

No. 64
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, September 22, 1998.

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—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Cherry—present
Cisky—present
Conroy—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—excused
Jaye—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—present
Peters—present

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

Senator Leon Stille of the 32nd District offered the following invocation:

Good and gracious Father, as we gather this morning as an assembly to conduct the affairs of the state of Michigan here in the Senate, be with us, guide us, give us assurance of Your wisdom, and make sure that we do those things that are in the best interest of all of our citizens, not just for any one sector, but that which is fair to each and every one that works in our state.

We give our thanks to You for the many blessings bestowed upon us as a state and as a nation. In God's name we pray this morning. Amen.

Motions and Communications

Senator DeGrow moved that Senator Posthumus be temporarily excused from today's session.
The motion prevailed.

Senator DeGrow moved that Senator Hoffman be excused from today's session.
The motion prevailed.

Senator DeGrow moved that rule 3.902 be suspended to allow the guests of the Secretary of the Senate admittance to the Senate floor.

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

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

Senator Rogers moved that the Senate observe a moment of silence in honor of the POWs and MIAs lost during the conflict in Southeast Asia.

The motion prevailed.

The following communications were received:
Joint Committee on Administrative Rules

Certificates of Approval

Date: September 16, 1998
Subject: Trans. No. 98-58

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules rescission from the Department of Environmental Quality pertaining to General Rules, Construction Grants for Wastewater Treatment Works (Part 11), dated May 19, 1997.

Date: September 16, 1998
Subject: Trans. No. 98-59

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules rescission from the Department of Treasury, pertaining to Intangibles Tax dated June 18, 1998.

Date: September 16, 1998
Subject: Trans. No. 98-60

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Environmental Quality, Waste Management Division, pertaining to Hazardous Waste Management (Part 1), dated March 26, 1998.

Date: September 16, 1998
Subject: Trans. No. 98-61

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Environmental Quality, Waste Management Division, pertaining to Identification and Listing of Hazardous Waste (Part 2) dated April 16, 1998.

Date: September 16, 1998

Subject: Trans. No. 98-62

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Management and Budget and Department of State, pertaining to Optical Imaging Systems dated May 27, 1998.

Sincerely,
Senator Walter H. North
Chair

The communications were referred to the Secretary for record.

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:

Meeting held on Wednesday, September 16, 1998, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators North (C), Schwarz, Van Regenmorter, Dingell and Byrum

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 17:

House Bill Nos. 5815 5816

The Secretary announced the printing and placement in the members' files on Thursday, September 17 of:

Senate Bill Nos. 1307 1314

**House Bill Nos. 6033 6039 6074 6075 6076 6077 6078 6079 6080 6081 6082 6083 6084 6085
6086 6088 6089 6090 6091 6092 6093 6094**

The Secretary announced the printing and placement in the members' files on Monday, September 21 of:

House Bill Nos. 6035 6132

Senator DeGrow moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 1282

House Bill No. 4210

House Bill No. 4576

House Bill No. 4959

House Bill No. 4960

House Bill No. 4961

House Bill No. 5122

House Bill No. 5123

House Bill No. 5951

House Bill No. 5952

House Bill No. 5953

House Bill No. 5955

House Bill No. 5956

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

Senator DeGrow moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

Senate Bill No. 1266

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

Senator DeGrow moved that the Committee on Judiciary be discharged from further consideration of the following bill:

House Bill No. 5954, entitled

A bill to amend 1931 PA 214, entitled "An act to enact a law to define the offense of felonious driving, when committed by the operation of a vehicle and to prescribe penalties therefor," by amending section 2 (MCL 752.192).

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

House Bill No. 5954

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

Messages from the Governor

The following message from the Governor was received and read:

September 21, 1998

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

Michigan Board of Dentistry

Dr. Thomas G. Robinson, 3316 Sherman Park Drive, Sault Ste. Marie, Michigan 49783, county of Chippewa, as a member representing professionals, succeeding Dr. Milton J. Siegel of Flint, whose term has expired, for a term expiring on June 30, 2002.

Ms. Sandra S. Earls, 1633 Park Avenue, Lansing, Michigan 48910, county of Ingham, as a member representing dental assistants, succeeding herself, for a term expiring on June 30, 2002.

