

**No. 54**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, June 6, 2000.

10:00 a.m.

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

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—present  
Leland—present  
McCotter—present  
McManus—present  
Miller—present  
Murphy—present  
North—present  
Peters—present

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

Senator George Z. Hart of the 6th District offered the following invocation:

Almighty God, please guide us with Your strength, power, and wisdom. You're a beacon of light to us. We ask that You give us special guidance so that we may be protected while performing our duties here in the Michigan State Senate, and protect us in our own personal journeys. Lord, help us with Your loving care while we work to make decisions that affect all people, young and old. Give us the courage and alertness to protect our neighbors and all others whom we have pledged to aid. We ask this in Your name. Amen.

### Motions and Communications

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

Senator McCotter moved that Senators Rogers, Schuette and Goschka be temporarily excused from today's session.  
The motion prevailed.

The following communication was received and read:

Office of the Senate Majority Leader

June 1, 2000

Pursuant to Senate Rule 1.105, I hereby appoint the following members to conference committees.

SB 966      Senator Stille (Chair)  
              Senator Bennett  
              Senator DeBeaussaert

SB 967      Senator Schwarz (Chair)  
              Senator McManus  
              Senator Koivisto

SB 963      Senator Gast (Chair)  
              Senator Goschka  
              Senator A. Smith

SB 1044     Senator Stille (Chair)  
              Senator Bennett  
              Senator DeBeaussaert

HB 5273     Senator McManus  
              Senator Gast  
              Senator Koivisto

HB 5274     Senator Johnson  
              Senator Stille  
              Senator Emerson

HB 5277     Senator Goschka  
              Senator Gougeon  
              Senator Emerson

HB 5278     Senator Schwarz  
              Senator Johnson  
              Senator Young

HB 5279     Senator North  
              Senator Goschka  
              Senator A. Smith

HB 5280     Senator Hoffman  
              Senator North  
              Senator Vaughn

HB 5282 Senator Hoffman  
 Senator North  
 Senator Vaughn

HB 5284 Senator Hoffman  
 Senator Goschka  
 Senator Young

Sincerely,  
 Dan L. DeGrow  
 Senate Majority Leader

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 Thursday, June 1:  
**House Bill Nos. 5554 5668 5706 5802 5822 5832 5833**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, June 2, for his approval the following bills:

**Enrolled Senate Bill No. 937 at 10:28 a.m.**  
**Enrolled Senate Bill No. 940 at 10:30 a.m.**  
**Enrolled Senate Bill No. 941 at 10:32 a.m.**  
**Enrolled Senate Bill No. 1253 at 10:34 a.m.**

The Secretary announced the printing and placement in the members' files on Thursday, June 1, of:

**Senate Bill No. 1302**  
**House Bill No. 5864**

The Secretary announced the printing and placement in the members' files on Friday, June 2, of:

**Senate Bill No. 1303**  
**House Bill Nos. 5865 5866 5867 5868 5869 5870**

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

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

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Steil as Chairperson.

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

**Senate Bill No. 1244, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.30) by adding section 11. Substitute (S-1).

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

1. Amend page 1, line 11, after "CHANGE." by inserting "THIS SECTION DOES NOT APPLY IF THE ORDER GOVERNING THE CHILD'S CUSTODY GRANTS SOLE LEGAL CUSTODY TO 1 OF THE CHILD'S PARENTS.

(3)" and renumbering the remaining subsections.

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.

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

Senator McCotter moved that a respectful message be sent to the House of Representatives requesting the return of the following bills:

**House Bill No. 5227**  
**House Bill No. 5230**  
**House Bill No. 5270**

The motion prevailed.

Senator Goschka entered the Senate Chamber.

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

**House Bill No. 5554, entitled**

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 4 (MCL 445.1564).

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 Transportation and Tourism.

**House Bill No. 5668, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 501 and 906 (MCL 436.1501 and 436.1906), section 501 as amended by 1998 PA 416 and section 906 as added by 1998 PA 391.

