

**No. 50**  
**JOURNAL OF THE SENATE**

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Senate Chamber, Lansing, Thursday, May 25, 2000.

10:00 a.m.

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

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

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

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

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

Senator William Van Regenmorter of the 22nd District offered the following invocation:

Our Heavenly, Sovereign Lord, we acknowledge that You established this great country and that You control its destiny. In fact, in the book of Romans, You tell us that You have provided for the safety of all of us by giving to us government and, by extension, our armed services with the sort of justice to protect the innocent and to punish the evil doer.

Today is a special day, and in it we are remembering all those who have served so bravely our country and all those who continue to serve our country and to protect all of us. We especially today want to pay honor to those who have paid the supreme sacrifice, the supreme price, as well as their families. They have exemplified what You say in the book of John: "Greater love has no man than that he give his life for his friends."

Thank You for giving us this wonderful country. Thank You for giving us courageous men and women who have ensured by their blood and by their service that we have liberty and justice for all. In Jesus' name. Amen.

### Motions and Communications

Senators Rogers, Young, Dunaskiss, Vaughn and Jaye entered the Senate Chamber.

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

Senator Rogers moved that rule 3.902 be suspended to allow his guests admittance to the Senate floor.  
The motion prevailed, a majority of the members serving voting therefor.

Senator Rogers moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle, and the Gallery.  
The motion prevailed, a majority of the members serving voting therefor.

### Recess

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:05 a.m.

10:44 a.m.

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

During the recess, Senator Rogers conducted the 6th Annual Memorial Day Ceremony in honor of the military who have served during wartime. The ceremony was accompanied by the Kalamazoo Pipe Band and vocalist Emily Evashevski, who sang the "Star Spangled Banner."

Senator Hammerstrom introduced Mr. Orrin "Moon" Robinson, World War I veteran, who is the oldest living veteran in Lenawee County.

Senator Rogers introduced 1st Lieutenant Dawn Dancer, U.S. Army, Desert Storm veteran, who addressed the Senate with a narrative entitled "The Soldier of the 21st Century."

Senator Rogers introduced 1st Sergeant Nick Bacon, Director of Arkansas Department of Veterans Affairs and recipient of the Congressional Medal of Honor, who addressed the Senate.

A poem written by David Fruge entitled "The Flag That's Never Flown" was rendered by Senator Johnson.

The Secretary announced the following House bills were received in the Senate and filed on Wednesday, May 24:

**House Bill Nos. 5624 5745 5766 5767 5781**

The Secretary announced the printing and placement in the members' files on Wednesday, May 24, of:

**Senate Bill Nos. 1288 1289**

**House Bill Nos. 5814 5815 5816 5817 5818 5819 5820 5821 5822 5823 5824 5825 5826 5827  
5828 5829 5830 5831 5832 5833**

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

Before we begin the rest of the ceremony or today's activities and session, I want to take a moment to recognize some special guests who are with us here today and have observed our special Memorial Day service. They're part of the United Auto Workers Region I in Michigan's Veterans Council. For the last ten years, the Veterans Council has provided numerous services to veterans—food, shelter, clothing, and a mentoring program to allow veterans to get back into the work force. They've been a strong voice for veterans in numerous areas.

Recently, and the reason that I've asked them here today, that council has been very instrumental in activities surrounding fund-raising efforts for the Viet Nam Memorial in this state. In fact, under the leadership and direction of regional director Ken Terry recently, and since February of this year, the council has been very active in fundraising and has raised more than \$600,000 for that memorial. I've asked a number of those members to be with us here today. Unfortunately, the chair of the Veterans Council, John Jourdan, like many others who were exposed to Agent Orange, is not able to be with us here today because he is battling some health problems back at home. But we do have with us Charlie Rouse, the recording secretary, and Miguel Roldan, the sergeant at arms, and with them is Nancy Falcone of UAW Region I. I would ask that they would rise so that we can welcome them and thank them.