Dr. James L. Wieland, 2213 Woodcliff, SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senator V. Smith entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 1282, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act of 1987," by amending sections 3, 8, 9, 14, 30a, and 30b (MCL 287.703, 287.708, 287.709, 287.714, 287.730a, and 287.730b), sections 3, 9, 14, 30a, and 30b as amended by 1996 PA 369 and section 8 as amended by 1994 PA 41, and by adding section 30c.

The question being on the adoption of the following committee substitute:
Substitute (S-3).

The substitute 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. 688

Yeas—35

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O'Brien
Peters
Rogers
Schuette
Schwarz

Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—2

Hoffman

Posthumus

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4210, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 204a, 322, 625b, 625k, and 625l (MCL 257.204a, 257.322, 257.625b, 257.625k, and 257.625l), section 204a as amended by 1996 PA 102 and sections 625b, 625k, and 625l as amended by 1994 PA 450, and by adding sections 622a, 625o, and 625p.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-3).

The substitute 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. 689**Yeas—35**

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O’Brien
Peters
Rogers
Schuette
Schwarz

Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0**Excused—2**

Hoffman

Posthumus

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 322, 625k, and 625l (MCL 257.322, 257.625k, and 257.625l), sections 625k and 625l as amended by 1994 PA 450, and by adding sections 622a and 625o.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4576, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 8a, 44a, 625b, and 732 (MCL 257.8a, 257.44a, 257.625b, and 257.732), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, section 625b as amended by 1994 PA 450, and section 732 as amended by 1996 PA 493, and by adding section 23b.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 690

Yeas—34

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	Miller	Smith, V.
Bouchard	Dunaskiss	North	Steil
Bullard	Emmons	O’Brien	Stille
Byrum	Gast	Peters	Van Regenmorter
Cherry	Geake	Rogers	Vaughn
Cisky	Gougeon	Schuetten	Young
Conroy	Hart	Schwarz	
DeBeaussiaert	Koivisto	Shugars	

Nays—0

Excused—2

Hoffman

Posthumus

Not Voting—1

Jaye

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 625b (MCL 257.625b), as amended by 1994 PA 450.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senator Posthumus entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4959, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 322, 323, 602a, 624a, 624b, and 625n (MCL 257.303, 257.322, 257.323, 257.602a, 257.624a, 257.624b, and 257.625n), sections 303 and 602a as amended by 1996 PA 587, section 323 as amended by 1994 PA 449, section 624a as amended and section 624b as added by 1996 PA 493, and section 625n as added by 1996 PA 491; and to repeal acts and parts of acts.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 691

Yeas—36

Bennett	DeGrow	Koivisto	Schwarz
Berryman	Dingell	McManus	Shugars
Bouchard	Dunaskiss	Miller	Smith, A.
Bullard	Emmons	North	Smith, V.
Byrum	Gast	O'Brien	Steil
Cherry	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter
Conroy	Hart	Rogers	Vaughn
DeBeaussaert	Jaye	Schuetz	Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 624a, 624b, and 625n (MCL 257.624a, 257.624b, and 257.625n), section 624a as amended and section 624b as added by 1996 PA 493 and section 625n as added by 1996 PA 491; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4960, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 233 (MCL 257.219 and 257.233), section 219 as amended by 1985 PA 67 and section 233 as amended by 1980 PA 398, and by adding section 904c.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-3).

The question being on the adoption of the substitute,

Senator Van Regenmorter offered the following amendments to the substitute:

1. Amend page 1, line 3, after "IMMOBILIZATION" by striking out "OR FORFEITURE".

2. Amend page 1, line 4, after "REQUIRED" by striking out "OR MAY BE ORDERED BY THE COURT".

The amendments to the substitute were adopted.

The substitute, as amended, 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. 692

Yeas—35

Bennett	DeGrow	Koivisto	Shugars
Berryman	Dingell	McManus	Smith, A.
Bouchard	Dunaskiss	Miller	Smith, V.
Bullard	Emmons	North	Steil
Byrum	Gast	Peters	Stille
Cherry	Geake	Posthumus	Van Regenmorter
Cisky	Gougeon	Rogers	Vaughn
Conroy	Hart	Schuetten	Young
DeBeaussaert	Jaye	Schwarz	

Nays—0

Excused—1

Hoffman

Not Voting—1

O'Brien

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," (MCL 257.1 to 257.923) by adding section 904c.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 904 (MCL 257.904), as amended by 1994 PA 450, and by adding section 904f.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-3).

