

No. 1
STATE OF MICHIGAN
Journal of the Senate
90th Legislature
REGULAR SESSION OF 2000

Senate Chamber, Lansing, Wednesday, January 12, 2000.

12:00 noon.

In conformity with the requirements of the Constitution of the state of Michigan, the Senators of the 90th Legislature of the state of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January 2000), at twelve o'clock noon, and were called to order by the Honorable Dick Posthumus, Lieutenant Governor of the state of Michigan and President of the Senate.

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

District	Name	District	Name
1st	Joe Young, Jr.	20th	Harry Gast
2nd	Virgil C. Smith, Jr.	21st	Dale L. Shugars
3rd	Raymond Murphy—excused	22nd	William Van Regenmorter
4th	Jackie Vaughn III	23rd	Joanne G. Emmons—excused
5th	Burton Leland	24th	John J.H. Schwarz
6th	George Z. Hart—excused	25th	Dianne Byrum
7th	Christopher D. Dingell	26th	Mike Rogers
8th	Loren N. Bennett—excused	27th	Dan L. DeGrow
9th	Thaddeus G. McCotter	28th	John D. Cherry, Jr.
10th	Arthur J. Miller, Jr.	29th	Robert L. Emerson
11th	Kenneth J. DeBeaussaert	30th	Glenn D. Steil—excused
12th	Dave Jaye	31st	Kenneth R. Sikkema
13th	Shirley Johnson	32nd	Leon Stille
14th	Gary Peters—excused	33rd	Mike Goschka
15th	Bill Bullard, Jr.	34th	Joel D. Gougeon
16th	Mat J. Dunaskiss	35th	Bill Schuette
17th	Beverly S. Hammerstrom	36th	George A. McManus, Jr.—excused
18th	Alma Wheeler Smith	37th	Walter H. North
19th	Philip E. Hoffman	38th	Don Koivisto

Senator John J.H. Schwarz of the 24th District offered the following invocation:

Dear Lord, we pray for the members of this body, our staffs, and the people who work so hard for this Senate and for this state government. We pray that we may have the wisdom and the courage to make decisions that are courageous and correct in the coming year. Dear Lord, we pray that we treat each other with courtesy and collegiality always. Amen.

Senator Leland entered the Senate Chamber.

Motions and Communications

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:
Gaming and Casino Oversight- Senator Shugars (VC) replacing Senator Rogers; Senator Van Regenmorter as a member.

Human Resources, Labor, Senior Citizens and Veterans Affairs - Senator Dunaskiss (C) replacing Senator Rogers; Senator Steil (VC) replacing Senator Schuette; Senator North as a member.

Judiciary - Senator Schuette replacing Senator Rogers.

The standing committee appointments were approved, a majority of the members serving voting therefor.

Senators Byrum and Young entered the Senate Chamber.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

November 22, 1999

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 11:35 a.m. this date, administrative rule (99-11-08) for the Department of Treasury, Bureau of State Lottery, entitled "*Lottery Rules*," effective 15 days hereafter.

December 3, 1999

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 1:02 p.m. this date, administrative rule (99-12-01) for the Department of Consumer and Industry Services, State Fire Safety Board, entitled "*Dormitory Fire Safety for Schools, Colleges, and Universities*," effective 15 days hereafter.

December 3, 1999

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 1:04 p.m. this date, administrative rule (99-12-02) for the Department of Consumer and Industry Services, State Fire Safety Board, entitled "*Fire Prevention*," effective 15 days hereafter.

December 3, 1999

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 1:06 p.m. this date, administrative rule (99-12-03) for the Department of Consumer and Industry Services, State Fire Safety Board, entitled "*New and Existing School, College, and University Fire Safety*," effective 15 days hereafter.

December 3, 1999

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 1:08 p.m. this date, administrative rule (99-12-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Fire Brigades*," effective 15 days hereafter.

December 3, 1999

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 1:10 p.m. this date, administrative rule (99-12-05) for the Department of Consumer and Industry Services, Unemployment Agency, entitled "*Unemployment Agency General Rules*," effective 15 days hereafter.