By unanimous consent the Senate proceeded to the order of  
**Third Reading of Bills**

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

**House Bill No. 5274, entitled**

A bill to make appropriations for the department of career development 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 above bill was read a third time.

The question being on the passage of the bill,

Senator Byrum offered the following amendment:

1. Amend page 40, following line 23, by inserting:

"Sec. 417. Of the money appropriated in 1999 PA 69 for the technical education centers, the unallocated balance of \$4,100,000.00 shall be allocated to Lansing Community College, consistent with the college's application as submitted pursuant to the guidelines established by the fund. If these funds are not expended by September 30, 2001, a work project account shall be established and the money shall carry forward through the completion of the project."

The question being on the adoption of the amendment,

Senator Byrum requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

Senator Johnson moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5275, 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 question being on the passage of the bill,

Senator Emerson offered the following amendment:

1. Amend page 41, line 24, after "hygienists." by striking out the balance of the of the section.

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

Senator Byrum offered the following amendment:

1. Amend page 42, following line 22, by inserting:

"Sec. 339. The department shall post on the Internet the executive summary of the latest inspection for both licensed nursing homes and licensed day care centers."

The question being on the adoption of the amendment,

Senator Byrum requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 345****Yeas—26**

Bullard	Goschka	Leland	Schwarz
Byrum	Gougeon	McCotter	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
Dingell	Jaye	Peters	Vaughn
Dunaskiss	Johnson	Schuette	Young
Emerson	Koivisto		

**Nays—9**

DeGrow	McManus	Rogers	Stille
Emmons	North	Shugars	Van Regenmorter
Hoffman			

**Excused—2**

Bennett	Steil
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**Not Voting—1**

Gast

In The Chair: Schwarz

**Protest**

Senator Emmons, under her constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Byrum to House Bill No. 5275.

Senator Emmons' statement is as follows:

When this old lady has to go to a nursing home, I hope my daughter goes and looks at it instead of looking at a screen on the Internet.

Senator Byrum offered the following amendments:

1. Amend page 11, line 12, by striking out "15,000,000" and inserting "25,000,000".
2. Amend page 11, line 21, by striking out "49,097,300" and inserting "59,097,300".
3. Amend page 11, line 24, by striking out "19,635,500" and inserting "25,135,500".
4. Amend page 12, line 4, by striking out "13,558,600" and inserting "18,058,600" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Byrum requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 346****Yeas—18**

Byrum	Goschka	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	Peters	Vaughn
Dingell	Koivisto	Rogers	Young
Emerson	Leland		

**Nays—18**

Bullard	Gougeon	McManus	Shugars
DeGrow	Hoffman	North	Sikkema
Dunaskiss	Jaye	Schuette	Stille
Emmons	Johnson	Schwarz	Van Regenmorter
Gast	McCotter		

**Excused—2**

Bennett	Steil
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**Not Voting—0**

In The Chair: Schwarz

Senator Leland offered the following amendment:

1. Amend page 42, following line 22, by inserting:

“Sec. 340. (1) As a condition of receiving the general fund/general purpose appropriations in part 1 for the health systems administration, the department shall develop and make available for distribution a consumer rating index for nursing homes. The department shall update the consumer rating index not less than annually. The department shall include all of the following measures of care in the consumer rating index:

- (a) Accidents.
- (b) Behavioral and emotional care.
- (c) Infection control.
- (d) Nutrition.
- (e) The use of psychotropic drugs.
- (f) Quality of life.
- (g) Staffing levels.
- (h) Disciplinary actions.
- (i) Remedial measures.
- (j) Special care needs.
- (k) Consumer complaints.

(2) In developing the consumer rating index required under subsection (1), the department shall take into account at least all of the following information:

- (a) Information obtained by the department during visits to nursing homes for the purposes of survey, evaluation, and consultation.
- (b) The results of an annual resident satisfaction survey conducted by a nursing home and reported to the department.
- (c) All complaints received by the department regarding nursing homes.
- (3) The department shall make each annual consumer rating index available to the public and to licensed nursing homes through the office of the long-term care ombudsman described in subsection (1) and through the office of services to the aging. The department shall also make each annual consumer rating index available electronically.”.

