

No. 8
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, February 3, 2000.

10:00 a.m.

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

The roll was called by the Assistant 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 George Z. Hart of the 6th District offered the following invocation:

O Lord, we are grateful for this opportunity to represent the people in this great state of Michigan.

As we pray today, let us be mindful of the terrible tragedy of Alaskan Airlines, the victims, and their families. We ask this in Your name. Amen.

Motions and Communications

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

Senator Rogers moved that Senators Schwarz and Stille 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.

Senator Jaye entered the Senate Chamber.

The following communication was received:
Office of Drug Control Policy

January 26, 2000

I am pleased to transmit the Byrne Memorial Formula Grant application, together with the Michigan Drug Strategy, from the Office of Drug Control Policy to the U.S. Department of Justice, Bureau of Justice Assistance for the drug enforcement grant program.

This application is being forwarded to your office for information and review pursuant to Section 1304(a)(2) of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula grant program. This application requests \$16,362,362.

Should you have questions, please contact Ardith J. DaFoe at (517) 373-2952.

Sincerely,
Darnell Jackson
Director

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

January 27, 2000

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

Performance and Financial Related Audit of the Child Development and Care Program, Family Independence Agency, January 2000.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 2:

House Bill Nos. 4695 4969 4995

Messages from the Governor

The following messages from the Governor were received and read:

February 2, 2000

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

Michigan Board of Medicine

Mr. Robert Charles Neldberg, 31 Lakeview, Marquette, Michigan 49855, county of Marquette, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2003.

Dr. Kenneth McNamee, 211 Hollywood, Monroe, Michigan 48161, county of Monroe, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2003.

Mr. Paul E. McNamara, 1211 Glastonbury Drive, St. Johns, Michigan 48879, county of Clinton, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2003.

Dr. Linda S. Hotchkiss, 1003 Three Mile Drive, Grosse Pointe Park, Michigan 48230, county of Wayne, as a member representing professionals, succeeding herself, for a term expiring on December 31, 2003.

Dr. James D. Grant, 1574 Sodon Lake Drive, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing professionals, succeeding Dr. AppaRao Mukkamala of Grand Blanc, whose term has expired, for a term expiring on December 31, 2003.

Dr. Charles A. Sanislow, 4264 Berkshire Court, Midland, Michigan 48640, county of Midland, as a member representing professionals, succeeding Dr. Douglas A. Mack of Grand Rapids, whose term has expired, for a term expiring on December 31, 2003.

Dr. Mary Elizabeth Roth, 5333 Briarcliff Knoll W., West Bloomfield, Michigan 48322, county of Oakland, as a member representing professionals, succeeding Dr. Harold J. Sauer of Okemos, whose term has expired, for a term expiring on December 31, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of
Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 120

The resolution consent calendar was adopted.

Senator Dingell offered the following resolution:

Senate Resolution No. 120.

A resolution observing February 20-26, 2000, as National Engineers Week in Michigan.

Whereas, It is a distinct privilege to join with engineers throughout our nation, and particularly in Michigan, in celebrating National Engineers Week, February 20-26, 2000. This special week has been set aside to highlight the many contributions engineers have made and continue to make to the quality of our life. May all involved in this important profession know how much we value their contributions to our well-being; and

Whereas, National Engineers Week is always celebrated at the time of George Washington's birthday. Our nation's first president was a military and agricultural engineer and land surveyor. He was responsible for establishing the first United States engineering school at Valley Forge, Pennsylvania, which later became the United States Military Academy at West Point, New York. In the same traditions as our first president, American engineers have sought to improve society by turning ideas into reality; and

Whereas, Today, we can thank engineers for such marvels as weather radar, space travel, and artificial kidneys. Products of engineering, including such everyday mechanisms as a thermostat, television set, and telephone, became reality because of the vision, hard work, and creativity of engineers. With more than two million engineers developing new solutions to today's problems, we are on the threshold of even more fascinating engineering marvels; now, therefore, be it

Resolved by the Senate, That the week of February 20-26, 2000, be highly commemorated as National Engineers Week in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to coordinators of this event and the National Society of Professional Engineers as a reflection of our regard for engineers and their contributions to our society.

Senators Goschka and Young were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Van Regenmorter's statement is as follows:

Recently, an Italian company named the United Colors of Benetton, or more commonly known as Benetton—they produce fabrics, and they produce clothing widely sold in Michigan—decided to take on and promote their view of social issues. As part of an advertising campaign, they are featuring four killers, all of whom are on death row. These ads are really about the death penalty, I suppose, but putting that aside, one of these killers tortured and murdered a three-year-old girl. Another beat to death two young convenience store workers, and so on.

Benetton is saying that they want to put a human face on these killers. I have no idea why they want to put on a human face because if you look at their advertisements, they do much more than put a human face on them. They tried to elicit sympathy for them.

Now this is a country that has rejected Joe Camel as a symbol of smoking as a bad message to send to our young people. What kind of message is being sent to our young people by promoting killers—brutal killers? If they want to put a human face on anyone, it seems to me they ought to put a human face on the parents of that three-year-old little girl who was tortured and killed or maybe put a human face on her picture as she lies in her grave.