December 17, 1999

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 1:40 p.m. this date, administrative rule (99-12-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*Boilers*," effective 15 days hereafter.

December 20, 1999

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 11:37 a.m. this date, administrative rule (99-12-09) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 74. Fire Fighting*," effective 15 days hereafter.

December 20, 1999

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 11:39 a.m. this date, administrative rule (99-12-10) for the Department of Consumer and Industry Services, Public Service Commission, entitled "*Michigan Gas Safety Code*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, 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

December 10, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Department of Community Health, Department of Consumer and Industry Services and Family Independence Agency, December 1999.

December 16, 1999

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 Civil Rights, October 1, 1996, through September 30, 1998.

December 29, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Thumb Correctional Facility and Camp Tuscola, Department of Corrections, December 1999.

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

The communications were referred to the Secretary for record.

The following communication was received:
State Budget Office

December 10, 1999

Enclosed is a model letter of representations regarding your department's fiscal year 1998-99 internal controls, financial transactions, and accounting records. This letter, which is addressed to Mr. Leon E. Hank, Director of the

DMB Office of Financial Management, is required in connection with the preparation of the State of Michigan Comprehensive Annual Financial Report. All State departments are being asked to complete, sign, and return the letter no earlier than January 17 and no later than January 24, 2000.

The letter serves to support our overall representation letter to the Auditor General for the State as a whole. It also provides us with additional assurance on the accounting transactions and decentralized functions for which you are directly responsible under Public Act 431 of 1984, as amended.

For your convenience, we have also sent to your chief accountant the Microsoft Word version of the attached letter, via electronic mail.

Your timely attention to this matter will be greatly appreciated. If you anticipate any difficulty in returning this by January 24, or if you have any questions, please call Mr. Hank at 373-1010. Thank you.

Sincerely,
Mary A. Lannoye
State Budget Director

The communication was referred to the Secretary for record.

The following communication was received:
Calhoun Intermediate School District

December 13, 1999

Enclosed are copies of the Youth Plan and Comprehensive Adult Plan for the Workforce Investment Act (WIA), as developed by the Workforce Development Board and Chief Elected Officials of the Barry, Branch and Calhoun Michigan Works! service delivery area.

In accordance with the Americans with Disabilities Act (ADA), the information contained in these plans will be made available in alternative format (large type, audiotape, etc.) upon special request received by our office.

Public Hearings regarding the Youth Plan will be held at the following times and locations:

- December 17, 1999; 3:00 p.m.-4:00 p.m.; Barry Intermediate School District, Hastings, Michigan
- December 17, 1999; 4:00 p.m.-5:00 p.m.; Calhoun Intermediate School District, Marshall, Michigan
- December 20, 1999; 10:00 a.m.-11:00 a.m.; Branch County Courthouse, First Floor Meeting Room; 31 Division

Street, Coldwater, Michigan

Public Hearings regarding the Adult Plan will be held at the following times and locations:

- December 17, 1999; 4:00 p.m.-5:00 p.m.; Barry Intermediate School District, Hastings, Michigan
- December 20, 1999; 11:00 a.m.-12:00 p.m.; Branch County Courthouse, First Floor Meeting Room, 31 Division

Street, Coldwater, Michigan

- December 20, 1999; 4:00 p.m.-5:00 p.m.; Calhoun Intermediate School District, Marshall, Michigan

Comments regarding the plans are to be directed in writing to the Workforce Development Board and Chief Elected Officials, in care of the Calhoun Intermediate School District, 17111 "G" Drive North, Marshall, Michigan 49068. If you have any questions, please contact our Workforce Development Team at 616-789-2409.

Yours truly,
Elaine Furu-Baker
WFD Planning Administrator

The communication was referred to the Secretary for record.

The following communication was received:
Department of Community Health

December 16, 1999

In accordance with Public Act 336 of 1991, Section 333.7524a, the Michigan Department of Community Health is submitting the enclosed report to the Legislature on "Asset Forfeitures" conducted in Michigan during FY 1998.