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

Senator Stille requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 347****Yeas—19**

Byrum	Goschka	Leland	Smith, A.
Cherry	Hammerstrom	Miller	Smith, V.
DeBeaussaert	Hart	Murphy	Vaughn
Dingell	Jaye	Peters	Young
Emerson	Koivisto	Rogers	

**Nays—17**

Bullard	Gougeon	McManus	Shugars
DeGrow	Hoffman	North	Sikkema
Dunaskiss	Johnson	Schuette	Stille
Emmons	McCotter	Schwarz	Van Regenmorter
Gast			

**Excused—2**

Bennett	Steil
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**Not Voting—0**

In The Chair: Schwarz

Senator Leland offered the following amendment:

1. Amend page 42, following line 22, by inserting:

“Sec. 340. The department shall create and broadcast television and/or radio public service announcements that demonstrate the correct procedure for filing a complaint with the department against either a licensed nursing home or a licensed day care center.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Leland requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 348****Yeas—17**

Byrum	Goschka	Leland	Smith, A.
Cherry	Hart	Miller	Smith, V.
DeBeaussaert	Jaye	Murphy	Vaughn
Dingell	Koivisto	Peters	Young
Emerson			

**Nays—17**

Bullard	Hammerstrom	McManus	Shugars
DeGrow	Hoffman	North	Sikkema
Dunaskiss	Johnson	Rogers	Stille
Gast	McCotter	Schuette	Van Regenmorter
Gougeon			

**Excused—2**

Bennett	Steil
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**Not Voting—2**

Emmons

Schwarz

In The Chair: Schwarz

Senator Cherry offered the following amendments:

1. Amend page 13, line 24, after "enforcement" by striking out "38.0" and inserting "42.0".
2. Amend page 13, line 24, by striking out "2,539,800" and inserting "2,779,800".
3. Amend page 14, line 1, by striking out "26,797,600" and inserting "27,037,600".
4. Amend page 14, line 8, by striking out "8,012,900" and inserting "8,252,900" and adjusting the subtotals, totals, and section 201 accordingly.
5. Amend page 42, following line 22, by inserting:

"Sec. 340. Of the funds appropriated in part 1 for the employment standards enforcement, \$240,000.00 shall be used to add 4 additional wage and hour inspectors. These inspectors shall only investigate 1099 violations in the construction industry throughout the state of Michigan."

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Cherry requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 349**

**Yeas—19**

Byrum	Goschka	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	Peters	Vaughn
Dingell	Koivisto	Rogers	Young
Emerson	Leland	Schwarz	

**Nays—17**

Bullard	Gougeon	McCotter	Shugars
DeGrow	Hoffman	McManus	Sikkema
Dunaskiss	Jaye	North	Stille
Emmons	Johnson	Schuette	Van Regenmorter
Gast			

**Excused—2**

Bennett

Steil

**Not Voting—0**

In The Chair: Schwarz

Senator Stille offered the following amendments:

1. Amend page 12, line 8, by striking out "25,580,400" and inserting "25,581,400".
2. Amend page 12, line 9, by striking out "25,580,400" and inserting "25,581,400".
3. Amend page 12, line 12, by striking out "9,593,200" and inserting "9,594,200" and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 350****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Bennett

Steil

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

**Recess**

Senator Rogers moved that the Senate recess until 1:30 p.m. The motion prevailed, the time being 12:03 p.m.

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

**Recess**

Senator Rogers moved that the Senate recess subject to the call of the President. The motion prevailed, the time being 1:36 p.m.

3:02 p.m.

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



Senator V. Smith moved that Senator Murphy be excused from the balance of today's session.  
The motion prevailed.

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

**House Bill No. 5284, 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 and local units of government; and to provide for the expenditure of the appropriations.

The above bill was read a third time.

