

**No. 43**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Thursday, May 13, 1999.

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  
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—excused  
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—excused  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Reverend Arnold Bracy of Calvary Bible Church of Lapeer offered the following invocation:

Our Heavenly Father, we thank You for the privilege of calling You our Father which art in heaven.

We thank You for the privilege of prayer this morning. We come to You today not because we think we deserve Your help, but because we know we need Your help. We come believing that You're a holy and righteous and sovereign God, and yet, You have reached down to us with such great love, even that You would give Your only begotten Son to be our Savior. Thank You, Father.

Lord, we hear the news around our world today, and we know there are many problems—problems in our world, problems in our community, problems in our state, even problems in our personal lives. We pray that You will give us the understanding we need that we might know what is good, that You will give us the will to choose what is good, a heart to love what is good and the strength to do what is good.

We pray today for the men and women who are serving in our armed forces, especially those who are involved in the conflict in the Balkans. We're grateful for the release of these three soldiers who were so recently held captive in Serbia.

Father, we pray for a solution to this whole sad conflict. We pray that You would have mercy on these hurting people, and grant wisdom to our leaders as they search for peace.

We pray for the men and women who serve in this Senate Chamber. You said, "Trust in the Lord with all thine heart and lean not to thine own understanding. In all thy ways, acknowledge Him, and He shall direct thy paths." Give us the ability to do that today, we pray. In Jesus' name. Amen.

### Motions and Communications

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senator DeGrow 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 on the Senate floor, including the center aisle and 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 10:06 a.m.

10:15 a.m.

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

During the recess, Senator DeGrow introduced Staff Sergeant Christopher Stone, former POW, and his family to the Senate and presented him with Senate Resolution No. 56, a resolution of tribute, a State Seal, and a Detroit Tigers jersey. Staff Sergeant Stone responded briefly.

During the recess, Senator Miller entered the Senate Chamber.

The following communication was received:

Department of State

Administrative Rules  
Notice of Filing

March 26, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:07 a.m. this date, administrative rule (99-03-7) for the Department of Environmental Quality, Waste Management Division, entitled "*Solid Waste Management*," effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Helen Kruger, Supervisor  
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 12:  
**House Bill Nos. 4418 4580 4581 4583 4584 4585**

The Secretary announced the printing and placement in the members' files on Wednesday, May 12 of:  
**House Bill Nos. 4658 4659 4666**

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

By unanimous consent the Senate proceeded to the order of  
**General Orders**

Senator Rogers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Steil as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**Senate Bill No. 560, entitled**

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending section 3 (MCL 28.243), as amended by 1989 PA 97.

**Senate Bill No. 568, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1 and 16a of chapter IX (MCL 769.1 and 769.16a), section 1 of chapter IX as amended by 1998 PA 520 and section 16a of chapter IX as amended by 1993 PA 85.

**Senate Bill No. 569, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1998 PA 330.

**Senate Bill No. 570, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1998 PA 118.

**Senate Bill No. 571, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as added by 1998 PA 317.

**Senate Bill No. 281, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 504a.

**Senate Bill No. 438, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40113b.

**Senate Bill No. 454, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 507, entitled**

A bill to allow local units of government to obtain clear title to property previously acquired through the tax reversion process; to provide due process to those persons with a prior interest in that property; to allow local units of government to reduce the backlog of tax reverted property; and to facilitate the return of tax reverted property to productive use.

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:  
**Senate Bill No. 343, entitled**

A bill to create an urban homestead program; to permit certain local governmental units, nonprofit community organizations, and state entities to create and administer urban homestead programs; to prescribe the powers and duties of certain state entities and local governmental units; and to provide for the disposition of personal and real property.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 1, line 4, after "unit" by striking out the comma.
2. Amend page 1, line 5, after "organization" by striking out the balance of the line through "authority" on line 6.
3. Amend page 2, line 22, after "organization" by striking out the balance of the line through "authority" on line 23.
4. Amend page 2, line 27, after "unit" by striking out the comma and inserting "or".
5. Amend page 3, line 1, after "organization" by striking out the comma and "or the Michigan state housing development authority".
6. Amend page 4, following line 11, by inserting:  
 "(f) That the applicant agrees to file an affidavit each year certifying that they meet the criteria described in this act." and relettering the remaining subdivision.
7. Amend page 5, line 3, after "trator" by striking out "may" and inserting "shall".
8. Amend page 6, line 6, after "state." by striking out the balance of the subsection.
9. Amend page 6, line 15, after "administrator" by striking out "may" and inserting "shall".
10. Amend page 7, line 1, after "9." by striking out "Any resident" and inserting "A qualified buyer".
11. Amend page 7, line 5, after "rent." by striking out the balance of the section.

The Senate agreed to the substitute, as amended, 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:  
**Senate Bill No. 344, entitled**

A bill to create an urban homestead program for single-family public housing; to provide that certain local governmental units, public housing entities, nonprofit community organizations, and certain state entities create and administer urban homestead programs for single-family public housing; to prescribe the powers and duties of certain state and local governmental units, public housing entities, and nonprofit community organizations; and to provide for the disposition of personal and real property.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 5, following line 2, by inserting:  
 "(f) The applicant agrees to file an affidavit each year certifying that they meet the criteria described in this act." and relettering the remaining subdivision.
2. Amend page 6, line 15, after "buyer" by striking out "only upon" and inserting "within 60 days of".
3. Amend page 7, line 20, after "10." by striking out "Any resident" and inserting "A qualified buyer".
4. Amend page 7, line 24, after "rent." by striking out the balance of the section.

The Senate agreed to the substitute, as amended, 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:  
**Senate Bill No. 345, entitled**

A bill to create an urban homestead program for multifamily public housing; to provide that certain local governmental units, public housing entities, and certain state entities create and administer urban homestead programs for multifamily public housing; to prescribe the powers and duties of certain state and local governmental units, public

housing entities, and nonprofit community organizations; and to provide for the disposition of personal and real property.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 4, line 10, after "and" by striking out "all the members" and inserting "each member".
2. Amend page 4, line 11, after "organization" by striking out "meet" and inserting "meets".
3. Amend page 4, line 17, after "organization" by striking out "only upon" and inserting "within 60 days of".
4. Amend page 5, line 16, by striking out all of subparagraph (iii) and inserting:

"(iii) The applicant has been sentenced, imprisoned, on probation, or on parole in the immediately preceding 5-year period for a felony violation of section 7401, 7401a, 7402, 7410, or 7410a of the public health code, 1978 PA 368, MCL 333.7401, 333.7401a, 333.7402, 333.7410, and 333.7410a.

(iv) The applicant has been convicted of a violation or attempted violation of section 520b, 520c, 520d, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, and 750.520g."

5. Amend page 6, following line 8, by inserting:

"(f) The applicant agrees to file an affidavit each year certifying that they meet the criteria described in this act." and relettering the remaining subdivision.

6. Amend page 7, line 24, after "buyer" by striking out "only upon" and inserting "within 60 days of".
7. Amend page 9, line 22, after "14." by striking out "Any resident" and inserting "A qualified buyer".
8. Amend page 9, line 26, after "rent." by striking out the balance of the section.