If you have any questions, please feel free to contact my office at 335-0267.

Cordially,
James K. Haveman, Jr.

The communication was referred to the Secretary for record.

The following communication was received:
Department of Consumer and Industry Services

December 27, 1999

Attached is a copy of the report on removal of territorial rating constraints and the effect it has had on automobile and home insurance premiums in Michigan.

This report was prepared in accordance with the requirements of Section 2111(10) of the Insurance Code of 1956, MCL 500.2111(10). It requires the Commissioner to report to the Legislature the effect Public Act 98 of 1996 had on automobile and home insurance premiums in the state.

Frank M. Fitzgerald
Commissioner of Insurance
Insurance Bureau

The communication was referred to the Secretary for record.

The following communication was received:
Northeast Michigan Consortium

The Workforce Development Board of Northeast Michigan Consortium has prepared the final Workforce Investment Act (WIA) Youth Transitional Plan for the program year beginning July 1, 2000. A copy of the Plan is available at Northeast Michigan Consortium, P.O. Box 711, Onaway, Michigan 49765. Please address questions or comments to Terry L. Basel, Program Coordinator. An equal opportunity program/employer. Auxiliary aids and services will be made available upon request to individuals with disabilities. Michigan Relay Center 1(800)649-3777 (Voice & TDD).

The communication was referred to the Secretary for record.

The following communication was received:
Department of Environmental Quality

January 7, 2000

Attached please find the report to the Michigan Legislature, as required by Section 32714, Part 327, Great Lakes Preservation, Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, assessing the state water use protection fund.

If you have any questions regarding this report, please contact Mr. Flint Watt, Chief, Drinking Water and Radiological Protection Division, at 517-335-9218.

Thank you for your consideration.

Sincerely,
Russell J. Harding
Director
517-373-7917

The communication was referred to the Secretary for record.

The Secretary submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by Members on Legislative business for the quarter ending December 31, 1999:

Senator Bill Bullard	November 19-21	Attend National Conference of Insurance Legislators Orlando, FL	\$ 671.50
Senator Robert Emerson	October 1-5	Attend NCSL Leadership Institute Conference Aspen, CO	\$1,006.70
	November 13-16	Attend NCSL Health Care Conference San Diego, CA	\$ 802.46
Senator Joanne Emmons	October 1	Attend NCSL Forum for Americas Ideas Washington, DC	\$ 181.35
	October 6-9	Attend NCSL Task Force on State and Local Taxation of Telecom Nashville, TN	\$ 454.26
	November 4-6	Attend NCSL State and Local Taxation of Telecom Chicago, IL	\$ 540.60
	December 1-3	Attend NCSL Assembly on Federal Issues Washington, DC	\$1,174.97
Senator Beverly Hammerstrom	November 13-16	Attend NCSL Health Care Conference San Diego, CA	\$ 340.46

Senator Philip Hoffman	December 2-5	Attend Summit on the States Washington, DC	\$ 709.54
Senator Burton Leland	November 6-9	Attend NCSL National Redistricting Seminar Burlington, VT	\$ 394.40
Senator Dale Shugars	December 2-6	Attend Council of State Governments Annual Meeting Quebec, Canada	\$ 908.79

The Secretary announced the printing and placement in the members' files on Friday, December 10, 1999, of:

Senate Bill Nos. 910 911 912 913 914

**House Bill Nos. 5173 5174 5175 5176 5177 5178 5179 5180 5181 5182 5183 5184 5185 5186
5187 5188 5189 5190 5191 5192 5193 5194 5195 5196 5197 5198 5199 5200
5201 5202 5203 5204 5205 5206 5207**

The Secretary announced the printing and placement in the members' files on Monday, December 13, 1999, of:

House Bill Nos. 5208 5209 5210 5211 5212 5213 5214 5215 5216 5217 5218 5219

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

Senator Dingell moved that Senators Hart, Murphy and Peters be excused from today's session.
The motion prevailed.