The question being on the passage of the bill,  
Senators Peters and Hoffman offered the following amendment:

1. Amend page 32, following line 2, by inserting:

“Sec. 618. From the amount appropriated in section 110 for road and bridge programs, the department shall construct an exit at I-696 and Franklin Road in Southfield.”.

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

Senator Peters requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 352**

**Yeas—19**

Bullard	Dunaskiss	Koivisto	Smith, A.
Byrum	Emerson	Leland	Smith, V.
Cherry	Hart	McCotter	Vaughn
DeBeaussaert	Jaye	Miller	Young
Dingell	Johnson	Peters	

**Nays—16**

DeGrow	Gougeon	North	Shugars
Emmons	Hammerstrom	Rogers	Sikkema
Gast	Hoffman	Schuette	Stille
Goschka	McManus	Schwarz	Van Regenmorter

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Schwarz

Senator Young offered the following amendment:

1. Amend page 22, following line 27, by inserting:

“Sec. 345. It is the intent of the legislature to review, prior to bonding, all build Michigan III funding allocations identified by the department to be supported by bond proceeds. No later than October 31, 2000, the department shall report to the senate and house of representatives appropriations subcommittees on transportation and the senate and house fiscal agencies the following information regarding those build Michigan III funding allocations identified by the department:

(a) Project description.

(b) Estimated total project costs.

(c) The amount of total estimated project costs funded from build Michigan III bond proceeds.  
 (d) The amount of local match, if any.”

The amendment was adopted, a majority of the members serving voting therefor.  
 The question being on the passage of the bill,  
 The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 353**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

The following bill was read a third time:

**House Bill No. 5278, 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 question being on the passage of the bill,  
 Senator Shugars offered the following amendment:

1. Amend page 91, following line 18, by inserting:

“Sec. 961. If a local unit of government provides insurance coverage and other benefits to unmarried domestic partners of employees, funds appropriated in part 1 for statutory state general revenue sharing grants shall be reduced to that unit of government by 10%.”.

The question being on the adoption of the amendment,

Senator Shugars requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

**Point of Order**

Senator A. Smith raised the Point of Order that the amendment was not germane because it was an amendment by reference to the state revenue sharing act and not proper as an amendment to the general government appropriations bill.

The Assistant President pro tempore, Senator Hoffman, ruled that the amendment pertained to the appropriation of money for revenue sharing in the general government bill, and therefore, it was germane.

Senator A. Smith appealed the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Senate,

On which motion Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The decision of the Chair stood as the judgment of the Senate, a majority of the members present voting therefor.

**Roll Call No. 354****Yeas—21**

Bullard	Goschka	Johnson	Schuette
DeGrow	Gougeon	McCotter	Shugars
Dingell	Hammerstrom	McManus	Sikkema
Dunaskiss	Hoffman	North	Stille
Emmons	Jaye	Rogers	Van Regenmorter
Gast			

**Nays—14**

Byrum	Hart	Peters	Smith, V.
Cherry	Koivisto	Schwarz	Vaughn
DeBeaussaert	Leland	Smith, A.	Young
Emerson	Miller		

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Hoffman

The question being on the adoption of the amendment,

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 355****Yeas—13**

DeGrow	Hammerstrom	Rogers	Sikkema
Emmons	Jaye	Schuette	Stille
Goschka	North	Shugars	Van Regenmorter
Gougeon			

**Nays—22**

Bullard	Emerson	Leland	Schwarz
Byrum	Gast	McCotter	Smith, A.
Cherry	Hart	McManus	Smith, V.
DeBeaussaert	Hoffman	Miller	Vaughn
Dingell	Johnson	Peters	Young
Dunaskiss	Koivisto		

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Hoffman

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

The motion prevailed.

Senator McCotter's statement is as follows:

I am going to have to agree with the good doctor at this point. As I have argued with many of my colleagues before, it's very important that we in the majority remember that the tools we use to expand the power of the state will remain when we are gone, and those tools can be used for other purposes as well. This currently is an issue to be decided at the local level. I would argue that in days to come, we will realize that's where it should have belonged, especially when it is our ox being gored next.