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 Economic Development, International Trade and Regulatory Affairs.

**House Bill No. 5706, entitled**

A bill to amend 1929 PA 199, entitled "An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies," by amending sections 3 and 5 (MCL 123.43 and 123.45).

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 Local, Urban and State Affairs.

**House Bill No. 5822, entitled**

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 42 (MCL 125.1042), as amended by 1994 PA 365.

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 Appropriations.

**House Bill No. 5832, entitled**

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance and sale of bonds and notes of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending the title and sections 1 and 2 (MCL 388.981 and 388.982), the title and section 2 as amended by 1991 PA 64, and by adding sections 1a and 1b.

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 Education.

**House Bill No. 5833, entitled**

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans;

to provide for other matters in respect to such loans; and to make an appropriation,” by amending the title and sections 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 9b, 10, 10a, 11, and 12 (MCL 388.951, 388.952, 388.953, 388.954, 388.954a, 388.955, 388.956, 388.957, 388.958, 388.959, 388.959b, 388.960, 388.960a, 388.961, and 388.962), the title and sections 6 and 9 as amended and section 9b as added by 1991 PA 65, sections 2, 4, and 11 as amended by 1992 PA 228, section 3 as amended by 1985 PA 25, section 4a as amended by 1991 PA 22, section 5 as amended by 1983 PA 124, and section 10 as amended and section 10a as added by 1989 PA 6, and by adding sections 1a, 9c, 10b, 10c, and 11a; and to repeal acts and parts of acts.

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 Education.

By unanimous consent the Senate returned to the order of

### General Orders

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

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Steil as Chairperson.

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

#### House Bill No. 5719, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2517 (MCL 339.2517), as added by 1993 PA 93.

The bill was placed on the order of Third Reading of Bills.

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

#### House Bill No. 4881, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520c and 520e (MCL 750.520c and 750.520e), section 520c as amended by 1983 PA 158 and section 520e as amended by 1996 PA 155.

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

1. Amend page 3, following line 12, by inserting:

“(J) THAT OTHER PERSON IS UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS AND THE ACTOR IS AN EMPLOYEE OR A CONTRACTUAL EMPLOYEE OF, OR A VOLUNTEER WITH, A PRIVATE VENDOR THAT OPERATES A YOUTH CORRECTIONAL FACILITY UNDER SECTION 20G OF 1953 PA 232, MCL 791.220G, WHO KNOWS THAT THE OTHER PERSON IS UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS.” and relettering the remaining subdivisions.

2. Amend page 6, following line 13, by inserting:

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

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

During the Committee of the Whole, Senators Byrum, Rogers, V. Smith and Schuette entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

### Third Reading of Bills

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

#### Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 484.

The above bill was read a third time.

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. 450

Yeas—31

Bennett  
Bullard  
Byrum

Emmons  
Gast  
Goschka

Leland  
McCotter  
McManus

Schwarz  
Shugars  
Sikkema

DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson

Gougeon  
Hammerstrom  
Hoffman  
Johnson  
Koivisto

Miller  
Murphy  
North  
Rogers  
Schuette

Steil  
Stille  
Van Regenmorter  
Young

**Nays—7**

Cherry  
Hart

Jaye  
Peters

Smith, A.  
Smith, V.

Vaughn

**Excused—0**

**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. 1272, entitled**

A bill to create incentives to locate and maintain agricultural processing facilities within this state; to create certain funds; to authorize expenditures from the funds; to finance the development of certain facilities; to provide for appropriations; and to prescribe the powers and duties of certain state officials.

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. 451**

**Yeas—29**

Bennett  
Byrum  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hoffman  
Johnson  
Koivisto

Leland  
McCotter  
McManus  
Miller  
North  
Rogers  
Schuette

Schwarz  
Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter  
Young

**Nays—8**

Cherry  
Hart

Jaye  
Murphy

Peters  
Smith, A.