The Senate agreed to the substitute, as amended, 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:

**Senate Bill No. 346, entitled**

A bill to create an urban homestead program for certain vacant land; to empower certain local governmental units to create and administer urban homestead programs for vacant land; to prescribe the powers and duties of certain state and local governmental units; and to provide for the disposition of personal and real property.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 3, line 1, by striking out all of subparagraph (iii) and inserting:

"(iii) The applicant has been sentenced, imprisoned, on probation, or on parole in the immediately preceding 5-year period for a felony violation of section 7401, 7401a, 7402, 7410, or 7410a of the public health code, 1978 PA 368, MCL 333.7401, 333.7401a, 333.7402, 333.7410, and 333.7410a.

(iv) The applicant has been convicted of a violation or attempted violation of section 520b, 520c, 520d, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, and 750.520g."

2. Amend page 5, line 12, by striking out all of section 9.

The Senate agreed to the substitute, as amended, 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:

**Senate Bill No. 347, entitled**

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; and for other purposes," by amending section 44b (MCL 125.694b).

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 amendment, the following bill:

**Senate Bill No. 348, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 1998 PA 33.

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

1. Amend page 16, line 3, after "(II)" by striking out "TO OPERATE HOMESTEADING PROGRAMS AND".

The Senate agreed to the amendment recommended by the Committee of the Whole and the bill as amended was placed on the order of Third Reading of Bills.

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

**Senate Bill No. 487, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 60 (MCL 211.60), as amended by 1993 PA 291, and by adding sections 60a, 78, 78a, 78b, 78c, 78d, 78e, 78f, 78g, 78h, 78i, 78j, 78k, 78l, and 78m.

Substitute (S-4).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 18, line 11, after "TAXES" by striking out "COLLECTED" and inserting "DUE AND PAYABLE IN THE MANNER PROVIDED UNDER SECTION 87B".

2. Amend page 31, line 8, after "SHALL" by inserting "DO ALL OF THE FOLLOWING:

(A)".

3. Amend page 31, line 11, after "78K." by striking out the balance of the line through "PROPERTY." on line 14 and inserting:

"(B) ORALLY ADVISE THE OCCUPANT THAT THE PROPERTY WILL BE FORECLOSED AND THE OCCUPANTS WILL BE REQUIRED TO VACATE UNLESS ALL DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE PAID, THE TIME WITHIN WHICH ALL DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES MUST BE PAID, POSSIBLE MEANS TO AVOID THE FORECLOSURE OF THE PROPERTY, AND OF AGENCIES OR OTHER RESOURCES THAT MAY BE AVAILABLE TO ASSIST THE OWNER TO AVOID LOSS OF THE PROPERTY.

(C) IF THE PROPERTY IS OCCUPIED BY A TENANT, ORALLY ADVISE THE TENANT THAT THE PROPERTY WILL BE FORECLOSED UNLESS ALL DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES ARE PAID, AND OF AGENCIES OR OTHER RESOURCES THAT MAY BE AVAILABLE TO ASSIST THE TENANT WITH LEGAL ADVICE OR ASSISTANCE IN RELOCATING.

(D) IF THE OCCUPANT APPEARS TO LACK THE ABILITY TO UNDERSTAND THE ADVICE GIVEN, NOTIFY THE FAMILY INDEPENDENCE AGENCY.

(E) THE COUNTY TREASURER OR HIS OR HER AGENT SHALL PLACE A NOTICE IN A CONSPICUOUS MANNER ON THE PROPERTY AND SHALL ALSO PLACE IN A CONSPICUOUS MANNER ON THE PROPERTY A NOTICE DESIGNED TO EXPLAIN, IN PLAIN ENGLISH, THAT THE PROPERTY WILL BE FORECLOSED AND THE OCCUPANTS WILL BE REQUIRED TO VACATE UNLESS ALL DELINQUENT TAXES, PENALTIES, INTEREST, AND FEES ARE PAID, THE TIME WITHIN WHICH ALL DELINQUENT TAXES, INTEREST, PENALTIES, AND FEES MUST BE PAID, POSSIBLE MEANS TO AVOID THE FORECLOSURE OF THE PROPERTY, AND THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF AGENCIES OR OTHER RESOURCES THAT MAY BE AVAILABLE TO ASSIST THE OCCUPANT TO AVOID LOSS OF THE PROPERTY.

(4)" and renumbering the remaining subsections.

4. Amend page 48, line 1, by striking out all of subsection (11).

5. Amend page 48, following line 11, by inserting:

"Sec. 87c. (1) A county that has created a fund pursuant to section 87b by resolution of its board of commissioners and without a vote of its electors may borrow money and issue its revolving fund notes to establish or continue, in whole or in part, the delinquent tax revolving fund and to pay the expenses of the borrowing.

(2) If a fund is created and a county determines to borrow pursuant to this section, the county treasurer shall be the agent for the county in connection with all transactions relative to the fund.

(3) If provided by separate resolution of the county board of commissioners for any year in which a county determines to borrow for the purposes provided in this section AND SUBJECT TO SUBSECTION (16), there shall be payable from the surplus in the fund an amount equal to 20% of the following amount to the county treasurer for services as agent for the county and the remainder of the following amount to the county treasurer's office for delinquent tax administration expenses:

(a) For any delinquent tax on which the interest rate before sale exceeds 1% per month, 1/27 of the interest collected per month.

(b) For any delinquent tax on which the interest rate before sale is 1% per month or less, 3/64 of the interest collected each month.

(4) The amount payable under subsection (3) to the county treasurer for services as agent for the county shall not exceed 20% of the county treasurer's annual salary, and any excess over this limitation shall be payable to the county treasurer's office for delinquent tax administration expenses. In addition, the total sum payable under subsection (3) shall not exceed 5% of the total budget of the treasurer's office for that year.

(5) In the resolution authorizing the borrowing and issuance of notes, the delinquent taxes from which the borrowing is to be repaid shall be pledged to the payment of the principal and interest of the notes, and the proceeds of the collection of the delinquent taxes pledged and the interest on the proceeds shall be placed in a segregated fund or account and shall not be used for any other purpose until the notes are paid in full, including interest. The segregated fund or account shall be established as a part of the delinquent tax revolving fund and shall be accounted for separately on the books of the county treasurer.

(6) The proceeds of the notes shall be placed in and used as the whole or part of the fund established pursuant to section 87b, after the expenses of borrowing have been deducted. ~~therefrom.~~

(7) Before a county issues notes under this act, it shall make a sworn application to the municipal finance commission for permission and shall attach to the application a certified copy of the resolution authorizing the issuance of the notes. The application shall specify the actual amount of the notes or maximum amount that the notes shall not exceed, the maturity or maturities, and the maximum interest rate. After receiving these materials the municipal finance commission shall issue its order approving or disapproving the issuance of the notes. Chapter II of ~~Act No. 202 of the Public Acts of 1943, as amended, being sections 132.1 to 132.3 of the Michigan Compiled Laws, relating to the municipal finance commission, its powers and duties, and its orders~~ THE MUNICIPAL FINANCE ACT, 1943 PA 202, MCL 132.1 TO 132.3, shall govern insofar as it ~~may be~~ IS applicable ~~in respect~~ to the various matters covered by this section. An order of the municipal finance commission permitting the issuance of notes under this act shall not be considered an approval of the legality of the notes. However, a determination or finding made by the commission involving a question of fact, after the issuance of the notes, shall be considered conclusive of that fact. The issuance of the commission's order granting permission to issue notes shall be considered to mean that the commission has made the determination of facts or circumstances, has given the approvals, and has reached the opinions necessary before issuance of the order.