Senator A. Smith offered the following amendment:

1. Amend page 58, following line 22, by inserting:

“Sec. 719. The department of management and budget shall not place “cookies” on individuals’ computers when those individuals access the state of Michigan’s home page, including links to state departments, agencies, and their web sites unless the department notifies the individual and receives prior approval from that individual. Information obtained by the department from the placement of cookies shall not be disseminated to businesses or private individuals who would use that information for surveys, marketing, or solicitations.”.

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

The question being on the passage of the bill,

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

**Roll Call No. 356****Yeas—34**

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

**Nays—1**

Jaye

**Excused—3**

Bennett

Murphy

Steil

**Not Voting—0**

In The Chair: Hoffman

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

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

**House Bill No. 5274, 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 third time earlier today, amendment offered and consideration postponed. See p. 941.)

The question being on the adoption of the amendment offered by Senator Byrum, Senator Byrum withdrew the amendment.

Senator Emerson offered the following amendments:

1. Amend page 21, line 12, after "to" by striking out "12" and inserting "24".
2. Amend page 21, line 23, after "than" by striking out "1-year" and inserting "2-year".
3. Amend page 21, line 23, after "the" by striking out "final year" and inserting "any two years".
4. Amend page 21, line 24, by striking out "2- or".

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Emerson offered the following amendment:

1. Amend page 40, following line 23, by inserting:

"Sec. 417. As a condition for receiving the appropriations in part 1, any staff of the Michigan economic development corporation involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants or tax abatements from the Michigan strategic fund, Michigan economic development corporation, or the Michigan economic growth authority."

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

Senator Byrum offered the following amendment:

1. Amend page 40, following line 23, by inserting:

**FY 1999-2000 SECTION**

Sec. 501. Of the money appropriated in 1999 PA 69 for the technical education centers, the unallocated balance of \$4,100,000.00 shall be allocated to Lansing Community College for a center in the Lansing area in conjunction with plans to build a new General Motors manufacturing facility, consistent with the college's application as submitted pursuant to the guidelines established by the fund. If these funds are not expended by September 30, 2000, a work project account shall be established and the money shall carry forward through the completion of the project."

The question being on the adoption of the amendment,

Senator Byrum requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 357****Yeas—14**Byrum  
Cherry  
DeBeaussaert  
DingellEmerson  
Hart  
Koivisto  
LelandMiller  
Peters  
Smith, A.Smith, V.  
Vaughn  
Young**Nays—20**Bullard  
DeGrow  
Dunaskiss  
Emmons  
GastGoschka  
Gougeon  
Hammerstrom  
Hoffman  
JayeJohnson  
McCotter  
North  
Rogers  
SchuetteSchwarz  
Shugars  
Sikkema  
Stille  
Van Regenmorter**Excused—3**

Bennett

Murphy

Steil

**Not Voting—1**

McManus

In The Chair: Hoffman

The question being on the passage of the bill,

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

**Roll Call No. 358****Yeas—34**Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
EmmonsGast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Johnson  
Koivisto  
LelandMcCotter  
McManus  
Miller  
North  
Peters  
Rogers  
Schuette  
SchwarzShugars  
Sikkema  
Smith, A.  
Smith, V.  
Stille  
Van Regenmorter  
Vaughn  
Young**Nays—1**

Jaye

**Excused—3**

Bennett

Murphy

Steil

**Not Voting—0**

In The Chair: Hoffman

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5277, 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 question being on the passage of the bill,

By unanimous consent the Senate proceeded to consideration of the following amendments offered by Senator Goschka:

1. Amend page 7, line 11, by striking out "2,830.9" and inserting "2,875.9".
2. Amend page 7, line 11, by striking out "119,688,700" and inserting "121,781,200".
3. Amend page 7, line 12, by striking out "30,271,300" and inserting "30,316,300".
4. Amend page 7, line 20, by striking out "277,955,600" and inserting "278,810,600".
5. Amend page 8, line 18, by striking out "7,894,500" and inserting "8,052,500".
6. Amend page 8, line 19, by striking out "3,072,900" and inserting "3,297,900".
7. Amend page 8, line 22, by striking out "165,775,100" and inserting "166,558,100".
8. Amend page 8, line 26, by striking out "137,483,500" and inserting "137,949,700" and adjusting the subtotals, totals, and section 201 accordingly.