Smith, V.  
Vaughn

**Excused—0**

**Not Voting—1**

Bullard

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1199, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

The above bill was read a third time.

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. 452**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

**House Concurrent Resolution No. 103.**

A concurrent resolution to change the scope of the College of Engineering and Applied Sciences project at Western Michigan University.

Whereas, The Western Michigan University College of Engineering and Applied Sciences project was authorized with a total cost of \$50,000,000 by 1996 PA 480, and amended by the adoption of House Concurrent Resolution No. 31 of 1996; and

Whereas, Western Michigan University has estimated that the total cost to complete the College of Engineering and Applied Sciences project has increased to \$72,500,000; and

Whereas, Western Michigan University has agreed to fund the increase in the project cost of \$22,500,000, with the State commitment remaining at \$37,500,000; and

Whereas, Section 246 of 1984 PA 431, as amended, being MCL § 18.1246, provides that the cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Western Michigan University College of Engineering and Applied Sciences project to an amount not to exceed \$72,500,000 (State Building Authority share \$37,499,900; State General

Fund/General Purpose share \$100; Western Michigan University share \$35,000,000); and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Western Michigan University.

The House of Representatives has adopted the concurrent resolution.

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

Senator Rogers moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator Young was named co-sponsor of the concurrent resolution.

#### **House Concurrent Resolution No. 104.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kalamazoo Valley Community College relative to the Kalamazoo Valley Community College Arcadia Commons Campus Phase II.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Kalamazoo Valley Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Kalamazoo Valley Community College Arcadia Commons Campus Phase II (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Kalamazoo Valley Community College Arcadia Commons Campus Phase II project shall not exceed \$22,400,000 (the Authority share is \$11,199,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$11,200,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,199,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,070,000 and \$1,850,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Kalamazoo Valley Community College and the State Budget Director.



The House of Representatives has adopted the concurrent resolution.

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

Senator Rogers moved that the rule be suspended.

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

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 453**

**Yeas—36**

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

**Nays—1**

Jaye

**Excused—0**

**Not Voting—1**

Smith, A.

In The Chair: Schwarz

Senator Young was named co-sponsor of the concurrent resolution.

**House Concurrent Resolution No. 105.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Monroe County relative to the Community College District of Monroe County Business and Technical Center, Library, and Welding and Fastening Project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of the Community College District of Monroe County (the “Educational Institution”), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the “Authority”); and

Whereas, The site for the Business and Technical Center, Library, and Welding and Fastening Project (the “Facility”) is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the the Community College District of Monroe County Business and Technical Center, Library, and Welding and Fastening Project shall not exceed \$2,500,000 (the Authority share is \$1,249,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$1,250,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,249,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$115,000 and \$195,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of the Community College District of Monroe County, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

Senator Rogers moved that the rule be suspended.

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

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

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

#### Roll Call No. 454

#### Yeas—37

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

**Nays—1**

Jaye

**Excused—0****Not Voting—0**

In The Chair: Schwarz

Senator Young was named co-sponsor of the concurrent resolution.

By unanimous consent the Senate returned to the order of  
**Messages from the House**

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

**Senate Bill No. 1162, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

(For text of amendments, see Senate Journal No. 52, p. 1055.)

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

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

**Roll Call No. 455****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1009, entitled**

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

Substitute (H-1).

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

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

**Roll Call No. 456****Yeas—37**

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

**Nays—1**

Jaye

**Excused—0****Not Voting—0**

In The Chair: Schwarz

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 893, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1998 PA 547.

(For text of amendment, see Senate Journal No. 52, p. 1056.)

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

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

**Roll Call No. 457****Yeas—37**

Bennett	Goschka	McCotter	Shugars
Bullard	Gougeon	McManus	Sikkema
Byrum	Hammerstrom	Miller	Smith, A.
Cherry	Hart	Murphy	Smith, V.

