

**No. 16**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Wednesday, February 23, 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—present  
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—present  
Miller—present  
Murphy—present  
North—present  
Peters—present

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

Reverend Mark Moore of Agape Family Worship Center of Canton Township offered the following invocation:

Father, in Jesus' name, we give You thanks for our country and the great state of Michigan. We hold up in prayer before You these men and women who are in positions of authority in the Senate. We also pray for our other leaders in state government, including our Governor, and for all those who are in authority over us in any way. We pray that the Spirit of the Lord rest upon them.

We believe that skillful and godly wisdom has entered into the hearts of our leaders, and knowledge is pleasant to them. Discretion watches over them; understanding keeps them and delivers them from the way of evil and evil men.

We believe that You cause these men and women of our great state to be people of integrity who are obedient concerning us that we may lead quiet and peaceable lives in all godliness and honesty. We pray that the upright shall dwell in our state government and that men and women blameless and complete in Your sight, Father, shall remain in these positions of authority.

Your Word declares that "blessed is the nation whose God is the Lord." We receive Your blessing. Father, You are our refuge and stronghold in times of trouble. So we declare with our mouths that Your people dwell safely in this land, and we prosper abundantly.

It is written in Your Word that the heart of the king is in the hand of the Lord, and You turn it whichever way You desire. We believe the hearts of our men and women in state government are in Your hands, and their decisions are divinely directed of the Lord.

Father, You have said in Your Word to ask for wisdom, and You would give it to us liberally. We need Your wisdom today as decisions are made for Your people. Your Word prevails in this great state and in the hearts and lives of its people.

We give you thanks again for our state government and the leaders You have given to us and that Jesus is Lord over Michigan. In Jesus' name. Amen.

### **Motions and Communications**

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

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, February 22:  
**House Bill Nos. 4260 5017**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, February 22, for his approval the following bills:

**Enrolled Senate Bill No. 631 at 4:01 p.m.**

**Enrolled Senate Bill No. 657 at 4:03 p.m.**

**Enrolled Senate Bill No. 614 at 4:05 p.m.**

Senator Sikkema entered the Senate Chamber.

### **Messages from the House**

#### **Senate Bill No. 866, entitled**

A bill 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.

The House of Representatives has amended the bill as follows:

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

“Enacting section 1. This amendatory act takes effect July 1, 2000.”.

The House of Representatives has passed the bill as amended and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 803, entitled**

A bill to amend 1970 PA 74, entitled “Corner recordation act,” 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.

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

**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, Lieutenant Governor Posthumus, designated Senator Stille as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**Senate Bill No. 1006, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 204a and 210 (MCL 330.1204a and 330.1210), section 204a as added and section 210 as amended by 1995 PA 290.

**Senate Bill No. 1008, entitled**

A bill to amend 1995 PA 266, entitled “An act to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees,” by amending section 1 (MCL 129.241).

**House Bill No. 5067, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 214 (MCL 330.1214). 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 amendment, the following bill:

**Senate Bill No. 1007, entitled**

A bill to amend 1967 (Ex Sess) PA 7, entitled “Urban cooperation act of 1967,” by amending section 2 (MCL 124.502), as amended by 1995 PA 108.

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

1. Amend page 2, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1006 of the 90th Legislature is enacted into law.”.

The Senate agreed to the amendment recommended by the Committee of the Whole and the bill as amended 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. 1009, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 205 (MCL 330.1205), as amended by 1996 PA 588.

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.

During the Committee of the Whole, Senator V. Smith entered the Senate Chamber.

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

Senators DeBeaussaert and Miller asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

I rise to join my colleague from Macomb County, the Senator from the 10th District, to discuss briefly the issue of House Bill No. 4804. Like that Senator, I was the recipient of numerous phone calls at my home this weekend, as a mailing apparently went out into numerous districts in Macomb County at least and perhaps in other parts of the state urging people to contact their legislators regarding this bill, which is, as the Senator from the 10th District indicated, a bill currently in a House committee and is not before the Senate. It's not an issue upon which we can take direct action.

I would like to, though, for the record also suggest that those individuals who are trying to lobby on behalf of various efforts think about the process that they use to tell and communicate with their legislators because, in this case, they told people that they could use a long-distance number to call Lansing when, in fact, numerous legislators, including myself, have toll-free numbers that people could use to call Lansing. They also then give a home telephone number when people like myself also have district offices that can service people.

Unfortunately, most of us don't have the luxury of spending our weekends at home answering the telephone, and so people then get sent to an answering machine. They often don't leave their full name or their address, so we don't have a way to communicate with those people when they do try to contact us. So there were numerous areas, I think, that the individuals used to try to communicate the message. It's an important issue. It needs to be addressed. I guess the only positive thing that can be said is that, as a result of all those constituent calls that came in, it may have blocked out some of those telemarketing messages from political candidates and others who might have been trying to get their messages through this weekend. We didn't have to deal with some of that in my household, at least.