9. Amend page 52, following line 13, by inserting:

"Sec. 658. From the funds appropriated in part 1, the department may add up to 45 new FTEs to work in the area of child protective services or may utilize funding in the area of child protective services for other safety initiatives."

The question being on the adoption of the amendments,

Senator Goschka requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 359**

**Yeas—35**

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

**Nays—0**

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Hoffman

By unanimous consent the Senate returned to consideration of the following amendment offered by Senator Jaye:

1. Amend page 52, following line 13, by inserting:

“Sec. 659. For the purpose of the family independence program eligibility, a recipient with a child under 6 years of age must meet work first participation requirements unless child care is not available and that fact is verified by the family independence program caseworker.”

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Rogers requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 360**

**Yeas—25**

Bullard	Goschka	McCotter	Schuette
Byrum	Hammerstrom	McManus	Schwarz
DeBeaussaert	Hoffman	Miller	Shugars
DeGrow	Jaye	North	Sikkema
Dingell	Johnson	Peters	Stille
Dunaskiss	Koivisto	Rogers	Van Regenmorter
Emmons			

**Nays—9**

Cherry	Hart	Smith, A.	Vaughn
Emerson	Leland	Smith, V.	Young
Gast			

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—1**

Gougeon

In The Chair: Hoffman

Senator Jaye offered the following amendment:

1. Amend page 52, following line 13, by inserting:

“Sec. 658. The department shall not exempt from work first work requirements of a parent of a child receiving supplemental security income, unless a licensed medical provider documents that the child’s medical condition requires in-home adult supervision and precludes the parent from meeting the work first work requirements. In this event, a full or partial exemption may be granted.”

The question being on the adoption of the amendment,

Senator Jaye requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Senator Cherry's statement is as follows:

I hate disrupting this budget bill as it moves through, but it seemed appropriate to take a moment after a complex amendment to make an announcement that today is the 25th anniversary of one our Senate Democratic employees. It's very unusual to have a 25-year employee in this institution, and it's very unusual to have a caucus have a 25-year employee. Today is the 25th anniversary of employment for Gary Schrewsbury, our caucus photographer.

Now Gary probably precedes the flash bulb. Rumor has it that he first operated with a daguerreotype camera and apprenticed under Mathew Brady but has learned the trade as it's developed, mastered the technology, and even dabbles with a video camera now. We want to take a moment and congratulate Gary on 25 years of employment here in the Michigan Senate and thank him for the fine job he does for all of us. I know at times he even provides photographic service for our Republican colleagues.

So, Gary, congratulations and thank you.

Senator Emerson offered the following amendment:

1. Amend page 23, following line 5, by inserting:

“(d) The development and implementation, in conjunction with the department of state police, of a voluntary self-defense training program.”.

The question being on the adoption of the amendment,

Senator Emerson requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

### Roll Call No. 361

### Yeas—17

Byrum	Goschka	Peters	Smith, A.
Cherry	Hart	Rogers	Smith, V.
DeBeaussaert	Koivisto	Schuette	Vaughn
Dingell	Miller	Schwarz	Young
Emerson			

### Nays—17

Bullard	Gougeon	Johnson	Shugars
DeGrow	Hammerstrom	McCotter	Sikkema
Dunaskiss	Hoffman	McManus	Stille
Emmons	Jaye	North	Van Regenmorter
Gast			

### Excused—3

Bennett	Murphy	Steil
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### Not Voting—1

Leland

In The Chair: Hoffman

Senator V. Smith offered the following amendment:

1. Amend page 53, following line 5, by inserting:

“Sec. 705. (1) The department shall report on the W.J. Maxey facility to the house and senate appropriations subcommittees on the family independence agency budget as part of their annual budget presentation. The report shall included the following:

(a) Population reintegration goals for juvenile justice wards including, but not limited to, the categorization of positive outcomes and recidivism by age and incarceration type.