DeBeaussaert	Hoffman	North	Steil
DeGrow	Jaye	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuetten	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—0**

**Not Voting—1**

Emerson

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 894, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145d (MCL 750.145d), as added by 1999 PA 32.

Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 458**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title as amended.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 965, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (H-2).

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

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

**Roll Call No. 459****Yeas—37**

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

**Nays—1**

Jaye

**Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Rogers moved that consideration of the following bill be postponed temporarily:

**House Bill No. 5281**

The motion prevailed.

**Senate Bill No. 1052, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2000 PA 46, and by adding chapter XII.

(For text of amendments, see Senate Journal No. 53, p. 1068.)

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

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

**Roll Call No. 460****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title as amended.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1053, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 135 (MCL 750.135).  
 (For text of amendment, see Senate Journal No. 53, p. 1070.)

The question being on concurring in the amendment made to the bill by the House,  
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 461****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1187, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2000 PA 45.

(For text of amendments, see Senate Journal No. 53, p. 1070.)

The question being on concurring in the amendments made to the bill by the House,  
The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 462****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 963, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Stamas, Godchaux and Pestka as conferees to join with Senators Gast, Goschka and A. Smith.

The bill was referred to the Conference Committee.



**Senate Bill No. 966, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The House of Representatives has appointed Reps. Jelinek, Stamas and Kelly as conferees to join with Senators Stille, Bennett and DeBeaussaert.

The bill was referred to the Conference Committee.

**Senate Bill No. 967, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Caul, Mead and Price as conferees to join with Senators Schwarz, McManus and Koivisto.

The bill was referred to the Conference Committee.

**House Bill No. 5275, entitled**

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Godchaux, Kukuk and Prusi as conferees.

The message was referred to the Secretary for record.

**House Bill No. 5276, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Byl, Mead and Tesanovich as conferees.

The message was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The following communication was received and read:

Office of the Senate Majority Leader

June 6, 2000

Pursuant to Senate Rule 1.105, I hereby appoint the following members to conference committees.

HB 5275     Senator Bennett  
              Senator Stille  
              Senator Young

HB 5276     Senator Bennett  
              Senator Gast  
              Senator DeBeaussaert

Sincerely,  
Dan L. DeGrow  
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of  
**Resolutions**

Senators DeGrow, Gast and Schuette offered the following resolution:  
**Senate Resolution No. 179.**

A resolution to honor the memory of Carl F. Gnodtke, former member of the Michigan House of Representatives.

Whereas, It is with great admiration for his sense of commitment to our state that we honor the memory of Carl F. Gnodtke. As a legislator, local official, leader in Michigan agriculture, and devoted family man, Carl Gnodtke set standards of integrity and unselfishness that will long enrich many lives, especially for those who knew him as a friend; and

Whereas, Representative Carl Gnodtke spoke for the people of southwestern Michigan in the House of Representatives for eighteen years. His personal warmth, considerable experience in local government, and common sense approach to life contributed a great deal to the legislative process. Members on both sides of the aisle sought his input and valued his insight; and

Whereas, Representative Gnodtke's true constituency extended far beyond his own district to include all elements of Michigan agriculture. Indeed, his familiarity with virtually all aspects of farming, derived from a lifetime of working the land, was critical to decision making on numerous legislative proposals over the years; and

Whereas, A native of Berrien County, Carl Gnodtke came to the Michigan Legislature in 1979 with a wealth of insights on local government and business operations. Most importantly, he came to the Capitol with a deep understanding of human nature. His background as a leader within his church and as a proud family man gave him a rich perspective on the needs of others and the true goals of government. With his characteristic cheerfulness and genuine concern for others, Carl Gnodtke has left a legacy of service that will long continue to touch lives and strengthen our state; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute as a memorial for Carl F. Gnodtke, a member of the Michigan Legislature from 1979 to 1996 and a life-long leader in Berrien County and Michigan agriculture; and be it further

Resolved, That copies of this resolution be transmitted to his family as a reflection of our sincerest condolences.