(8) The notes issued pursuant to this act shall comply with all of the following:

(a) Be in an aggregate principal amount not exceeding the aggregate amount of the delinquent taxes pledged, exclusive of interest.

(b) Bear interest not exceeding 11.5% per annum, except as provided in section 89.

(c) Be in those denominations, and mature on the date not exceeding 6 years after their date of issue, as the board of commissioners by its resolution determines.

(9) The resolution authorizing issuance of the notes may provide that all or part of the notes shall be subject to prepayment and, if subject to prepayment, shall provide the amount of call premium payable, if any, the number of days' notice of prepayment that shall be given, and whether the notice shall be written or published, or both. Otherwise, the notes shall not be subject to prepayment.

(10) The sale and award of notes shall be conducted and made by the treasurer of the county issuing them at a public or private sale. If a public sale is held, the notes shall be advertised for sale once not less than 5 days before sale in a publication printed in the English language and circulated in this state that carries as a part of its regular service notices of the sales of municipal bonds and that has been designated in the resolution as a publication complying with these qualifications. The notice of sale shall be in the form ~~as~~ designated by the treasurer and, if REQUESTED IN the application to the municipal finance commission, ~~so requests~~, the commission may approve the form of notice. Otherwise, the commission shall not approve the notice. The notes may be sold subject to the option of the treasurer and the treasurer may withhold a part of the issue from delivery if, in his or her opinion, sufficient funds are available before delivery of the notes to make full delivery unnecessary to the purposes of the borrowing.

(11) The notes are full faith and credit obligations of the county issuing them and, subject to section 87d, if the proceeds of the taxes pledged are not sufficient to pay the principal and interest of the notes when due, the county shall impose a general ad valorem tax without limitation as to rate or amount on all taxable property in the county to pay the principal and interest and may thereafter reimburse itself from delinquent taxes collected.

(12) If the resolution so provides and subject to section 87d, the notes may be designated general obligation tax notes.

(13) Interest on the notes may be made payable at maturity, annually, or semiannually, and the notes shall be signed as provided in the resolution authorizing the notes. Notes may be issued with or without coupons and if coupons are authorized to be attached to the notes, the coupons shall contain the facsimile signature of the county treasurer.

(14) The notes issued under this act and interest on the notes shall be payable in lawful money of the United States of America and shall be exempt from all taxation by this state or a taxing authority in this state.

(15) The notes may be made payable at a bank or trust company, or may be made registrable as to principal or as to principal and interest under the terms and conditions specified in the authorizing resolution or by the treasurer when awarding the notes.

(16) A COUNTY TREASURER ELECTED OR APPOINTED TO OFFICE AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION IS NOT ELIGIBLE FOR THE PAYMENT UNDER SUBSECTION (3) FOR SERVICES AS AGENT FOR THE COUNTY UNLESS THAT COUNTY TREASURER HELD OFFICE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND HAS NOT VACATED THAT OFFICE AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

The Senate agreed to the substitute, as amended, 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:  
**Senate Bill No. 488, entitled**

A bill to provide for the identification, inspection, and certification of abandoned property by local units of government; to prescribe certain duties for certain local units of government; to provide for certain administration and collection fees; and to facilitate the return of abandoned tax delinquent property to productive use.

Substitute (S-2).

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:  
**Senate Bill No. 489, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding sections 79, 79a, 79b, 79c, 79d, 79e, and 79f.

Substitute (S-2).

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

1. Amend page 2, line 6, by striking out all of section 79B and inserting:

“SEC. 79B. (1) A PERSON WHO HOLDS A TAX DEED ISSUED ON ABANDONED PROPERTY MAY QUIET TITLE TO THAT ABANDONED PROPERTY IN THE CIRCUIT COURT OF THE COUNTY IN WHICH THE ABANDONED PROPERTY IS LOCATED BY DOING ALL OF THE FOLLOWING:

(A) THE TAX DEED HOLDER OR HIS OR HER AUTHORIZED AGENT CONDUCTS A TITLE SEARCH ON THE ABANDONED PROPERTY.

(B) AFTER CONDUCTING THE TITLE SEARCH AS PROVIDED IN SUBDIVISION (A), THE TAX DEED HOLDER OR HIS OR HER AUTHORIZED AGENT SENDS NOTICE BY MAIL, RETURN RECEIPT REQUESTED, TO THE OWNER AND TO ALL PERSONS WITH A LEGAL INTEREST IN EACH PARCEL OF ABANDONED PROPERTY SUBJECT TO ACCELERATED FORECLOSURE UNDER THIS SECTION, AS DETERMINED BY THE RECORDS IN THE OFFICE OF THE REGISTER OF DEEDS AND IN RECORDS MAINTAINED BY THE COUNTY TREASURER AND THE STATE TREASURER. IF, FOR ANY REASON, THE NOTICE CANNOT BE DELIVERED TO THE LAST RECORDED ADDRESS OF THE OWNER OR PERSONS WITH A LEGAL INTEREST IN THE ABANDONED PROPERTY, NOTICE SHALL BE MADE BY PUBLICATION. THE NOTICE SHALL BE PUBLISHED FOR 4 SUCCESSIVE WEEKS, ONCE EACH WEEK, IN A NEWSPAPER PUBLISHED AND CIRCULATED IN THE COUNTY IN WHICH THE PARCEL IS LOCATED, IF THERE IS ONE. IF NO NEWSPAPER IS PUBLISHED IN THE COUNTY WHERE THE PARCEL IS LOCATED, PUBLICATION SHALL BE MADE IN A NEWSPAPER PUBLISHED AND CIRCULATED IN AN ADJOINING COUNTY. PUBLICATION UNDER THIS SUBDIVISION IS SUBJECT TO THE REQUIREMENTS SET FORTH IN SECTION 65.

(C) AT THE REQUEST OF THE TAX DEED HOLDER, THE BUILDING INSPECTOR OF THE MUNICIPALITY IN WHICH THE PROPERTY IS LOCATED INSPECTS THE PROPERTY AND EXECUTES AN AFFIDAVIT ATTESTING THAT THE ABANDONED PROPERTY IS VACANT OR DILAPIDATED AND IS OPEN TO ENTRANCE OR TRESPASS. THE COST OF THE INSPECTION SHALL BE PAID BY THE TAX DEED HOLDER AND SHALL BE INCLUDED IN THE AMOUNT NECESSARY TO REDEEM THE PROPERTY.

(D) THE TAX DEED HOLDER OR HIS OR HER AUTHORIZED AGENT POSTS A NOTICE ON THE ABANDONED PROPERTY NOT LESS THAN 90 DAYS BEFORE A FORECLOSURE ACTION IS BROUGHT UNDER THIS SUBSECTION.

(E) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

(i) THE LEGAL DESCRIPTION, PARCEL NUMBER, AND, IF KNOWN, THE STREET ADDRESS OF THE ABANDONED PROPERTY.

(ii) A STATEMENT OF THE TOTAL AMOUNT THAT MUST BE PAID TO THE COUNTY TREASURER TO REDEEM THE ABANDONED PROPERTY WITHIN 90 DAYS OF RECEIPT OF THE NOTICE, INCLUDING FEES TO COVER THE COST OF A TITLE SEARCH, PUBLICATION, AND INSPECTION BY THE MUNICIPAL BUILDING INSPECTOR.