Senator Emerson entered the Senate Chamber.

Senator Rogers moved that Senators Bennett, Emmons, McManus and Steil be excused from today's session.
The motion prevailed.

Senator Rogers moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

Messages from the Governor

The following message from the Governor was received on January 6, 2000, and read:

EXECUTIVE ORDER

No. 2000 - 01

Office of Regulatory Reform Michigan Department of Management and Budget Executive Office of the Governor

Executive Reorganization

Whereas, Article V, Section 2, of the Constitution of the state of Michigan of 1963 empowers the Governor to make changes in the organization or in the assignment of functions among its units that he considers necessary for efficient administration; and

Whereas, the Office of Regulatory Reform was created in the Executive Office by Executive Order 1995-6 to review proposed rules, coordinate the processing of rules by state departments, and work with departments to streamline the rulemaking process; and

Whereas, Act No. 262 of the Public Acts of 1999, amended the Administrative Procedures Act of 1969, being Sections 24.201 et seq. of the Michigan Compiled Laws, in part, by adding Section 34, being Section 24.234 of the Michigan Compiled Laws, which codified the authority of the Office of Regulatory Reform as a Type I agency within the Department of Management and Budget; and

Whereas, pursuant to Act No. 262 of the Public Acts of 1999, the effective date of the creation of the Office of Regulatory Reform in the Department of Management and Budget will be April 1, 2000; and

Whereas, the Office of Regulatory Reform, both under Executive Order 1995-6 and Act No. 262 of the Public Acts of 1999, will review and process rules from all state departments; and

Whereas, the Office of Regulatory Reform's coordination and rule review functions must be performed independently of departments seeking to promulgate rules; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan do hereby order the following:

All the authority, powers, duties, functions, grants and responsibilities of the Office of Regulatory Reform provided for in Act No. 306 of the Public Acts of 1969, as amended by Act No. 262 of the Public Acts of 1999, being Sections 24.201 et seq. of the Michigan Compiled Laws, and Executive Order 1995-6, are hereby transferred to the Executive Office of the Governor by a Type I transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

The Director of the Office of Regulatory Reform shall provide executive direction and supervision for the implementation of the transfer.

The Director of the Office of Regulatory Reform shall administer the transferred powers, duties, functions and responsibilities in such ways as to promote effective administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of the responsibilities prescribed by this Order.

The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of this fiscal year.

All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Office of Regulatory Reform for the activities, powers, duties, functions and responsibilities transferred by this Order are hereby transferred to the Director of the Office of Regulatory Reform.

All rules, orders, contracts and agreements related to the assigned functions that were lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall take effect April 1, 2000.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 6th day of January, in the Year of our Lord, Two Thousand.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

December 10, 1999

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

Board of Cosmetology

Mrs. Brenda Ingersoll Secord, 816 Harris Street, Lansing, Michigan 48906, county of Ingham, as a member representing licensed cosmetologists, succeeding herself, for a term expiring on December 31, 2003.

Ms. Joyce E. McCoy, 623 Island View Drive, Alpena, Michigan 49707, county of Alpena, as a member representing the general public, succeeding herself, for a term expiring on December 31, 2003.

December 10, 1999

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

Personnel Agency Board

Ms. Karen S. Kay, 900 Long Boulevard, #655, Lansing, Michigan 48911, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on September 30, 2003.

Ms. Ann Marie Swartout, 8817 North 39th Street, Augusta, Michigan 49012, county of Kalamazoo, as a member representing professionals, succeeding herself, for a term expiring on September 30, 2003.

December 15, 1999

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

Nursing Home Administrators' Board of Control

Ms. Maila V. Tiffany, Rt. #1 Box 40, Republic, Michigan 49879, county of Marquette, as a member representing nursing home administrators, succeeding Mr. Bradley N. Cory of Marquette, whose term has expired, for a term expiring on December 31, 2003.

