974 PA 181, entitled "An act to provide for the testing, condemnation and disposal of livestock and livestock products; to provide for the testing of certain livestock; to provide for the quarantine of certain livestock; to prescribe the conditions of condemnation; to provide for the indemnification of owners of quarantined or disposed livestock or livestock products; to provide for recovery of the costs of testing, condemnation, disposal, and indemnification; and to prescribe the powers and duties of the department of agriculture," (MCL 287.71 to 287.77).

With the recommendation that the bill 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 was referred to the Committee of the Whole.

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 5967, entitled

A bill to amend 1965 PA 114, entitled "An act relating to dry, edible beans; to create a bean commission and prescribe its functions; to levy and collect assessments on bean production; and to provide penalties for violation of this act," by amending sections 1, 2, 3, 4, 10, 12, 14, and 17 (MCL 290.551, 290.552, 290.553, 290.554, 290.560, 290.562, 290.564, and 290.567), sections 1, 14, and 17 as amended by 1980 PA 493 and sections 2 and 3 as amended by 1989 PA 144.

With the recommendation that the bill 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 was 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, December 6, 2000, at 2:00 p.m., Room 405, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement System Board of Trustees submits the following:

Meeting held on Wednesday, December 6, 2000, at 3:00 p.m., Room H65, Capitol Building

Present: Senators McManus (C), Emerson and Schwarz

Scheduled Meetings

Human Resources, Labor, Senior Citizens and Veterans Affairs - Recessed until Wednesday, December 13, 9:30 a.m., Rooms 402 and 403, Capitol Building (373-2417)

Senator McCotter moved that the Senate adjourn.
The motion prevailed, the time being 2:18 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, December 13, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.