I would suggest that those individuals who want to communicate to constituents of ours give them the proper phone numbers, and give them the toll-free numbers so that we can get appropriate communication with our constituents and respond when they do try to contact us. Like the Senator from the 10th District, I would suggest to the individuals from my district who tried to contact me that we are aware of this situation. It does deserve a full and fair hearing, but the bill specifically that they're interested in first has to be taken up in the House committee.

Senator Miller's statement is as follows:

Today I rise to make a statement on a very, very alarming utility that all of the residents in Michigan face. It seems very difficult now. You have to be a CPA to figure out your local telephone bill. It's been brought to my attention not only by myself as a father who every month happens to argue with my children over the phone bill, but I think that yesterday in the *Detroit Free Press*, it talked about a very alarming situation. Over the weekend, I was bombarded with literally hundreds of phone calls because of a press release that the Small Business Association and the Michigan Consumer Federation put out a newsletter requesting that constituents call me to tell me about the problems that their customers and their members are having with the phone system, primarily Ameritech, with the increasing rates.

I talked briefly this morning with my good friend and the chairman of the Technology and Energy Committee, Senator Dunaskiss. I brought it to his attention. This bill needs attention, but for the Small Business Association and the Michigan Consumer Federation that put this newsletter out, I agree with their position. It's very alarming. They're increasing costs in Michigan. But I disagree with getting my constituents all riled up and establishing fear because the bill, House Bill No. 4804, is in the other chamber. I tried to explain to my constituents that I could not debate this bill or discuss this bill because it's not before this body. I would urge that when we put out these newsletters to constituents, we put it out to the right people. It should have gone out to my Representative because I can't vote on it. I can't solve their problems, and I'm just as upset as my constituents are at receiving those hidden charges on my Ameritech phone bill that I have no right to review.

I hope that Senator Dunaskiss in his committee takes up this telecommunications act. We have more and more problems deciphering. Is it a local call? What area code are you calling? Are you using a wireless telephone? We have more different rates in this state, and it's costing our constituents and the consumers here increasing amounts of income every month on a phone bill that you need to be a CPA to figure out what your charges are. So I urge the good Senator who's chairman of the committee to please take up this bill. And to my friends at the Small Business Association, tell my constituents that I would like to help them if the bill was in the Senate and not in the House.

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

**House Bill No. 4260, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 1995 PA 74.

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 Finance.

**House Bill No. 5017, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 1996 PA 476.

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 Finance.

**Committee Reports****COMMITTEE ATTENDANCE REPORT**

The Committee on Finance submits the following:

Meeting held on Tuesday, February 22, 2000, at 1:00 p.m., 8th floor Conference Room, Farnum Building

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

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Corrections submits the following:

Meeting held on Tuesday, February 22, 2000, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators North (C), A. Smith and Hoffman

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on Department of Education submits the following:

Meeting held on Tuesday, February 22, 2000, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Stille (C) and Vaughn

Excused: Senator Bennett

**Scheduled Meetings**

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

Corrections Appropriations Subcommittee - Monday, February 28, at 10:00 a.m., Zellar's Best Western Inn, Public Meeting Room, South M123, Newberry (3-2413).

Education Committee, Joint Senate and House - Wednesday, March 1, 12:00 noon, Room 519, House Office Building (3-7350).

Health Policy Committee - Tuesday, February 29, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Higher Education Appropriations Subcommittee - Fridays, 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).

Hunting, Fishing and Forestry Committee - Thursday, February 24, at 1:30 p.m., Room 110, Farnum Building (3-7670).

Legislative Retirement Board of Trustees - Thursday, February 24, at 3:00 p.m., House Conference Room, Room H-65, Ground Floor, Capitol Building (3-0575).

Natural Resources and Environmental Affairs Committee - Friday, February 25, at 1:30 p.m., Muskegon Community College, Higher Education Center - Lecture Hall 1100, 221 S. Quarterline Road, Muskegon; Monday, March 6, at 6:00 p.m., Saginaw Valley State University, Curtis Hall - Seminar D, 2250 Pierce Road, University Center; Thursday, March 23, at 6:00 p.m., Northwestern Michigan College, Oleson Center - Rooms 1 and 2, 1701 E. Front Street, Traverse City; Thursday, April 6, at 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, at 6:00 p.m., Monroe City Hall, Council Chamber, 120 E. First Street, Monroe (3-0797).

School Aid Appropriations Subcommittee - Thursday, February 24, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1635).

Transportation and Tourism Committee - Tuesday, February 29, at 3:00 p.m., Room 110, Farnum Building (3-1758).

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

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, February 24, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.