(iii) A STATEMENT OF THE PERSON'S RIGHTS OF REDEMPTION AND NOTICE THAT THE RIGHTS OF REDEMPTION WILL EXPIRE 90 DAYS AFTER THE PERSON HAS RECEIVED NOTICE BY MAIL OR PUBLICATION.

(iv) A STATEMENT THAT UNLESS THE TAXES, INTEREST, PENALTIES, AND FEES ARE PAID BEFORE THE 90-DAY REDEMPTION PERIOD EXPIRES AND A JUDGMENT OF FORECLOSURE IS ENTERED, TITLE TO THE ABANDONED PROPERTY SHALL VEST ABSOLUTELY IN THE PETITIONING TAX DEED HOLDER.

(F) IF THE ABANDONED PROPERTY IS NOT REDEEMED BY THE OWNER OR A PERSON WITH A LEGAL INTEREST IN THE ABANDONED PROPERTY BY PAYMENT TO THE COUNTY TREASURER WITHIN 90 DAYS OF SERVICE OF THE NOTICE, THE TAX DEED HOLDER MAY BRING AN ACTION IN THE CIRCUIT COURT OF THE COUNTY IN WHICH THE ABANDONED PROPERTY IS LOCATED AND PETITION THE COURT TO ISSUE A JUDGMENT TO QUIET TITLE IN FAVOR OF THE TAX DEED HOLDER. THE TAX DEED HOLDER SHALL PROVIDE ALL OF THE FOLLOWING TO THE CIRCUIT COURT:

(i) AN AFFIDAVIT FROM THE BUILDING INSPECTOR OF THE MUNICIPALITY AS PROVIDED IN SUBDIVISION (C).

(ii) A TITLE SEARCH ON THE ABANDONED PROPERTY THAT IDENTIFIES ALL OWNERS AND PERSONS WITH A LEGAL INTEREST IN THE ABANDONED PROPERTY AS DETERMINED BY THE RECORDS MAINTAINED IN THE OFFICE OF THE REGISTER OF DEEDS, THE COUNTY TREASURER, AND THE STATE TREASURER.

(iii) PROOFS OF SERVICE REQUIRED UNDER THIS SECTION. IF A TAX DEED HOLDER FAILS TO SERVE NOTICE ON 1 OR MORE PERSONS WITH A LEGAL INTEREST IN THE ABANDONED PROPERTY AS REQUIRED UNDER THIS SECTION, SERVICE ON ANY OTHER PERSON IS NOT INVALIDATED AND THE REDEMPTION PERIOD FOR ANY OTHER PERSON IS NOT STAYED OR EXTENDED.

(iv) AN AFFIDAVIT FROM THE COUNTY TREASURER CERTIFYING TO THE LACK OF PAYMENT WITHIN THE 90-DAY REDEMPTION PERIOD.

(2) IF THE CIRCUIT COURT ENTERS A JUDGMENT IN FAVOR OF THE PETITIONING TAX DEED HOLDER, THE CIRCUIT COURT SHALL FORECLOSE THE ABANDONED PROPERTY AS REQUESTED IN THE PETITION FOR FORECLOSURE. THE CIRCUIT COURT'S JUDGMENT SHALL SPECIFY ALL OF THE FOLLOWING:

(A) THE LEGAL DESCRIPTION AND, IF KNOWN, THE STREET ADDRESS AND PARCEL NUMBER OF THE ABANDONED PROPERTY FORECLOSED.

(B) THAT FEE SIMPLE TITLE TO THE ABANDONED PROPERTY FORECLOSED BY THE JUDGMENT IS VESTED ABSOLUTELY IN THE PETITIONING TAX DEED HOLDER WITHOUT ANY FURTHER RIGHTS OF REDEMPTION.

(C) THAT, AS OF THE DATE OF THE JUDGMENT, ALL DELINQUENT PROPERTY TAXES, DEMOLITION LIENS, AND ALL OTHER MUNICIPAL LIENS OF ANY KIND, EXCEPT FUTURE INSTALLMENTS OF SPECIAL ASSESSMENTS, ARE EXTINGUISHED.

(D) THAT ALL EXISTING RECORDED AND UNRECORDED INTERESTS IN THAT PROPERTY ARE EXTINGUISHED, EXCEPT A VISIBLE OR RECORDED EASEMENT OR RIGHT-OF-WAY.

(E) THAT THE PETITIONING TAX DEED HOLDER HAS GOOD AND MARKETABLE FEE SIMPLE TITLE TO THE PROPERTY.

(3) IF A JUDGMENT FOR FORECLOSURE IS ENTERED UNDER SUBSECTION (2) AND ALL EXISTING RECORDED AND UNRECORDED INTERESTS IN A PARCEL OF PROPERTY ARE EXTINGUISHED AS PROVIDED IN THE JUDGMENT, THE OWNERS OF ANY EXTINGUISHED RECORDED OR UNRECORDED INTEREST IN THAT PROPERTY SHALL NOT BRING AN ACTION FOR POSSESSION OF THE PROPERTY AGAINST ANY SUBSEQUENT OWNER, BUT MAY ONLY BRING AN ACTION TO RECOVER MONETARY DAMAGES. AN ACTION TO RECOVER MONETARY DAMAGES UNDER THIS SUBSECTION SHALL NOT BE BROUGHT MORE THAN 2 YEARS AFTER A JUDGMENT FOR FORECLOSURE IS ENTERED UNDER SUBSECTION (2). MONETARY DAMAGES SHALL BE DETERMINED AS OF THE DATE A JUDGMENT FOR FORECLOSURE IS ENTERED UNDER SUBSECTION (2).".

The Senate agreed to the substitute, as amended, 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:

**Senate Bill No. 507, entitled**

A bill to allow local units of government to obtain clear title to property previously acquired through the tax reversion process; to provide due process to those persons with a prior interest in that property; to allow local units of government to reduce the backlog of tax reverted property; and to facilitate the return of tax reverted property to productive use.

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:  
**Senate Bill No. 556, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 625, 625g, 625h, 732, 904, 904c, 904d, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.625, 257.625g, 257.625h, 257.732, 257.904, 257.904c, 257.904d, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by 1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 732 as amended by 1998 PA 348, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and sections 904d and 904e as added by 1998 PA 358.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 29, line 22, after the first "or" by striking out "904(8) or (9)" and inserting "904(10) OR (11)".

2. Amend page 54, line 9, by striking out all of section 732 and inserting:

"Sec. 732. (1) Each municipal judge and each clerk of a court of record shall keep a full record of every case in which a person is charged with or cited for a violation of this act or a local ordinance substantially corresponding to this act regulating the operation of vehicles on highways and, BEGINNING OCTOBER 1, 2000, with those offenses pertaining to the operation of ORVs or snowmobiles for which points are assessed under section 320a(1)(b) or (f). Except as provided in subsection (15), the municipal judge or clerk of the court of record shall prepare and forward to the secretary of state an abstract of the court record as follows:

(a) Within 14 days after a conviction, forfeiture of bail, or entry of a civil infraction determination or default judgment upon a charge of or citation for violating or attempting to violate this act or a local ordinance substantially corresponding to this act regulating the operation of vehicles on highways.