The substitute 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. 693**Yeas—34**

Bennett	DeGrow	Koivisto	Shugars
Berryman	Dingell	McManus	Smith, V.
Bouchard	Dunaskiss	North	Steil
Bullard	Emmons	O'Brien	Stille
Byrum	Gast	Peters	Van Regenmorter
Cherry	Geake	Posthumus	Vaughn
Cisky	Gougeon	Rogers	Young
Conroy	Hart	Schuetz	
DeBeaussaert	Jaye	Schwarz	

Nays—0**Excused—1**

Hoffman

Not Voting—2

Miller

Smith, A.

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 320b (MCL 257.320b) and by adding sections 904d, 904e, and 904f.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senator Miller stated that he had intended to vote “yea” on the passage of the following bill:

House Bill No. 4961

The following bill was read a third time:

House Bill No. 5122, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 694**Yeas—35**

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
Peters
Posthumus
Rogers
Schuette
Schwarz

Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0**Excused—1**

Hoffman

Not Voting—1

O'Brien

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 904 (MCL 257.904), as amended by 1994 PA 450.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

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

Senator V. Smith moved that Senator O'Brien be temporarily excused from the balance of today's session.

The motion prevailed.

Senator O'Brien entered the Senate Chamber.

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. 695**Yeas—36**

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O'Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 904 (MCL 257.904), as amended by 1994 PA 450.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5951, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 319 and 319b (MCL 257.319 and 257.319b), section 319 as amended by 1996 PA 587 and section 319b as amended by 1996 PA 404.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-3).

The substitute 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. 696

Yeas—36

Bennett	DeGrow	Koivisto	Schwarz
Berryman	Dingell	McManus	Shugars
Bouchar	Dunaskiss	Miller	Smith, A.
Bullard	Emmons	North	Smith, V.
Byrum	Gast	O'Brien	Steil
Cherry	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter
Conroy	Hart	Rogers	Vaughn
DeBeaussaert	Jaye	Schuetz	Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 8a, 44a, and 319b (MCL 257.8a, 257.44a, and 257.319b), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, and section 319b as amended by 1996 PA 404, and by adding section 23b.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5952, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 321a (MCL 257.321a), as amended by 1998 PA 68, and by adding sections 904d and 904e.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 697**Yeas—36**

Bennett	DeGrow	Koivisto	Schwarz
Berryman	Dingell	McManus	Shugars
Bouchard	Dunaskiss	Miller	Smith, A.
Bullard	Emmons	North	Smith, V.
Byrum	Gast	O’Brien	Stille
Cherry	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter
Conroy	Hart	Rogers	Vaughn
DeBeaussaert	Jaye	Schuetten	Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 310d and 321a (MCL 257.310d and 257.321a), section 310d as amended by 1991 PA 99 and section 321a as amended by 1998 PA 68.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5953, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 367c, 382, and 479a (MCL 750.367c, 750.382, and 750.479a), section 367c as added by 1982 PA 63, section 382 as amended by 1980 PA 159, and section 479a as amended by 1996 PA 586.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 698**Yeas—36**

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O’Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Smith, V.
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 367c, 382, and 479a (MCL 750.367c, 750.382, and 750.479a), section 367c as added by 1982 PA 63, section 382 as amended by 1998 PA 311, and section 479a as amended by 1996 PA 586.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5955, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703).

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

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

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

House Bill No. 5956, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625, 625i, and 625m (MCL 257.625, 257.625i, and 257.625m), sections 625 and 625m as amended by 1996 PA 491 and section 625i as amended by 1996 PA 493.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

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

Senator Van Regenmorter offered the following substitute:

Substitute (S-2).

The substitute 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. 699**Yeas—35**

Bennett
Berryman
Bouchard

DeGrow
Dingell
Dunaskiss

Koivisto
McManus
Miller

Schwarz
Shugars
Smith, A.

Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

Emmons
Gast
Geake
Gougeon
Hart
Jaye

North
O'Brien
Peters
Posthumus
Rogers
Schuette

Smith, V.
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Hoffman

Not Voting—1

Steil

In The Chair: Schwarz

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 625i (MCL 257.625i), as amended by 1996 PA 493.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5954, entitled

A bill to amend 1931 PA 214, entitled "An act to enact a law to define the offense of felonious driving, when committed by the operation of a vehicle and to prescribe penalties therefor," by amending section 2 (MCL 752.192).