Pending the order that, under rule 3.202, the concurrent resolution be laid over one day,

Senator Rogers 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 Rogers moved that the resolution be read.

The motion prevailed.

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

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.

Senators Emmons, Miller, Van Regenmorter, Johnson, Shugars, Jaye and Hoffman asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Emmons' statement is as follows:

Carl Gnodtke was an extraordinary man who loved his God and his family. He often put right principles before his caucus and fought greatly for things that he believed were important. He was a valuable member of that caucus when I served with him. We certainly wish to extend to Mary Jane our very deepest sympathy for her loss and to say that we all have very fond memories of Carl and his goodness and what he did in the Legislature.

Senator Miller's statement is as follows:

I also would like to reflect Senator Emmons' remarks. I had the privilege of knowing Carl Gnodtke. He was truly not only a gentleman, but he was also a very, very good friend to people. I think that one of the things in the resolution I'd like to touch upon was that there were no feelings of partisanship. There was strictly a feeling of good friendship with Mr. Gnodtke. I would like members here to know that Mr. Gnodtke was a very young man, and it really bothered me when I heard that he passed away last weekend at the University of Michigan hospital due to health complications, primarily his heart.

But I'd like to just tell a little story of how I had the privilege to know a lot of members here and Carl Gnodtke. He was a very large man, but he was a very gentle man. He had a very, very soft approach. When you looked at him and you saw his presence, you said, "My God, this guy could lift (coming from a farm) the tractor himself." That's how

big he was! But he had a heart that was as gentle and as soft and as friendly, and he reached out to talk to any member here, whether you were a Democrat or Republican; whether you came from the city or you came from the farm. It really bothered me that we lost a man of his leadership here. I know his family really, really misses him, his gentleness, and his leadership.

But I want to tell you that he came from an area of southwest Michigan like the good Senator, the chairman of appropriations, and was his state rep. Representative Gnodtke came from southwest Michigan from Senator Gast's area, and there seemed like there was always a foursome among Senator Gast, Carl Gnodtke, Mick Middaugh, and another great, great gentleman who has since left this earth, Sid Ouwinga, who was also a rather plump, stout individual. When they would go out for dinner in the evening, their favorite place was the Sweden Haus on Grand River, and between two of those members, they could really—I mean, when they walked in they wanted to give them their money and send them to a different restaurant because, believe me, they destroyed that buffet bar.

I just want to tell you that Representative Middaugh told me this story how one evening the four of them went there, and they dined and went to that buffet table about four times, until finally Sid Ouwinga went for the fifth time. Carl Gnodtke had the audacity to look at chairman Gast and say, "Can you imagine, Mr. Chairman, how in the world can Sid go up there five times?" But, meanwhile, he was there four times himself! But that's the kind of person he was.

He was just a great, great, friendly man. He took time to talk to any person, whether you were a governor or whether you were just the newspaper boy here. He found time to talk to you. I just want to tell you that I thought very kindly of him. I felt bad when I heard the sad, tragic news, but I'm sure that his family will miss him even more because he was not only a giant of man, but he had a great, great heart and was a great, great friend to many, many people here in this Capitol. His family will miss him, and the people of Michigan will miss him.

Senator Van Regenmorter's statement is as follows:

Well, Senator Miller, I think very, very accurately described the many facets of Carl Gnodtke. He mentioned, in fact, his considerable appetite. I recall having dinner with him and Sid Ouwinga and others from time to time. When the Sweden Haus went out of business, they moved to the Old Country Buffet. I can give you an update of that. Carl would take a large dinner plate, the largest he could find, and go to just the salad bar and build a mountain of salad so high that any additional pieces would fall off the edge. Then he would line that with cherry tomatoes. That was a picture of Carl Gnodtke and his considerable appetite.