(b) ~~Immediately~~ BEGINNING OCTOBER 1, 2000, IMMEDIATELY for each case charging a violation of section 625(1), (3), (4), (5), (6), or (7) or section 625m or a local ordinance substantially corresponding to section 625(1), (3), or (6) or section 625m in which the charge is dismissed or the defendant is acquitted.

(c) Immediately for each case charging a violation of section 82127(1) or (3), 81134, or 81135 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82127, 324.81134, and 324.81135, or a local ordinance substantially corresponding to those sections.

(2) If a city or village department, bureau, or person is authorized to accept a payment of money as a settlement for a violation of a local ordinance substantially corresponding to this act, the city or village department, bureau, or person shall send a full report of each case in which a person pays any amount of money to the city or village department, bureau, or person to the secretary of state upon a form prescribed by the secretary of state.

(3) The abstract or report required under this section shall be made upon a form furnished by the secretary of state. An abstract shall be certified by signature, stamp, or facsimile signature of the person required to prepare the abstract as correct. An abstract or report shall include all of the following:

(a) The name, address, and date of birth of the person charged or cited.

(b) The number of the person's operator's or chauffeur's license, if any.

(c) The date and nature of the violation.

(d) The type of vehicle driven at the time of the violation and, if the vehicle is a commercial motor vehicle, that vehicle's group designation and indorsement classification.

(e) The date of the conviction, finding, forfeiture, judgment, or civil infraction determination.

(f) Whether bail was forfeited.

(g) Any license restriction, suspension, or denial ordered by the court as provided by law.

(h) The vehicle identification number and registration plate number of all vehicles that are ordered immobilized or forfeited.

(i) Other information considered necessary to the secretary of state.

(4) The clerk of the court also shall forward an abstract of the court record to the secretary of state upon a person's conviction involving any of the following:

(a) A violation of section 413, 414, or 479a of the Michigan penal code, 1931 PA 328, MCL 750.413, 750.414, and 750.479a.

(b) A violation of section 1 of 1931 PA 214, MCL 752.191.

(c) Negligent homicide, manslaughter, or murder resulting from the operation of a vehicle.

(d) A violation of section 703 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance substantially corresponding to that section.

(e) An attempt to violate, a conspiracy to violate, or a violation of part 74 or section 17766a of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461 and 333.17766a, or a local ordinance that prohibits conduct prohibited under part 74 or section 17766a of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461 and 333.17766a, unless the convicted person is sentenced to life imprisonment or a minimum term of imprisonment that exceeds 1 year for the offense.

(f) An attempt to commit an offense described in subdivisions (a) to (d).

(5) As used in subsections (6) to (8), "felony in which a motor vehicle was used" means a felony during the commission of which the person operated a motor vehicle and while operating the vehicle presented real or potential harm to persons or property and 1 or more of the following circumstances existed:

- (a) The vehicle was used as an instrument of the felony.
- (b) The vehicle was used to transport a victim of the felony.
- (c) The vehicle was used to flee the scene of the felony.
- (d) The vehicle was necessary for the commission of the felony.

(6) If a person is charged with a felony in which a motor vehicle was used, other than a felony specified in subsection (4) or section 319, the prosecuting attorney shall include the following statement on the complaint and information filed in district or circuit court:

"You are charged with the commission of a felony in which a motor vehicle was used. If you are convicted and the judge finds that the conviction is for a felony in which a motor vehicle was used, as defined in section 319 of the Michigan vehicle code, 1949 PA 300, MCL 257.319, your driver's license shall be suspended by the secretary of state."

(7) If a juvenile is accused of an act, the nature of which constitutes a felony in which a motor vehicle was used, other than a felony specified in subsection (4) or section 319, the prosecuting attorney or family division of circuit court shall include the following statement on the petition filed in the court:

"You are accused of an act the nature of which constitutes a felony in which a motor vehicle was used. If the accusation is found to be true and the judge or referee finds that the nature of the act constitutes a felony in which a motor vehicle was used, as defined in section 319 of the Michigan vehicle code, 1949 PA 300, MCL 257.319, your driver's license shall be suspended by the secretary of state."

(8) If the court determines as part of the sentence or disposition that the felony for which the person was convicted or adjudicated and with respect to which notice was given under subsection (6) or (7) is a felony in which a motor vehicle was used, the clerk of the court shall forward an abstract of the court record of that conviction to the secretary of state.

(9) As used in subsections (10) and (11), "felony in which a commercial motor vehicle was used" means a felony during the commission of which the person operated a commercial motor vehicle and while the person was operating the vehicle 1 or more of the following circumstances existed:

- (a) The vehicle was used as an instrument of the felony.
- (b) The vehicle was used to transport a victim of the felony.
- (c) The vehicle was used to flee the scene of the felony.
- (d) The vehicle was necessary for the commission of the felony.

(10) If a person is charged with a felony in which a commercial motor vehicle was used and for which a vehicle group designation on a license is subject to suspension or revocation under section 319b(1)(c)(iii), 319b(1)(d), or ~~319b(1)(e)(v) or (viii)~~ 319B(1)(E)(iii), OR 319B(1)(F)(i), the prosecuting attorney shall include the following statement on the complaint and information filed in district or circuit court:

"You are charged with the commission of a felony in which a commercial motor vehicle was used. If you are convicted and the judge finds that the conviction is for a felony in which a commercial motor vehicle was used, as defined in section 319b of the Michigan vehicle code, 1949 PA 300, MCL 257.319b, all vehicle group designations on your driver's license shall be suspended or revoked by the secretary of state."

(11) If the judge determines as part of the sentence that the felony for which the defendant was convicted and with respect to which notice was given under subsection (10) is a felony in which a commercial motor vehicle was used, the clerk of the court shall forward an abstract of the court record of that conviction to the secretary of state.

(12) Every person required to forward abstracts to the secretary of state under this section shall certify for the period from January 1 through June 30 and for the period from July 1 through December 31 that all abstracts required to be forwarded during the period have been forwarded. The certification shall be filed with the secretary of state not later than 28 days after the end of the period covered by the certification. The certification shall be made upon a form furnished by the secretary of state and shall include all of the following:

- (a) The name and title of the person required to forward abstracts.
- (b) The court for which the certification is filed.
- (c) The time period covered by the certification.
- (d) The following statement:

"I certify that all abstracts required by section 732 of the Michigan vehicle code, MCL 257.732; MSA 9.2432, for the period \_\_\_\_\_ through \_\_\_\_\_ have been forwarded to the secretary of state."

- (e) Other information the secretary of state considers necessary.
- (f) The signature of the person required to forward abstracts.

(13) The failure, refusal, or neglect of a person to comply with this section constitutes misconduct in office and is grounds for removal from office.

(14) Except as provided in subsection (15), the secretary of state shall keep all abstracts received under this section at the secretary of state's main office and the abstracts shall be open for public inspection during the office's usual business hours. Each abstract shall be entered upon the master driving record of the person to whom it pertains.

(15) Except for controlled substance offenses described in subsection (4), the court shall not submit, and the secretary of state shall discard and not enter on the master driving record, an abstract for a conviction or civil infraction determination for any of the following violations:

(a) The parking or standing of a vehicle.

(b) A nonmoving violation that is not the basis for the secretary of state's suspension, revocation, or denial of an operator's or chauffeur's license.