The question being on the passage of the bill,

Senator Van Regenmorter offered the following substitute:

Substitute (S-1).

The substitute 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. 700

Yeas—36

Bennett
Berryman
Bouchard
Bullard
Byrum

DeGrow
Dingell
Dunaskiss
Emmons
Gast

Koivisto
McManus
Miller
North
O'Brien

Schwarz
Shugars
Smith, A.
Smith, V.
Steil

Cherry
Cisky
Conroy
DeBeaussaert

Geake
Gougeon
Hart
Jaye

Peters
Posthumus
Rogers
Schuette

Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1266, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7o (MCL 211.7o), as amended by 1996 PA 469.

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. 701

Yeas—36

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O’Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Hoffman

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Shugars, Bennett, Jaye, McManus and Schwarz moved that they be named co-sponsors of the following bill:

Senate Bill No. 1266

The motion prevailed.

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

House Bill No. 5955, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703).

(This bill was read a third time earlier today, substitute adopted and consideration postponed. See p. 1749.)

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. 702

Yeas—35

Bennett	DeGrow	McManus	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Steil
Byrum	Gast	Peters	Stille
Cherry	Geake	Posthumus	Van Regenmorter
Cisky	Gougeon	Rogers	Vaughn
Conroy	Hart	Schuetz	Young
DeBeaussiaert	Koivisto	Schwarz	

Nays—0

Excused—1

Hoffman

Not Voting—1

Jaye

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The President, Lieutenant Governor Binsfeld, assumed the Chair.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator DeGrow moved that rule 3.902 be suspended to allow the guests of Senator Posthumus admittance to the Senate floor.

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

Senator Posthumus offered the following resolution:

Senate Resolution No. 229.

A resolution offered as a memorial for Garry E. Brown, former member of the Michigan Legislature and United States Congress.

Whereas, The members and staff of the Michigan Legislature were saddened to learn of the passing of Garry E. Brown. It is with admiration that we remember the accomplishments, service, and impact that he has had on our great state; and

Whereas, A native of Schoolcraft and graduate of Kalamazoo College, Mr. Brown served both his state and country with a vigorous passion. Garry E. Brown was a veteran of the United States Army, proudly and bravely protecting our nation during World War II while earning the rank of Second Lieutenant; and

Whereas, In 1961-1962, Mr. Brown served as a delegate to the Michigan State Constitutional Convention, forever providing guidance to this state through the State Constitution that the citizens approved in 1963; and

Whereas, Leaving behind a legacy of representation as a commissioner to the U.S. District Court in Michigan's western district; as a State Senator in 1962, a position he held until 1966 and achieving the status of Minority Floor Leader; and finally being elected as a United States Congressman in 1966, a post he held through 1978; and

Whereas, He came from a family of dedicated public servants, including his great-grandfather, E. Lakin Brown, a former member of the House of Representatives, and his grandfather, Addison M. Brown, former member of the State Senate; and

Whereas, We share our fond memories and extend our condolences to his family; now, therefore, be it

Resolved by the Senate, That tribute be accorded to honor the memory of Garry E. Brown, who served in both the Michigan Legislature and United States Congress; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Senator Brown as evidence of our lasting esteem.

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

Senator DeGrow moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator DeGrow moved that the resolution be read.

The motion prevailed.

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Posthumus moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

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

The motion prevailed.

Senator Posthumus' statement is as follows:

This morning in following up this resolution, I just wanted to have us pause for a few moments to have us remember the passing of a former colleague, Garry Brown.

It's certainly important that we take a few moments to remember his long and varied career. He left us a great legacy.

He started his public service in the 1950s as a commissioner to the U.S. District Court in Michigan's western district, and then he was elected, maybe one of the more important things that we see today of what he did, as a delegate to the Michigan Constitutional Convention. He, along with a whole new generation of political leaders, was instrumental in drafting a document that to this day has set the tone for Michigan and probably will take us well into the 21st Century. After the new Constitution was drafted, he was elected to the Michigan Senate, and here he served in a time of transition in this state and certainly in this country. He provided a great deal of help and wisdom and good judgment in a very difficult time in our history. In fact, his last entry in terms of a log of public service was in the U.S. Congress where he served from 1966 through 1978. It's there as a college student that I first met him and became good friends with him. During that time period, he helped Washington stay focused on important issues during a very, very difficult time of massive cultural change, during the time of the Viet Nam conflict.