He was someone who wouldn't speak very often on the floor of the House, but when he spoke, there was a perceptible stillness in the House. For those of us who served in the House, perceptible stillness is a fairly unusual occurrence. But when he spoke, there would be a perceptible stillness, and the reason for that stillness was because he was well-known to be a person of absolute impeccable integrity and also considerable brilliance. This was a very intelligent person and a man of character. Everyone knew that he stood for the "right" stuff. So when he did speak on those fairly rare occasions, he said it and said it well.

He also had an incredible sense of humor. I'll not forget—I think some of my colleagues here today were serving in the House on a day when there was some discussion about sportsman—someone mentioned the word "sportsman," and instantly someone arose and said, "No, we are talking about sportspersons." And only Carl—only Carl—could get away with what followed. What followed was his sort of list of why "sportsman" wasn't so bad. He said, "Well, 'sportsperson' has the term 'son' in it and 'son' is masculine. So if you just say 'sportspers,' well, 'purse' a feminine accouterment, and therefore, you still aren't covering the bases." He went through a fairly lengthy list and at the end of which everyone in the chamber, regardless of philosophical affiliations, was laughing hard.

That was a picture of Carl—a man of integrity, a man of great, good humor, a man of brilliance, and a man of strong character. He will be missed.

Senator Johnson's statement is as follows:

I, too, rise for the purpose of speaking of Carl Gnodtke, not just as a colleague, but as a friend. Some of my fondest memories of Carl date back to when I used to bring homemade chocolate chip cookies to the House Republican Caucus. I haven't done that in a few years, you're right. In bringing those cookies to the caucus and sharing them with all, Carl would quite frequently get upset because he didn't feel that he got his fair share. So on one event, I brought some in and took the box in and put it on Carl's desk, and not one of us got a cookie. He hoarded the whole bunch.

But, most importantly, I think we have to recognize his sincere efforts and his tenacious efforts in regards to individuals with closed-head injuries. You will recall that one of his children, in an accident while they were on vacation, suffered a closed-head injury, and Carl became the champion for those individuals. He was tenacious in his fight for them and needs to be recognized for that.

Senator Shugars' statement is as follows:

I just want to share some of the feelings that I have about Carl Gnodtke. What I'd just like to share with my colleagues and staff is a number of us went down to his funeral, and I was moved by the fact that the services of a state Representative and being a farmer and all the things that he accomplished wasn't really what he was all about. What

he was really about was his life and his faith as a testimony to Jesus Christ, and I think it's pretty awesome to go to a funeral and know in the bottom of your heart that the soul of this person is going to be in Heaven for eternity. This is something that is a wonderful testimony that I hope when I'm gone that people will be able to say about me. I'm just awed that the whole service was about his faith in Jesus Christ, and I think that was so awesome.

I just think while we were sad about him passing away, I think we are all joyous about who he really was and what his walk in life was. He'll be truly missed, but at the same time, I know where Carl is. Carl, God bless you.

Senator Jaye's statement is as follows:

I had the pleasure of serving with Carl Gnodtke.

One of the greatest policy achievements in the time I've been here in the Legislature was a Carl Gnodtke amendment that capped property taxes on the individual parcel level. I remember, I think it was on the day before Christmas around 2 or 3 o'clock in the morning, and Carl Gnodtke offered that amendment that has provided the longest property tax relief to the citizens of the great state of Michigan. That's part of his legacy.

I also remember Carl Gnodtke having great personal courage after he suffered a stroke. He suffered a stroke that left part of his face paralyzed, that left some of his speech with not a total paralysis but an impediment, and he still came to work. He still worked through it and was still able to improve. That was an inspiration to all of us who maybe had had a bad day or two. But we look at the courage and inspiration he gave to other people in the community that just because you suffer a stroke doesn't mean that your time is up and that you're not productive. He was able to maintain an extraordinary attendance record, as well as being fully engaged in public policy.