(b) Facility media policy to ensure reinforcement and consistency with treatment plans and desired ward outcomes.

(c) Staff and resident safety.

(d) Outcome based service and treatment program plan for wards who are sex offenders or substance abusers.

(e) Facility procedure following traumatic campus occurrences such as, but not limited to, violent and sexual assaults.

(f) Progress of facility construction including, but not limited to:

(i) Scope and cost of the construction contract.

(ii) Construction schedule.

(iii) Radio and security system warranties.

(g) Quality control process for resident service and release plans.

(2) The department shall ensure that all juveniles coming into care receive an assessment which includes a review of dysfunctional behavior in adolescents. In addition, the department shall ensure that all treatment addresses:

(a) Dysfunctional family practices, such as substance abuse and domestic violence.

(b) Sexual harassment and gender bias.

(c) Cultural and ethnic sensitivity.”

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

The question being on the passage of the bill,

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

**Roll Call No. 362**

**Yeas—34**

Bullard

Gast

McCotter

Shugars

Byrum

Goschka

McManus

Sikkema

Cherry

Gougeon

Miller

Smith, A.

DeBeaussaert

Hammerstrom

North

Smith, V.

DeGrow

Hart

Peters

Stille

Dingell

Hoffman

Rogers

Van Regenmorter

Dunaskiss

Johnson

Schuette

Vaughn

Emerson

Koivisto

Schwarz

Young

Emmons

Leland

**Nays—1**

Jaye

**Excused—3**

Bennett

Murphy

Steil

**Not Voting—0**

In The Chair: Hoffman

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The President pro tempore, Senator Schwarz, resumed the Chair.

By unanimous consent the Senate returned to the order of

**Messages from the House**

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

**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.

Substitute (H-6)

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 363**

**Yeas—34**

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

**Nays—1**

Jaye

**Excused—3**

Bennett	Murphy	Steil
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**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title as amended.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 176**

The resolution consent calendar was adopted.

Senators Sikkema, Bennett, Dunaskiss, A. Smith, North, Van Regenmorter, Gougeon, Hoffman, Dingell, Hart, Gast, DeGrow, Stille, Emmons, Johnson, Bullard, Koivisto, Schwarz, Miller, Peters, DeBeaussaert, Leland, Byrum, Emerson, Young, V. Smith, McManus, McCotter, Hammerstrom, Shugars, Vaughn, Cherry, Jaye and Rogers offered the following resolution:

**Senate Resolution No. 176.**

A resolution honoring Catherine Ann Wilson, Department of Environmental Quality Legislative Liaison.

Whereas, In the course of legislative affairs, it has become evident that the process of making good policy for the citizens of Michigan requires dedicated, committed, and talented individuals from all branches of government; and

Whereas, It is critical that in order to work effectively with the executive branch, the various legislative liaisons, who work long hours and tirelessly commit themselves to serving the public good, must be accessible, informative, and exercise skills of diplomacy; and

Whereas, We acknowledge that it is an immense challenge for these liaisons to work well and effectively with 148 legislators, the Governor and his staff, the department director, and the various division chiefs to fashion consensus on important legislation. With this acknowledgment comes the appreciation for those who do their jobs well enough to prosper, receive high acclaim from all involved in this process, and above all, to do good work for the people of this state; and

Whereas, Ms. Catherine (Cathy) Ann Wilson has performed admirably over the last five years in her position as the Department of Environmental Quality liaison, working to pass important environmental protection legislation such as the brownfield redevelopment and cleanup package, Clean Michigan Initiative, environmental self-audit, and a score of important fee implementation bills to provide for a more efficient and orderly permitting process and both environmental liability and cleanup standard changes that bring equity and fairness to our cleanup programs. She set a tone and a standard for all executive office liaisons to follow with her commitment to doing the right thing, being honest and fair with all in the process, and respecting her fellow workers; and