While he received acclaim and public notice for his many accomplishments and contributions, his real joy he would say if he were here, is who's standing behind me; it's his family. His daughters are here today: Francie, who many of you know, Mollie, Amelia, and Abigail. His wife DeAnna DeLong couldn't be here today because she is hospitalized.

In addition, there are two sons-in-laws, Daniel Hartlieb and Robert Warwick, his older brother, Tad, and his nephew, Timothy, along with his wife and children. His brother-in-law, Sam Heindel, is also here. These are the people that I'm sure he's the most proud of.

Garry followed in the footsteps of his great grandfather, E. Lakin Brown, who was elected to this body in 1854, and we had an occasion here not long ago where we honored him as we named the Minority Caucus room after him, where

his portrait hangs now outside in the hall here. It's certainly a great heritage that Garry came from and a great legacy that he leaves to us.

On behalf of the Senate, I'd like to transmit this resolution to the family as we mentioned earlier and say that he is a man whom we will miss.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 5069

House Bill No. 5887

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

By unanimous consent the Senate proceeded to the order of

General Orders

Senator DeGrow 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 Binsfeld, designated Senator Young as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5069, entitled

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to that property; and to provide for disposition of the revenue derived from the conveyance.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5887, entitled

A bill to amend 1982 PA 528, entitled "An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance," by amending the title and sections 2 and 3 and by adding sections 2a and 2b.

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.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Shugars' statement is as follows:

I rise to give my sympathy and condolences to the family and friends of former Congressman Garry Brown. In the passing of Garry Brown, we have great memories of what an outstanding statesman he was, not only as a state Senator but as a Congressman. He was a wonderful father, and I want to share that with my colleagues. I encourage my colleagues to go into the Elijah Meyers Room and meet with his family today. But just a point of trivia—the Brown family is truly enriched with good genes. E. Lakin Brown was the only legislator in the state of Michigan to serve in all three state capitols—the one in Detroit, the one we are in now, and the former one in Lansing. If you looked at the history of Garry Brown, you would obviously know that he was going to be a great statesman during his life, serving with the Constitutional Convention, later as a state Senator, and then, 12 years as a Congressman to the United States Congress. Though we are saddened by his death, we also thank God to have the memories and joy of his life, the things that he accomplished, and obviously his wonderful family.

Committee Reports

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

Senate Bill No. 1168, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," (MCL 408.751 to 408.776) by adding section 7c.

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.

Bill Schuette

Chairperson

To Report Out:

Yeas: Senators Schuette, Jaye, O'Brien and Peters

Nays: None

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

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

House Bill No. 5069, entitled

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to that property; and to provide for disposition of the revenue derived from the conveyance.

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, O'Brien and Peters

Nays: None

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

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

House Bill No. 5887, entitled

A bill to amend 1982 PA 528, entitled "An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance," by amending the title and sections 2 and 3 and by adding sections 2a and 2b.

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, Jaye, O'Brien 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 Wednesday, September 16, 1998, at 1:10 p.m., Room 210, Farnum Building

Present: Senators Schuette (C), Jaye, O'Brien and Peters

Excused: Senator Shugars

The Committee on Judiciary reported

Senate Bill No. 820, entitled

A bill to license and regulate bail recovery agents; to provide for certain powers and duties for certain state agencies and law enforcement agencies; to require the obtaining of surety devices by licensees; to provide for the imposition of certain fees and establishment of certain standards of operation of licensees; to provide for the promulgation of rules; and to provide remedies and prescribe penalties.

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.

William Van Regenmorter

Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4210, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 322, 625b, 625k, and 625l (MCL 257.204a, 257.322, 257.625b, 257.625k, and 257.625l), section 204a as amended by 1996 PA 102 and sections 625b, 625k, and 625l as amended by 1994 PA 450, and by adding sections 622a, 625o, and 625p.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell and Peters

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4576, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 8a, 44a, 625b, and 732 (MCL 257.8a, 257.44a, 257.625b, and 257.732), section 8a as amended by 1994 PA 449, section 44a as added by 1993 PA 359, section 625b as amended by 1994 PA 450, and section 732 as amended by 1996 PA 493, and by adding section 23b.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4959, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 322, 323, 602a, 624a, 624b, and 625n (MCL 257.303, 257.322, 257.323, 257.602a, 257.624a, 257.624b, and 257.625n), sections 303 and 602a as amended by 1996 PA 587, section 323 as amended by 1994 PA 449, section 624a as amended and section 624b as added by 1996 PA 493, and section 625n as added by 1996 PA 491; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell and Peters