(c) A violation of chapter II that is not the basis for the secretary of state's suspension, revocation, or denial of an operator's or chauffeur's license.

(d) A pedestrian, passenger, or bicycle violation, other than a violation of section 703(1) or (2) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or a local ordinance substantially corresponding to section 703(1) or (2) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or section 624a or 624b or a local ordinance substantially corresponding to section 624a or 624b.

(e) A violation of section 710e or a local ordinance substantially corresponding to section 710e.

(16) The secretary of state shall discard and not enter on the master driving record an abstract for a bond forfeiture that occurred outside this state. However, the secretary of state shall retain and enter on the master driving record an abstract of an out-of-state bond forfeiture for an offense that occurred after January 1, 1990 in connection with the operation of a commercial motor vehicle.

(17) The secretary of state shall inform the courts of this state of the nonmoving violations and violations of chapter II that are used by the secretary of state as the basis for the suspension, restriction, revocation, or denial of an operator's or chauffeur's license.

(18) If a conviction or civil infraction determination is reversed upon appeal, the person whose conviction or determination has been reversed may serve on the secretary of state a certified copy of the order of reversal. The secretary of state shall enter the order in the proper book or index in connection with the record of the conviction or civil infraction determination.

(19) The secretary of state may permit a city or village department, bureau, person, or court to modify the requirement as to the time and manner of reporting a conviction, civil infraction determination, or settlement to the secretary of state if the modification will increase the economy and efficiency of collecting and utilizing the records. If the permitted abstract of court record reporting a conviction, civil infraction determination, or settlement originates as a part of the written notice to appear, authorized in section 728(1) or 742(1), the form of the written notice and report shall be as prescribed by the secretary of state.

(20) Except as provided in this act and notwithstanding any other provision of law, a court shall not order expunction of any violation reportable to the secretary of state under this section."

3. Amend page 75, following line 22, by inserting:

"(8) THE COURT SHALL REQUIRE A PERSON WHO PROVIDES IMMOBILIZATION SERVICES TO THE COURT UNDER THIS SECTION TO CERTIFY THAT A VEHICLE ORDERED IMMOBILIZED BY THE COURT IS IMMOBILIZED AS REQUIRED."

The Senate agreed to the substitute, as amended, 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 amendment, the following bill:

**Senate Bill No. 557, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7408a (MCL 333.7408a), as added by 1993 PA 361.

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

1. Amend page 4, line 20, after "UNDER" by striking out "1 or more of".

The Senate agreed to the amendment recommended by the Committee of the Whole and the bill as amended was placed on the order of Third Reading of Bills.

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

**Senate Bill No. 558, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8511 (MCL 600.8511), as amended by 1996 PA 79.

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:  
**Senate Bill No. 559, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 9f of chapter IV (MCL 764.9f), as amended by 1998 PA 264.

Substitute (S-3).

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:

**Senate Bill No. 505, entitled**

A bill to amend 1984 PA 387, entitled "State food stamp distribution act," by amending section 1 (MCL 400.751).

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:

**Senate Bill No. 506, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57 and 60 (MCL 400.57 and 400.60), section 57 as added by 1995 PA 223.

Substitute (S-4).

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:

**Senate Bill No. 566, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 4, 5, 7, 9, and 10 (MCL 28.722, 28.723, 28.724, 28.725, 28.727, 28.729, and 28.730), section 3 as amended by 1995 PA 10 and sections 7 and 10 as amended by 1996 PA 494, and by adding section 5a.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 12, following line 16, by inserting:

"(E) A VIOLATION OF SECTION 145C(2) OR (3) OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.145C." and relettering the remaining subdivisions.

2. Amend page 12, line 18, after "TO" by striking out "(D)" and inserting "(E)".

3. Amend page 20, following line 4, by inserting:

"Sec. 8. (1) The department shall maintain a computerized data base of registrations and notices required under this act.

(2) The department shall maintain a computerized data base separate from that described in subsection (1) to implement section 10(2) and (3). The data base shall consist of a compilation of individuals registered under this act, but EXCEPT AS PROVIDED IN THIS SUBSECTION, shall not include any individual registered solely because he or she had 1 or more dispositions for a listed offense entered under section 18 of chapter XIIIA of ~~Act No. 288 of the Public Acts of 1939, being section 712A.18 of the Michigan Compiled Laws~~ THE PROBATE CODE OF 1939, 1939 PA 288, MCL 712A.18, in a case that was not designated as a case in which the individual was to be tried in the same manner as an adult under section 2d of chapter XIIIA of ~~Act No. 288 of the Public Acts of 1939, being section 712A.2d of the Michigan Compiled Laws~~. THE PROBATE CODE OF 1939, 1939 PA 288, MCL 712A.2D. THE EXCLUSION FOR JUVENILE DISPOSITIONS DOES NOT APPLY TO A DISPOSITION FOR A VIOLATION OF SECTION 520B OR 520C OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B AND 750.520C, AFTER THE INDIVIDUAL BECOMES 18 YEARS OF AGE. The compilation of individuals shall be indexed numerically by zip code area. Within each zip code area, the compilation shall contain the name and aliases, address, physical description, and birth date of each individual registered under this act who is included in the compilation and who resides in that zip code area and any listed offense of which the individual has been convicted. The department shall update the compilation with new registrations, deletions from registrations, and address changes at the same time those changes are made to the data base described in subsection (1). The department shall make the compilation available to each department post, local law enforcement agency, and sheriff's department by the law enforcement information network. Upon request by a department post, local law enforcement agency, or sheriff's department, the department shall provide to that post, agency, or sheriff's department the information from the compilation in printed form for the zip code areas

located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction. ~~As an alternative, the~~ THE department ~~may~~ SHALL make the compilation or information from the compilation available to a department post, local law enforcement agency, ~~or~~ sheriff's department, AND THE PUBLIC by electronic, computerized, or other SIMILAR means accessible to the post, agency, or sheriff's department. THE ELECTRONIC, COMPUTERIZED OR OTHER SIMILAR MEANS SHALL PROVIDE FOR BOTH A SEARCH BY NAME AND BY ZIP CODE.

(3) If a court determines that the public availability under section 10 of any information concerning individuals registered under this act, including names and aliases, addresses, physical descriptions, or dates of birth, violates the constitution of the United States or this state, the department shall revise the compilation in subsection (2) so that it does not contain that information.

SEC. 8A. FOR THE ELECTRONIC, COMPUTERIZED, OR OTHER SIMILAR MEANS UNDER SECTION 8, THE DEPARTMENT SHALL CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF PROVIDING FOR A SEARCH BY ALIAS AND OF PROVIDING MAPPING TECHNOLOGY TO SHOW AN ADDRESS. THE STUDY SHALL CONSIDER THE COSTS, PROGRAMMING ISSUES, AND OTHER SIMILAR ISSUES. THE DEPARTMENT SHALL FORWARD THE STUDY TO THE LEGISLATURE NOT LATER THAN SEPTEMBER 1, 2000.

