

No. 51
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, June 2, 1999.

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 A. McManus, Jr., of the 36th District offered the following invocation:

Let us take a moment this morning to pause from our deliberations and remember that there is a power higher than any or all of us who keeps things in order.

In our prayer of thanksgiving to that power, let us thank Him for the softly falling rain, the sun that will follow and the crops that are coming on. And in our prayer of petition, let us ask for help and guidance here to make the proper decisions for the good of mankind. Amen.

Motions and Communications

Senators Schwarz, Stille, Cherry and V. Smith entered the Senate Chamber.

Senator Rogers moved that Senators Dunaskiss, Emmons, Jaye and Schuette be temporarily excused from today's session.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 1:
House Bill Nos. 4082 4244 4413 4473 4489 4491 4492 4493 4495 4504 4509 4520 4521 4598
4609 4644 4645 4670

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 2:
House Bill Nos. 4206 4398 4451 4632 4639

The Secretary announced the printing and placement in the members' files on Tuesday, June 1 of:
House Bill Nos. 4734 4735 4736 4737 4738 4739 4740 4741 4742 4743 4746

Messages from the Governor

The following messages from the Governor were received:

Date: June 1, 1999
 Time: 2:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 7 (Public Act No. 32), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 145d.

(Filed with the Secretary of State on June 1, 1999, at 4:03 p.m.)

Date: June 1, 1999
 Time: 2:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 117 (Public Act No. 33), being

An act to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 3, 5, 6, and 7 (MCL 722.673, 722.675, 722.676, and 722.677) and by adding section 1a.

(Filed with the Secretary of State on June 1, 1999, at 4:05 p.m.)

Respectfully,
 John Engler
 Governor

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

Senators Jaye, Miller, Goschka and Young entered the Senate Chamber.

Senator Rogers moved that consideration of the following joint resolution and bills be postponed for today:

Senate Joint Resolution G

Senate Bill No. 287

Senate Bill No. 390

Senate Bill No. 300

Senate Bill No. 438

Senate Bill No. 405

The motion prevailed.

The following bill was announced:

House Bill No. 4018, entitled

A bill to amend 1917 PA 138, entitled "An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act," by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

(This bill was read a third time on June 1 and consideration postponed. See Senate Journal No. 50, p. 876.)

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. 320

Yeas—35

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

Nays—1

DeBeaussaert

Excused—1

Emmons

Not Voting—1

Murphy

In The Chair: President

Senator Emmons entered the Senate Chamber.

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

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

Senator Murphy entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4358, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5509 (MCL 700.5509).

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. 321

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: President

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4168, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 15 (MCL 247.665), as amended by 1982 PA 438.

The question being on the passage of the bill,

Senator Bullard offered the following substitute:

Substitute (S-2).

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

The question being on the passage of the bill,

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

Roll Call No. 322

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: President

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

The following bill was read a third time:

House Bill No. 4182, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 1997 PA 79.

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. 323

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: President

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

The following bill was read a third time:

House Bill No. 4605, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 676a (MCL 257.676a), as amended by 1998 PA 224.

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. 324

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Schwarz

In The Chair: President

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4606, entitled

A bill to amend 1941 PA 205, entitled “An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities

ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1998 PA 223.

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. 325

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: President

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

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, Lieutenant Governor Posthumus, designated Senator Bennett 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 without amendment, the following bill:

House Bill No. 4669, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 25a and 25b (MCL 764.25a and 764.25b), section 25a as amended by 1983 PA 92 and section 25b as amended by 1996 PA 418.

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 a substitute therefor, the following bill:

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.

Substitute (S-1).

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

1. Amend page 4, line 27, after “part,” by striking out the balance of the subsection and inserting “A PERMIT IS NOT REQUIRED UNDER THIS PART FOR THE DISCHARGE IF THE DISCHARGE IS PROVIDED FOR IN EITHER OR BOTH OF THE FOLLOWING:

(A) A REMEDIAL ACTION PLAN THAT IS APPROVED BY THE DEPARTMENT UNDER PART 201.

(B) A CORRECTIVE ACTION PLAN THAT IS SUBMITTED TO THE DEPARTMENT UNDER PART 213 THAT INCLUDES A MIXING ZONE DETERMINATION MADE BY THE DEPARTMENT AND THAT HAS BEEN NOTICED IN THE DEPARTMENT CALENDAR.”

2. Amend page 6, line 5, after “(g)” by inserting “NOT MORE THAN 10% OF THE MONEY IN THE FUND FOR”.

3. Amend page 6, line 6, after “operators” by striking out the balance of the line through “(H)” on line 7 and inserting “AND”.

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

Messages from the House

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

Senate Bill No. 68

Senate Bill No. 369

Senate Bill No. 371

The motion prevailed.