December 16, 1999

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

Michigan Truck Safety Commission

Mr. William Clarence Taylor, 1424 Cedarhill, East Lansing, Michigan 48823, county of Ingham, as a member representing four-year colleges and universities, succeeding himself, for a term expiring on August 4, 2001.

Mr. John E. Theroux, 1840 Gunn Road, Holt, Michigan 48842, county of Ingham, as a member representing community colleges, succeeding himself, for a term expiring on August 4, 2001.

December 17, 1999

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

Michigan Gaming Control Board

Ms. Paula L. Blanchard, 1173 Timberview Trail, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on December 20, 2003.

Col. Ritchie T. Davis, 18935 Faculak Road, Charlevoix, Michigan 49720, county of Charlevoix, as a member representing the general public, succeeding himself, for a term expiring on December 20, 2003.

January 5, 2000

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

State Transportation Commission

Mr. Barton W. LaBelle, 4239 W. Whiteville Road, Mt. Pleasant, Michigan 48858, county of Isabella, as a member representing Republicans and as Chair, succeeding himself, for a term expiring on December 21, 2002.

Mr. Ted B. Wahby, 30117 Elmgrove, St. Clair Shores, Michigan 48082, county of Macomb, as a member representing Democrats, succeeding himself, for a term expiring on December 21, 2002.

January 6, 2000

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

Civil Rights Commission

Dr. Yahya Mossa-Basha, 4455 Landing Drive, West Bloomfield, Michigan 48323, county of Oakland, as a member representing Republicans, succeeding himself, for a term expiring on December 31, 2003.

Bishop George E. Brown, 23029 Twining, Southfield, Michigan 48075, county of Oakland, as a member representing Democrats, succeeding Rev. Edgar L. Vann, Jr., of Detroit, whose term has expired, for a term expiring on December 31, 2003.

January 6, 2000

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

Commission on Disability Concerns

Mr. Kenneth D. Frensley, 918 Fuller Lane, White Lake, Michigan 48386, county of Oakland, as a member representing the general public, succeeding Ms. L. Bryn Fortune of Farmington Hills, whose term has expired, for a term expiring on October 31, 2002.

January 6, 2000

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

Grape and Wine Industry Council

Mr. Kim L. Gary, 2842 Bellegrade Court, SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing wine wholesalers, succeeding himself, for a term expiring on October 9, 2001.

Mr. Chris E. Oxley, 77596 CR 652, Lawton, Michigan 49065, county of Van Buren, as a member representing grape growers, succeeding himself, for a term expiring on October 9, 2001.

Mr. John G. Jonna, 2124 Park Circle, Keego Harbor, Michigan 48320, county of Oakland, as a member representing wine retailers, succeeding himself, for a term expiring on October 9, 2001.

Mr. James H. VanDerKolk, 6130 122nd Avenue, Fennville, Michigan 49408, county of Allegan, as a member representing wine makers, succeeding Mr. Edward L. O'Keefe III of Traverse City, whose term has expired, for a term expiring on October 9, 2001.

January 6, 2000

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

Board of Ethics

Ms. Wendy S. Anderson, 4999 Greenview, Commerce Township, Michigan 48382, county of Oakland, as a member representing Republicans, succeeding the Honorable Julie Creal Goodridge of Ann Arbor, who has resigned, for a term expiring on February 7, 2000.

January 6, 2000

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

Manufactured Housing Commission

Mr. Michael P. Shivok, 12675 S. Colby Lake Road Lot #16, Laingsburg, Michigan 48848, county of Shiawassee, as a member representing organized labor, succeeding Mr. Robert Lee Myers of Canton, who has left for other reasons, for a term expiring on May 9, 2000.

January 6, 2000

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

Natural Resources Commission

Mr. William U. Parfet, 5272 Northwood Drive, Hickory Corners, Michigan 49060, county of Barry, as a member representing Republicans, succeeding himself, for a term expiring on December 31, 2003.