SEC. 8B. THE DEPARTMENT SHALL CONDUCT A STUDY OF THE FEASIBILITY OF COMPILING A LIST OF INDIVIDUALS CONVICTED OF A LISTED OFFENSE BEFORE SEPTEMBER 1, 1999 WHO ARE LIVING AND NOT REQUIRED TO BE REGISTERED UNDER THIS ACT AND THE FEASIBILITY OF INCLUDING THE LIST, KNOWN ADDRESSES, AND SUMMARY INFORMATION IN THE COMPILATION. THE STUDY SHALL INCLUDE THE RECORDS AVAILABLE FOR THE INFORMATION, COSTS, EMPLOYEE HOURS REQUIRED, PROGRAMMING ISSUES, TIME FRAME, AND OTHER SIMILAR ISSUES. THE DEPARTMENT SHALL FORWARD THE STUDY TO THE LEGISLATURE NOT LATER THAN SEPTEMBER 1, 2000."

4. Amend page 20, line 11, after "not" by striking out the balance of the subdivision and inserting "MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH."

5. Amend page 20, line 17, after "NOT" by striking out the balance of the subdivision and inserting "MORE THAN 7 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR BOTH."

6. Amend page 20, line 22, after "NOT" by striking out the balance of the subdivision and inserting "MORE THAN 10 YEARS OR A FINE OF NOT MORE THAN \$10,000.00, OR BOTH."

The Senate agreed to the substitute, as amended, 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:

**Senate Bill No. 567, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 1998 PA 478.

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 amendment, the following bill:

**Senate Bill No. 385, entitled**

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

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

1. Amend page 1, line 5, after "means" by striking out the balance of the line through "following" on line 7.

The Senate agreed to the amendment recommended by the Committee of the Whole and the bill as amended was placed on the order of Third Reading of Bills.

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

**Senate Bill No. 485, entitled**

A bill to amend 1943 PA 202, entitled "Municipal finance act," by amending section 1b of chapter VII (MCL 137.1b), as amended by 1982 PA 469.

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:  
**Senate Bill No. 513, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 (MCL 339.2601, 339.2603, 339.2605, 339.2607, 339.2609, 339.2611, 339.2613, 339.2615, 339.2617, 339.2619, 339.2621, 339.2623, 339.2625, 339.2627, 339.2629, 339.2633, 339.2635, and 339.2637), section 2601 as amended by 1994 PA 125 and sections 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 as added by 1990 PA 269, and by adding sections 2614 and 2636.

Substitute (S-2).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 4, line 14, after "TRANSACTIONS" by inserting "THAT REQUIRE THE SERVICES OF A STATE LICENSED REAL ESTATE APPRAISER, CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, OR CERTIFIED GENERAL REAL ESTATE APPRAISER".

2. Amend page 4, line 18, after "TRANSACTIONS" by inserting "THAT REQUIRE THE SERVICES OF A STATE LICENSED REAL ESTATE APPRAISER, CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, OR CERTIFIED GENERAL REAL ESTATE APPRAISER".

3. Amend page 8, line 20, after "appraisals" by striking out the balance of the subsection and inserting "RELATED TO TRANSACTIONS NOT REQUIRING, UNDER FEDERAL LAW OR REGULATIONS, THE SERVICES OF A STATE LICENSED REAL ESTATE APPRAISER, CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, OR CERTIFIED GENERAL REAL ESTATE APPRAISER. THE APPRAISAL MUST CONTAIN THE SUPERVISORY SIGNATURE OF THE STATE LICENSED REAL ESTATE APPRAISER, CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, OR CERTIFIED GENERAL REAL ESTATE APPRAISER AND MUST ALSO CONTAIN THE SIGNATURE OF THE REAL ESTATE VALUATION SPECIALIST OR LIMITED REAL ESTATE APPRAISER ONLY WHERE THE APPRAISAL IS PERFORMED BY THE REAL ESTATE VALUATION SPECIALIST OR LIMITED REAL ESTATE APPRAISER UNDER THE PROVISIONS OF THIS SUBSECTION.".

The Senate agreed to the substitute, as amended, 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:  
**Senate Bill No. 514, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 6, and 38 (MCL 338.2202, 338.2206, and 338.2238), sections 2 and 6 as added by 1988 PA 461 and section 38 as added by 1990 PA 268.

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:  
**Senate Bill No. 509, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," by amending section 24 (MCL 259.454).

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:  
**Senate Bill No. 515, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30510 and 30512 (MCL 324.30510 and 324.30512), as added by 1995 PA 59.

Substitute (S-2).

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:  
**Senate Bill No. 516, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 20 (MCL 125.220).

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:  
**Senate Bill No. 517, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 20 (MCL 125.290).  
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:  
**Senate Bill No. 518, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 5 (MCL 125.585), as amended by 1986 PA 191.

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:  
**Senate Bill No. 519, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

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:  
**Senate Bill No. 405, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39d.

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:  
**Senate Bill No. 555, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1998 PA 60.

Substitute (S-1).

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

1. Amend page 5, line 14, by striking out all of subsection (6).

The Senate agreed to the substitute, as amended, 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:  
**Senate Bill No. 586, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 1998 PA 416.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 4, line 19, after "than" by inserting "A TOTAL OF".

2. Amend page 4, line 20, by striking out all of line 20 and inserting "per year for the years ~~1998 and~~ 1999 AND 2000 to established".

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole and the bill as substituted was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators McManus and A. Smith entered the Senate Chamber.



By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Rogers moved that the rules be suspended and that the following concurrent resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

**House Concurrent Resolution No. 34**

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

**Resolutions**

**House Concurrent Resolution No. 34.**

A concurrent resolution to urge state government agencies to use bio-based products as a source of oil and diesel fuel whenever possible.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senators Rogers, Gougeon, McManus, McCotter, Gast, Steil, Hoffman, Bennett, Dunaskiss, Byrum and Shugars were named co-sponsors of the concurrent resolution.

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

**Senate Resolution No. 57**

The resolution consent calendar was adopted.

Senator Rogers offers the following resolution:

**Senate Resolution No. 57.**

A resolution of tribute to Jack Brown, Executive Director of the Michigan Fraternal Order of Police, upon his retirement.

Whereas, It is with great pleasure that the members of the Michigan Senate offer this resolution to thank Jack Brown for his 34 years of service; and

Whereas, Jack began his law enforcement career in 1965 when he was hired as a patrol officer with the Ferndale Police Department in Michigan. Jack worked his way up through the ranks and was promoted to sergeant in 1973 and lieutenant in 1976. He retired in 1981 to become the Executive Director of the Michigan Fraternal Order of Police. Jack has also been a member of South Oakland Lodge #130 since 1966, serving as president in 1969 and 1970; and

Whereas, He has served on various Fraternal Order of Police committees on the national scene, including the National Labor Committee, the Insurance Committee, and since 1995, as chairman of the Education Services Committee. The recent increase in national seminars and training, as well as the numerous seminars at the national conference, are direct results of Jack's leadership and initiative; and

Whereas, In 1978, Jack was appointed by the Governor to the Michigan Law Enforcement Officers Training Council, the statewide committee responsible for developing, monitoring, and enforcing the standards for law enforcement training in Michigan, and serves to this day as the chairman. When any legislator, elected official, or media source needs information on the "police position" in Michigan, Jack serves as spokesman. During Jack's career, he has had but one focus—what is best for the Fraternal Order of Police; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of tribute be hereby accorded to salute Jack Brown, on the occasion of his retirement as Executive Director of the Michigan Fraternal Order of Police; and be it further

Resolved, That a copy of this resolution be transmitted to Jack Brown as evidence of our best wishes and appreciation for his many years of service.