Senate Bill No. 357, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 326

Yeas—0

Nays—37

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

Excused—0

Not Voting—1

Steil

In The Chair: President

Senate Bill No. 361, 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, 2000; 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.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 327**Yeas—15**

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

Nays—23

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

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 368, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports and to provide for the disposition of fees and other income received by the judicial branch.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 328**Yeas—0**

Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 79, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 329**Yeas—0****Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 364, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; 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.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 330**Yeas—0****Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 365, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 331**Yeas—14**

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

Nays—24

Bennett	Goschka	Koivisto	Schwarz
Bullard	Gougeon	McCotter	Shugars

DeGrow
Dunaskiss
Emmons
Gast

Hammerstrom
Hoffman
Jaye
Johnson

McManus
North
Rogers
Schuette

Sikkema
Steil
Stille
Van Regenmorter

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 366, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2000; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2000; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 332

Yeas—0

Nays—38

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto
Leland

McCotter
McManus
Miller
Murphy
North
Peters
Rogers
Schuette
Schwarz

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

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 370, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2000; 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.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 333

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 372, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2000; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Substitute (H-1).

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 334

Yeas—0

Nays—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
Emmons

Koivisto
Leland

Schwarz

Young

Excused—0

Not Voting—0

In The Chair: President

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

Senate Bill No. 556

The motion prevailed.

Senator Van Regenmorter moved that consideration of the following bill be postponed for today:

Senate Bill No. 559.

The motion prevailed.

Senate Bill No. 151, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 5 (MCL 124.5), as amended by 1988 PA 36.

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

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Senator Rogers moved that the bill be given immediate effect.

The question being on the motion to give the bill immediate effect,

Senator Rogers moved that further consideration of the bill be postponed for today.

The motion prevailed.

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

The motion prevailed.

Senate Bill No. 343, entitled

A bill to create an urban homestead program; to permit certain local governmental units or nonprofit community organizations 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.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and ordered that it be given immediate effect.

Pursuant to rule 3.202, the bill was laid over one day.

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.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

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.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 488, entitled

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

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 60

The resolution consent calendar was adopted.

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

Senate Resolution No. 60.

A resolution to recognize October 23-31, 1999, as National Red Ribbon Week, sponsored by the Michigan Communities in Action for Drug-Free Youth.

Whereas, Cities across our nation have been plagued by the numerous problems associated with drug and alcohol abuse; and

Whereas, Local leaders in government and in the community know that their support of the people in the neighborhoods is the most effective weapon they can have in their efforts to reduce the demand for illegal drugs and drive away the suppliers of those drugs; and

Whereas, The National Red Ribbon Week celebration has been established by the National Family Partnership to help create awareness of the drug problems facing every community. It has enabled communities to develop parent and community teams to combat illegal drugs and to promote drug-free lifestyles for America's youth; and

Whereas, October 23-31, 1999, has been designated National Red Ribbon Week, with President Clinton as Honorable National Chair of the celebration. The President is calling all Americans to show their support for a drug-free nation by wearing a red ribbon during that week; now, therefore, be it

Resolved by the Senate, That the state of Michigan shall recognize October 23-31, 1999, as Red Ribbon Week and join the rest of the nation in promoting the Red Ribbon Week celebration and a drug-free America; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Communities in Action for Drug-Free Youth as evidence of our respect and esteem for drug-free youth.

Senators Shugars, Johnson, North, Gougeon, Rogers, Steil and Goschka offered the following concurrent resolution:

Senate Concurrent Resolution No. 16.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to ensure better coordination within the federal rulemaking process to eliminate conflicting regulations.

Whereas, The regulations promulgated by federal agencies pursuant to law are an important component of our system of self-government. They promote safety among workers, a better environment, and needed accountability and oversight in many aspects of life and commerce. However, the impact and effectiveness of regulations can be negated when regulations from a given federal agency conflict with the requirements of rules from another agency. This is an issue that must be addressed in the rulemaking process; and

Whereas, It is a frustrating experience for citizens and businesses trying to comply with the letter and the spirit of the law to encounter regulations that conflict with one another. This leads to confusion, the potential for incurring needless costs, and serious difficulties resulting from noncompliance. In addition to the direct impact of conflicting regulations, this situation also is harmful in contributing to an erosion of faith in the system; and

Whereas, It would be much more productive for the federal government to strengthen coordination among the regulations of the various agencies. A person or business trying to meet OSHA requirements, for example, should not encounter conflicting regulations from the EPA. If the aims of any of the regulations are to be met, there must be safeguards against conflicting provisions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to enact legislation to ensure better coordination within the federal rulemaking process to eliminate conflicting regulations; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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 question being on the adoption of the concurrent resolution,

Senator Rogers moved that the concurrent resolution be referred to the Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the House

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, and 79b.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476, and by adding sections 79 and 79a.