This is, I believe, a serious matter, and what can we do? Well, very little. That's an Italian company operating broadly in the U.S. and is apparently very profitable. You may want to go to its Web site. If you have a filtered computer terminal, you probably can't get to their Web site because there are some things on it that I think are pretty nasty. But that's not the subject here. The subject here is what can be done about it. What can be done about a company that promotes the lifestyle of killers—particularly child killers—and attempts to use them as an example for our children?

One of the things that can be done is we can encourage our constituents. We can encourage those businesses in our districts who handle Benetton products to reconsider handling those products and maybe requesting that Benetton act responsibly in its advertisements.

Senator Schwarz entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Jaye introduced

Senate Joint Resolution R, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 22 of article VII and adding section 31 to article VI and sections 35 and 36 to article VII, to provide for limitations on the terms of office for judicial offices and county, township, city, and village offices.

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

Senator Emmons introduced

Senate Bill No. 959, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 5, 6, 7, 8, 16, and 20 (MCL 141.1051, 141.1053, 141.1055, 141.1056, 141.1057, 141.1058, 141.1066, and 141.1070), the title and sections 3, 7, and 8 as amended by 1997 PA 27 and section 20 as amended by 1988 PA 316; and to repeal acts and parts of acts.

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

Senators Bullard, Hart, Hammerstrom, Young, North, Steil and Goschka introduced

Senate Bill No. 960, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," (MCL 257.1801 to 257.1877) by adding section 26.

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

Senators Bullard, Young, North and Steil introduced

Senate Bill No. 961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a and 719 (MCL 257.252a and 257.719), section 252a as amended by 1981 PA 104 and section 719 as amended by 1996 PA 136.

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

Senator Jaye introduced

Senate Bill No. 962, entitled

A bill to limit the salaries of coaches at institutions of higher education.

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

Senators Gast, Goschka, McManus, Vaughn, Johnson and A. Smith introduced

Senate Bill No. 963, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Gougeon, Schwarz, Johnson and A. Smith introduced

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.

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

Senators North, Hoffman and Johnson introduced

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.

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

Senators Stille, Bennett, Vaughn and Johnson introduced

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.

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

Senators Schwarz, McManus, A. Smith, Hoffman and Johnson introduced

Senate Bill No. 967, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Gast, Schwarz, Stille, Hoffman, McManus and Johnson introduced

Senate Bill No. 968, entitled

A bill to make supplemental appropriations for the departments of agriculture, civil rights, civil service, community health, corrections, education, family independence agency, management and budget, natural resources, state, state police, transportation, treasury and higher education and the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations, and to repeal acts and parts of acts.

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

Senators McManus, Gast and Johnson introduced

Senate Bill No. 969, 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 bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Johnson, Schwarz and Stille introduced

Senate Bill No. 970, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senators Bennett, Young, Stille and Johnson introduced

Senate Bill No. 971, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Senators Bennett, Gast, North, McManus, Johnson and A. Smith introduced

Senate Bill No. 972, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senators Goschka, Gougeon and Johnson introduced

Senate Bill No. 973, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services 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 provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

Senators Schwarz, Young and Johnson introduced

Senate Bill No. 974, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2001; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

Senators North, Goschka, Johnson and Vaughn introduced

Senate Bill No. 975, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Senators Hoffman, North, Vaughn and Johnson introduced

Senate Bill No. 976, 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 bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators McManus, Gast, Hoffman and Johnson introduced

Senate Bill No. 977, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senators Hoffman, North, Vaughn and Johnson introduced

Senate Bill No. 978, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

Senators Hoffman, Goschka, Young and Johnson introduced

Senate Bill No. 979, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2001; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials, certain state institutions of higher education, and local units of government; and to provide for the expenditure of the appropriations.

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

House Bill No. 4695, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1206. 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 Education.

House Bill No. 4969, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 1992 PA 297, and by adding section 801i.

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 Transportation and Tourism.

House Bill No. 4995, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252d and 674 (MCL 257.252d and 257.674), as amended by 1998 PA 68.

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 Transportation and Tourism.

Senator Stille entered the Senate Chamber.

Committee Reports

The Committee on Transportation and Tourism reported

Senate Bill No. 910, entitled

A bill 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.

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 Tuesday, February 1, 2000, at 3:00 p.m., Room 110, Farnum Building

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

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).

Higher Education Appropriations Subcommittee - Fridays, February 11, at 10:00 a.m., Eastern Michigan University, 201 Welch Hall, Ypsilanti; February 18, at 10:00 a.m., Ferris State University, Kendall College Campus, 111 N. Division Avenue, Grand Rapids; February 25, at 10:00 a.m., University of Michigan-Dearborn, Henry Ford Estate, Dearborn; March 3, at 10:00 a.m., Lawrence Technological University, 21000 W. Ten Mile Road, Southfield; and March 8, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-3447).

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 10:21 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Tuesday, February 8, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.