I also had the pleasure of working with his family members on a variety of policy and political issues. He'll be missed by the communities in southeast Michigan, as well as his home state. I wish you well, Carl, and to his family as well.

Senator Hoffman's statement is as follows:

I, too, rise to recall with fondness the memory of the late Carl Gnodtke.

I had the pleasure of serving with Representative Gnodtke in the House of Representatives from 1982 through 1993. Like many of my colleagues, I prefer to recall some of the more enjoyable times that we had together. I did have the pleasure of going with Representative Gnodtke over to Europe back in 1985. We were part of the group for the high-speed rail between Detroit and Chicago, and I can recall fondly the many times that we discussed state policy in some of the pubs in England. It was interesting.

I can also recall one time we had this group called the "pontoon caucus" when I was in the House of Representatives. We used to go out on a pontoon boat in the middle of the lake and solve the problems of the day. One time Representative Gnodtke went to the front of my pontoon boat and was accompanied by Representative Middaugh. Well, needless to say, you can imagine what happened—we broke water over the front of the deck, the motor in the back of the pontoon boat was lifted out of the water, and we were just about ready to abandon ship when we hit the bottom of the lake. It was kind of shallow. But it was an enjoyable time.

I'm just sad that I wasn't able to share more experiences with Carl in later years since he left the House of Representatives. He was such a joy to be around.

To his wife, Mary Jane, I just want her to know that I will keep Carl in my prayers and her as well.

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

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

The motion prevailed.

Senator Goschka's statement is as follows:

I would just like to remind all of the members of the Senate and all staff members that 56 years ago today was the launch of D-day. That's when, as we all know, our American forces and the Allied forces went to the beaches of Normandy. For the United States alone, we lost 6,000 of our own fellow Americans on that day.

I realize that it's long past, but it's something that truly and really did happen. Fifty-six years ago today there were thousands of our own fellow Americans who knowingly went into battle, putting their lives on the line for you and me to preserve our freedom and liberty, and they knew they would not come back alive.

Where they are buried today, many of them in France still, I would like us to remember that it is hallowed ground where they are. Let's not forget that the freedom and liberty that we have as Americans does not come without a huge price. I am thankful for those men who fought so valiantly for our freedom on June 6, 1944, as well as the entire effort of World War II and all of our wars that we've had before and since. This is a day as Americans that we really ought to remember what our fellow Americans did for us. They are heroes, and we do not forget.

### Committee Reports

The Committee on Transportation and Tourism reported

**House Bill No. 5624, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 629e, 674, 675d, and 742 (MCL 257.629e, 257.674, 257.675d, and 257.742), section 629e as amended by 1991 PA 163, section 674 as amended by 2000 PA 76, section 675d as amended by 1992 PA 230, and section 742 as amended by 1998 PA 68.

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 Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

**House Bill No. 5813, entitled**

A bill to amend 1954 PA 99, entitled "An act authorizing the international bridge authority of Michigan, created by Act No. 237 of the Public Acts of 1935, as amended, being sections 254.201 to 254.216, inclusive, of the Compiled Laws of 1948, to construct, maintain, repair and operate a bridge or tunnel project from the Upper Peninsula of Michigan to the province of Ontario, Canada, and providing for the acquisition and operation of the existing ferry system and buses in connection with such project; defining the powers and duties of the authority; granting to the authority power to acquire necessary real and personal property and to exercise the power of condemnation; providing for financing such project by the issuance of revenue bonds of the authority, payable solely from tolls and other revenues; providing that no debt of the state shall be incurred in the exercise of any such powers; providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of maintenance, repair and operation of such project; exempting from taxes and assessments such project and such bonds and the income therefrom; authorizing the issuance of revenue refunding bonds; prescribing the rights and remedies of the holders of bonds issued under the provisions of this act; making an appropriation; and repealing certain acts and parts of acts," by amending the title and sections 1, 3, 4, 7, and 16 (MCL 254.221, 254.223, 254.224, 254.227, and 254.236), section 3 as amended by 1994 PA 44, and by adding section 3a; 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.