Senator Rogers 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.

**Introduction and Referral of Bills**

Senator Emmons introduced  
**Senate Bill No. 601, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1998 PA 491. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Emmons introduced

**Senate Bill No. 602, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1998 PA 490.

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

Senators Emerson, Young, A. Smith, Leland, DeBeaussaert and Cherry introduced

**Senate Bill No. 603, entitled**

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 4 and 7a (MCL 408.384 and 408.387a), section 4 as amended by 1997 PA 2 and section 7a as amended by 1997 PA 1.

The bill was read a first and second time by title and referred to the Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senators Emerson, DeBeaussaert and A. Smith introduced

**Senate Bill No. 604, entitled**

A bill to repeal section 14 of 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.434).

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

**House Bill No. 4418, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 316 (MCL 484.2316), as amended by 1997 PA 183.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4580, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 1996 PA 179.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4581, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4583, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4584, entitled**

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4585, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 1998 PA 353.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

**Committee Reports**

The Committee on Health Policy reported

**Senate Bill No. 436, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17745a (MCL 333.17745a), as added by 1993 PA 305.

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.

Dale L. Shugars  
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz, Byrum and Murphy

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 Health Policy submits the following:

Meeting held on Tuesday, May 11, 1999, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Resolution No. 51.**

A resolution to urge the Department of Environmental Quality to commence cleanup work on Tannery Bay in White Lake in Muskegon County.

(For text of resolution, see Senate Journal No. 36, p. 537.)

With the recommendation that the following substitute (S-2) be adopted and that the resolution then be adopted:

A resolution to support and encourage the Department of Environmental Quality to proceed with all due speed to complete appropriate and cost-effective evaluation to remediate the tannery wastes and associated contamination in the Tannery Bay area of White Lake in Muskegon County.

Whereas, Over the past several decades, various governmental organizations have been monitoring the conditions of Tannery Bay and other portions of White Lake in Muskegon County. Past activities of the Whitehall Leather Company, including the disposal of certain materials, have drawn the attention of area residents; and

Whereas, Certain studies conducted by the United States Environmental Protection Agency, National Oceanic and Atmospheric Administration, Grand Valley State University, and the University of Michigan have indicated the presence of materials associated with historic tannery operations in the sediment in this part of the lake; and

Whereas, The Department of Environmental Quality has indicated that this is a priority site and has identified White Lake as a site of environmental contamination and has requested an appropriation under the Clean Michigan Initiative to address the tannery wastes and any associated contamination in the Tannery Bay area; and

Whereas, The Department of Environmental Quality, with the assistance of the United States Army Corps of Engineers and the United States Environmental Protection Agency, plans to complete necessary tasks this summer in order to issue a Remedial Action Plan under Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, this winter to address this site; and

Whereas, The Department of Environmental Quality will work with Whitehall Leather Company to implement the Remedial Action Plan; now, therefore, be it

Resolved by the Senate, That we support and encourage the Department of Environmental Quality to proceed with all due speed to complete appropriate and cost-effective evaluation to remediate the tannery wastes and associated contamination in the Tannery Bay area of White Lake in Muskegon County; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Environmental Quality.

Ken Sikkema  
Chairperson

## To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast, Peters and Young

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4394, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 81140a and 82147a.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 1, line 3, after "UNDER" by striking out "OF".

Ken Sikkema

Chairperson

## To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast, Peters and Young

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4470, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3118 (MCL 324.3118), as amended by 1995 PA 169.

With the recommendation that the bill pass.

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

Ken Sikkema

Chairperson

## To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast, Peters and Young

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4471, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3109a, 3119, 30101, 30104, 30105, 30109, 32312, 32501, and 32513 (MCL 324.3104, 324.3109a, 324.3119, 324.30101, 324.30104, 324.30105, 324.30109, 324.32312, 324.32501, and 324.32513), section 3104 as amended by 1995 PA 169, section 3109a as added by 1995 PA 70, sections 30101 and 32501 as added by 1995 PA 59, section 30104 as amended by 1996 PA 97, sections 30105 and 30109 as amended by 1995 PA 171, section 32312 as amended by 1995 PA 168, and section 32513 as amended by 1995 PA 170.

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.

Ken Sikkema

Chairperson

## To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast, Peters and Young

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 Natural Resources and Environmental Affairs submits the following:

Meeting held on Tuesday, May 11, 1999, at 3:00 p.m., Room 810, Farnum Building

Present: Senators Sikkema (C), Dunaskiss, Gast, Peters and Young

The Committee on Judiciary reported

**Senate Bill No. 182, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17766c and 17770 (MCL 333.17766c and 333.17770), section 17766c as added by 1994 PA 38, and by adding section 17766d.

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, McCotter, Bullard, Rogers, Peters and Dingell

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 315, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

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, McCotter, Bullard, Rogers 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

**Senate Bill No. 378, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a.

With the recommendation that the bill pass.

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

William Van Regenmorter  
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Rogers, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 497, entitled**

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

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, McCotter, Bullard and Rogers

Nays: Senator Peters

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

The Committee on Judiciary reported

**Senate Bill No. 597, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

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, McCotter, Bullard, Rogers, Peters and Dingell

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 598, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317, and by adding section 19a to chapter XVII.

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, McCotter, Bullard, Rogers 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 Judiciary submits the following:

Meeting held on Tuesday, May 11, 1999, at 3:30 p.m., Room 110, Farnum Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Rogers, Peters and Dingell

Excused: Senator V. Smith

The Committee on Technology and Energy reported

**House Concurrent Resolution No. 34.**

A concurrent resolution to urge state government agencies to use bio-based products as a source of oil and diesel fuel whenever possible.

(For text of resolution, see Senate Journal No. 38, p. 569.)

With the recommendation that the concurrent resolution be adopted.

Mat Dunaskiss  
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Rogers and Byrum

Nays: None

The concurrent resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:

Meeting held on Wednesday, May 12, 1999, at 3:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Dunaskiss (C), Sikkema, Rogers, Byrum, Leland and Dingell

Excused: Senator Schuette

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submits the following:

Meeting held on Wednesday, May 12, 1999, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Goschka and Vaughn

**Scheduled Meetings**

Administrative Rules Joint Committee - Thursday, May 20, at 2:30 p.m., Rooms 425 and 426, Capitol Building (3-3543).

Agriculture Preservation Task Force (SR 52) - Friday, May 21, at 9:00 a.m., Lowell Township Hall, 2910 Alden Nash, Lowell Township; Monday, May 24, at 1:00 p.m., Oaklane Golf Course Conference Room, 800 N. Main Street, Webberville; Friday, June 18, at 1:00 p.m., Marlette Middle School Media Center, 6230 Euclid Street, Marlette; and Tuesday, June 29, at 11:00 a.m., Michigan State University Livestock Pavilion, East Lansing (3-1725).

Appropriations Committee - Tuesday, May 18, and Wednesday, May 19, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Community Health Appropriations Subcommittee - Tuesday, May 18, at 12:30 p.m., Rooms 402 and 403, Capitol Building (3- 1777).

Health Policy Committee - Tuesday, May 18, at 1:00 p.m., Room 100, Farnum Building (3-0793).

Higher Education Appropriations Subcommittee - Tuesday, May 18, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-3447).

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 12:45 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, May 18, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