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4960, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 233 (MCL 257.219 and 257.233), section 219 as amended by 1985 PA 67 and section 233 as amended by 1980 PA 398, and by adding section 904c.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 904 (MCL 257.904), as amended by 1994 PA 450, and by adding section 904f.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5122, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5951, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319 and 319b (MCL 257.319 and 257.319b), section 319 as amended by 1996 PA 587 and section 319b as amended by 1996 PA 404.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell and Peters

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5952, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 1998 PA 68, and by adding sections 904d and 904e.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5953, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 367c, 382, and 479a (MCL 750.367c, 750.382, and 750.479a), section 367c as added by 1982 PA 63, section 382 as amended by 1980 PA 159, and section 479a as amended by 1996 PA 586.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell and Peters

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5955, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703).

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell and Peters

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5956, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625, 625i, and 625m (MCL 257.625, 257.625i, and 257.625m), sections 625 and 625m as amended by 1996 PA 491 and section 625i as amended by 1996 PA 493.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Geake, Dingell, Peters and V. Smith

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 Judiciary submits the following:

Meeting held on Tuesday, September 15, 1998, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), Rogers, Cisky, Geake, Dingell, Peters and V. Smith

The Committee on Farming, Agribusiness and Food Systems reported

Senate Bill No. 1282, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act of 1987," by amending sections 3, 8, 9, 14, 30a, and 30b (MCL 287.703, 287.708, 287.709, 287.714, 287.730a, and 287.730b), sections 3, 9, 14, 30a, and 30b as amended by 1996 PA 369 and section 8 as amended by 1994 PA 41, and by adding section 30c.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

George McManus
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.

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 5754, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 802 (MCL 257.802), as amended by 1997 PA 80.

With the recommendation that the bill pass.

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

George McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Byrum and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 5843, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending sections 6, 8, 9, 14, 15, and 17 (MCL 287.266, 287.268, 287.269, 287.274, 287.275, and 287.277).

With the recommendation that the bill pass.

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

George McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Byrum and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, September 16, 1998, at 3:00 p.m., Room 210, Farnum Building

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

Excused: Senator Gougeon

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 1283, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36505 (MCL 324.36505), as added by 1995 PA 59, and by adding section 40107a.

With the recommendation that the bill pass.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Hoffman, Byrum and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Forestry reported

House Bill No. 4793, entitled

A bill to provide regulations and prohibitions concerning wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf-dog crosses; and to prescribe penalties and provide remedies.

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

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Hoffman 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 Hunting, Fishing and Forestry submits the following:
Meeting held on Wednesday, September 16, 1998, at 1:30 p.m., Room 110, Farnum Building
Present: Senators Jaye (C), McManus, Hoffman, Byrum and Dingell

The Committee on Appropriations reported

Senate Bill No. 994, entitled

A bill to make an appropriation for the judicial branch and certain other state purposes for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriation.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, DeGrow, Schwarz, Cisky, McManus, Steil, North, Conroy, Vaughn, Koivisto, A. Smith, Young and DeBeaussaert

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 Appropriations submits the following:

Meeting held on Wednesday, September 16, 1998, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Geake, DeGrow, Schwarz, Cisky, McManus, Steil, North, Conroy, Vaughn, Koivisto, A. Smith, Young and DeBeaussaert

Excused: Senators Hoffman and Gougeon

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, September 17, 1998, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Geake, Schwarz, McManus, Conroy, Koivisto and Young

Excused: Senator DeGrow

Scheduled Meetings

Administrative Rules Joint Committee - Wednesday, September 23, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-2413).

Conference Committee on Senate Bill No. 181 - Wednesday, September 23, at 9:30 a.m., Room 404, Capitol Building (3-6920).

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, September 23, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Health Policy and Senior Citizens Committee - Wednesday, September 23, at 11:00 a.m., Elijah Myers Room, Capitol Building (3-0793).

Technology and Energy Committee - Wednesday, September 23, at 3:00 p.m., Rooms 402 and 403, Capitol Building (3-2417).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:13 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, September 23, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.