Bill Bullard, Jr.  
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

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 Transportation and Tourism submits the following:

Meeting held on Thursday, June 1, 2000, at 9:30 a.m., Room 405, Capitol Building

Present: Senators Bullard (C), Steil, North, Leland and Hart

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 1276, entitled**

A bill to provide for the establishment of recreational authorities; to provide powers and duties of an authority; to authorize the assessment of a fee, the levy of a property tax, and the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials.

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.

Thaddeus G. McCotter  
Chairperson

## To Report Out:

Yeas: Senators Shugars, Miller and Murphy

Nays: Senator McCotter

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

The Committee on Local, Urban and State Affairs reported

**House Bill No. 5222, entitled**

A bill to amend 1998 PA 363, entitled "An act to authorize the state administrative board to convey certain state owned property in Ingham county; to authorize the department of natural resources to convey certain parcels of state owned property in Roscommon 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 certain property; and to provide for disposition of the revenue derived from the conveyance," by amending the title and sections 2 and 3 and by adding section 15.

With the recommendation that the bill pass.

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

Thaddeus G. McCotter  
Chairperson

## To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, May 31, 2000, at 3:00 p.m., Room 405, Capitol Building

Present: Senators McCotter (C), Shugars, Miller and Murphy

Excused: Senator Van Regenmorter

The Committee on Families, Mental Health and Human Services reported

**Senate Resolution No. 178.**

A resolution to oppose the Department of Community Health proceeding with any competitive bid process for specialty services without the enactment of enabling legislation.

(For text of resolution, see Senate Journal No. 52, p. 1059.)

With the recommendation that the resolution be adopted.

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson and Vaughn

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 5543, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding chapter XII; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:  
Meeting held on Thursday, June 1, 2000, at 3:10 p.m., Senate Appropriations Room, Capitol Building  
Present: Senators Hammerstrom (C), Gougeon, Jaye, Johnson and Vaughn  
Excused: Senators Goschka and Hart

## COMMITTEE ATTENDANCE REPORT

The Committee on Farming, Agribusiness and Food Systems submits the following:  
Meeting held on Tuesday, May 30, 2000, at 9:30 a.m., Rooms 402 and 403, Capitol Building  
Present: Senators McManus (C), Stille and Gougeon  
Excused: Senators Byrum and Hart

## COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:  
Meeting held on Wednesday, May 31, 2000, at 2:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Dunaskiss (C), Sikkema, Schuette, Rogers, Byrum, Leland and Dingell

**Scheduled Meetings****Conference Committees -**

**SB 963** - Wednesday, June 7, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**SB 966** - Wednesday, June 7, 9:30 a.m., Room 404, Capitol Building (373-1635)

**Families, Mental Health and Human Services** - Monday, June 26, 9:00 a.m., Cadillac & Nicolet Rooms, University Center, Northern Michigan University, Marquette; Tuesday, June 27, 9:00 a.m., Commission Chambers, 2nd Floor, Governmental Center (City/County Building), Traverse City; Wednesday, June 28, 1:00 p.m., F & G Seminar Rooms, Curtis Hall, Saginaw Valley State University, Saginaw/Bay City; Thursday, July 6, 9:00 a.m. and 1:00 p.m., Northwest Activity Center, 18100 Myers Road, Detroit; and Friday, July 7, 9:00 a.m., Theater, Oakland Community College - Royal Oak Campus, Royal Oak (373-3543)

**Farming, Agribusiness and Food Systems** - Wednesday, June 7, 8:30 a.m., Room 810, Farnum Building (373-1725)

**Technology and Energy** - Wednesday, June 7, and Thursday, June 8, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2417)

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 11:36 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, June 7, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