Whereas, Prior to her years with the Department of Environmental Quality, Cathy worked as legislative assistant in the office of Representative Lyn Bankes, press secretary and scheduler for the Walter North for State Senate Committee, and legislative director for State Senator Mat Dunaskiss. In all these arenas, Cathy showed honesty, integrity, and above all, dedication and hard work to her employers; now, therefore, be it

Resolved by the Senate, That with these important strides made in improving the environment and new challenges awaiting her, Cathy has chosen to continue her career with a move to the Governor's Policy Office as Deputy Director for State Government Affairs. In this capacity, she will have new opportunities to help forge and coordinate policy initiatives that will continue to improve the lives of the citizens of Michigan; and be it further

Resolved, That it is with great pride and a sense of regret that we honor the work today of Catherine Ann Wilson in her role as legislative liaison from the Department of Environmental Quality and wish her all the best and Godspeed in her new position in the Office of the Governor. She will fondly be remembered by us all and with great respect for "a job well-done!"

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

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

The motion prevailed.

Senator V. Smith's statement is as follows:

I wanted to congratulate Senator Goschka, Senator Gougeon, and Senator Emerson, the three Senate members of the Subcommittee on Family Independence Agency, for the thorough and, I think, far-reaching movement that they have done within that budget this year on prevention when it comes to children and families that are within the jurisdiction of the Family Independence Agency.

I am generally pleased, and I was quite proud in this legislative year to cast my "yes" vote in support of their efforts. I do think that their efforts will make a difference. I'm hoping that with the understanding and commitment that they've made toward prevention in this budget year that that message also transcends and moves into the Family Independence Agency itself the additional dollars that the members of that subcommittee have put in that budget. Hopefully, they will be used in a wise fashion. And hopefully, the department will sense the commitment that this Senate, particularly, our subcommittee on FIA, has put forth in this budget year, and they will do all they can to help those children who are caught in the web of poverty to help extricate themselves and to protect all of our vulnerable children who are under the jurisdiction of FIA.

Senator Rogers moved that when the Senate adjourns today, it stand adjourned until Tuesday, May 30, at 12:00 noon. The motion prevailed.

### Committee Reports

The Committee on Economic Development, International Trade and Regulatory Affairs reported

**House Bill No. 4752, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203).

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.

Bill Schuette  
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Leland and Peters

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, May 23, 2000, at 1:12 p.m., Room 110, Farnum Building

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

The Committee on Health Policy reported

**House Bill No. 5252, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 1996 PA 267.

With the recommendation that the bill pass.

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

Dale L. Shugars  
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom and Murphy

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 5460, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20151 and 20155 (MCL 333.20151 and 333.20155), section 20155 as amended by 1996 PA 267.

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

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

Dale L. Shugars  
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Byrum and Murphy

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 5682, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621), as amended by 1998 PA 436.

With the recommendation that the bill pass.

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

Dale L. Shugars  
Chairperson

## To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Murphy

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Tuesday, May 23, 2000, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Hammerstrom, Schwarz, Byrum and Murphy

The Committee on Farming, Agribusiness and Food Systems reported

**House Bill No. 5078, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 10, 12, and 20 (MCL 431.310, 431.312, and 431.320), section 10 as amended by 1998 PA 408 and section 20 as amended by 1997 PA 73.

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

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

George A. McManus, Jr.

Chairperson

## To Report Out:

Yeas: Senators McManus, Stille, Gougeon and Byrum

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Farming, Agribusiness and Food Systems submits the following:

Meeting held on Wednesday, May 24, 2000, at 9:30 a.m., Room 405, Capitol Building

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

Excused: Senator Hart

**Scheduled Meeting**

**Health Policy** - Tuesday, May 30, 3:00 p.m., Room 100, Farnum Building (373-0793)

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 4:47 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, May 30, at 12:00 noon.

CAROL MOREY VIVENTI

Secretary of the Senate.