Mr. L. Thornton Edwards, Jr., 4495 Hidden Valley Drive, Orchard Lake, Michigan 48324, county of Oakland, as a member representing Independents, succeeding himself, for a term expiring on December 31, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

The following message was received and read:

January 12, 2000

I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Very respectfully,
Gary L. Randall, Clerk
House of Representatives

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Murphy, V. Smith, A. Smith, Young, Emerson, Hart and Leland introduced

Senate Bill No. 915, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21512. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Dunaskiss introduced
Senate Bill No. 916, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by amending the title, as amended by 1989 PA 2, and by adding sections 9a, 9b, and 9c.

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

Senator Dunaskiss introduced
Senate Bill No. 917, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding sections 9d and 9e.

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

Senator Byrum introduced
Senate Bill No. 918, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding section 9f.

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

Senator Sikkema introduced
Senate Bill No. 919, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding section 9g.

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

Senator Dunaskiss introduced
Senate Bill No. 920, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of

certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding sections 9h, 9i, and 9j.

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

Senator Leland introduced

Senate Bill No. 921, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding section 9l.

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

Senator Schuette introduced

Senate Bill No. 922, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding section 9k.

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

Senator Steil introduced

Senate Bill No. 923, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

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

Senator V. Smith entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Resolutions

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

Senate Resolution No. 117

The resolution consent calendar was adopted.

Senator Young offered the following resolution:

Senate Resolution No. 117.

A resolution to congratulate Janet Huvaere on her retirement from Saint Jude School in the city of Detroit.

Whereas, It is with great respect for her successful career as a school teacher that we honor Janet Huvaere upon her retirement. After almost 40 years of exemplary service to the Saint Jude School, Janet is hanging up her book bag on June 15, 2000, to enjoy a well-deserved retirement. We thank Ms. Huvaere for her career on behalf of the students, parents, faculty, and staff she has served so well; and

Whereas, Born in Grosse Pointe, Michigan, on October 11, 1938, Ms. Huvaere attended Saint Ambrose School. After graduation, she worked at Bon Secours Hospital as an aide before entering the Adrian Dominican Order where she

studied for two years. She then went on to receive her bachelor's degree from Siena Heights University in Adrian, Michigan. Janet began her teaching profession at Saint Jude School in 1961, where, over the course of her career, she has taught students in the 3rd, 5th, and 6th grades; and

Whereas, Ms. Huvaere is the type of teacher all students wish to have and all parents want for their children. In her classroom, excitement and enthusiasm replaced boredom and complacency. Indeed, this accomplished teacher brought subjects to life for her students in new and exciting ways. As a result, generations of students have benefitted remarkably; and

Whereas, The truest test of a teacher's abilities lies in the accomplishments of her students. Ms. Huvaere's students can boast of outstanding achievements and remarkable growth due to her innovative and effective teaching abilities. Her students have been inspired to work diligently, and they have enjoyed the challenges she placed before them. The lessons Ms. Huvaere has imparted to these young people will remain with them long into the future. Her reward comes from being a teacher whom students will remember long after their school years as an inspiring role model and friend; and

Whereas, During her tenure, Ms. Huvaere has helped to improve both academic and extracurricular programs. She is an educator who has given a tremendous amount to the school, the Saint Jude Parish, and most importantly, countless students over the years; now, therefore, be it

Resolved by the Senate, That we commend and congratulate Janet Huvaere for her outstanding career with Saint Jude School. We extend our best wishes to her and wish her the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Ms. Huvaere in appreciation of her job performance and the high esteem we have for her.

Senator Goschka was named co-sponsor of the resolution.

Recess

Senator Rogers moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 12:13 p.m.

12:27 p.m.

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

House Concurrent Resolution No. 76.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Wednesday, January 19, 2000, at 6:45 p.m., to receive the message of Governor John M. Engler.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Rogers moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator Rogers moved that when the Senate adjourns today, it stand adjourned until Wednesday, January 19, at 6:15 p.m.

The motion prevailed.

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 12:30 p.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Wednesday, January 19, at 6:15 p.m.

CAROL MOREY VIVENTI
Secretary of the Senate.