Pursuant to rule 3.202, the bill was laid over one day.

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 recorded 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.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

Pursuant to rule 3.202, the bill was laid over one day.

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, 8, 9, and 10 (MCL 28.722, 28.723, 28.724, 28.725, 28.727, 28.728, 28.729, and 28.730), section 3 as amended by 1995 PA 10, sections 7, 8, and 10 as amended by 1996 PA 494, and by adding sections 5a, 8a, and 8b.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 4, after "in" by striking out "a" and inserting "ANY".

2. Amend page 2, following line 14, by inserting:

"(iv) HAVING AN ORDER OF DISPOSITION OR OTHER ADJUDICATION IN A JUVENILE MATTER IN ANOTHER STATE OR COUNTRY."

3. Amend page 3, line 9, after "(iv)" by inserting "EXCEPT FOR A JUVENILE DISPOSITION OR ADJUDICATION,".

4. Amend page 4, following line 15, by inserting:

"(F) "RESIDENCE", AS USED IN THIS ACT, FOR REGISTRATION AND VOTING PURPOSES MEANS THAT PLACE AT WHICH A PERSON HABITUALLY SLEEPS, KEEPS HIS OR HER PERSONAL EFFECTS, AND HAS A REGULAR PLACE OF LODGING. IF A PERSON HAS MORE THAN 1 RESIDENCE, OR IF A WIFE HAS A RESIDENCE SEPARATE FROM THAT OF THE HUSBAND, THAT PLACE AT WHICH THE PERSON RESIDES THE GREATER PART OF THE TIME SHALL BE HIS OR HER OFFICIAL RESIDENCE FOR THE PURPOSES OF THIS ACT. THIS SECTION SHALL NOT BE CONSTRUED TO AFFECT EXISTING JUDICIAL INTERPRETATION OF THE TERM RESIDENCE." and relettering the remaining subdivision.

5. Amend page 6, line 3, after "OFFENSE" by inserting "ON OR".

6. Amend page 6, line 13, after "AGENCY" by inserting "ON OR".

7. Amend page 6, following line 18, by inserting:

"(D) ON SEPTEMBER 1, 1999, IN ANOTHER STATE OR COUNTRY THE INDIVIDUAL IS ON PROBATION OR PAROLE, COMMITTED TO JAIL, COMMITTED TO THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS OR A SIMILAR TYPE OF STATE AGENCY, UNDER THE JURISDICTION OF A COURT THAT HANDLES MATTERS SIMILAR TO THOSE HANDLED BY THE FAMILY DIVISION OF CIRCUIT COURT IN THIS STATE, OR COMMITTED TO AN AGENCY WITH THE SAME AUTHORITY AS THE FAMILY INDEPENDENCE AGENCY FOR THAT OFFENSE."

8. Amend page 7, line 27, after "the" by striking out the balance of the line and inserting "juvenile division of the probate court or FAMILY DIVISION OF CIRCUIT COURT OR".

9. Amend page 9, line 12, after "(5)" by inserting "SUBJECT TO SECTION 3(1) AND (2).".

10. Amend page 9, line 26, after "(6)" by striking out the balance of the line through "STATE" on line 2 on page 10 and inserting "ALL OF THE FOLLOWING".

11. Amend page 10, line 6, after "3(1)" by inserting a colon and

"(A) SUBJECT TO SECTION 3(1), AN INDIVIDUAL CONVICTED IN ANOTHER STATE OR COUNTRY AFTER OCTOBER 1, 1995 OF A LISTED OFFENSE AS DEFINED BEFORE SEPTEMBER 1, 1999.

(B) SUBJECT TO SECTION 3(2), AN INDIVIDUAL CONVICTED IN ANOTHER STATE OR COUNTRY OF AN OFFENSE ADDED ON SEPTEMBER 1, 1999 TO THE DEFINITION OF LISTED OFFENSES.

(C) AN INDIVIDUAL REQUIRED TO BE REGISTERED AS A SEX OFFENDER IN ANOTHER STATE OR COUNTRY REGARDLESS OF WHEN THE CONVICTION WAS ENTERED".

12. Amend page 21, line 14, after the first "THE" by striking out "JURISDICTION" and inserting "JUDICIAL DISTRICT".

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

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.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Byrum, Hoffman and Van Regenmorter asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Byrum's statement is as follows:

Last week, I offered an amendment to the Department of Community Health budget, which was House Bill No. 4299 (S-1), which would have increased state funding for basic dental care for children on Medicaid. Unfortunately, this amendment was defeated by a single vote.

While the state currently funds some basic Medicaid dental care for children, we can and we must do more. These children, through no fault of their own, are in most cases without access to and in serious need of quality dental care—the kind of care you and I and thousands of working families take for granted and expect for our children. Quality dental care may not seem all that important, but it is. Medical studies show poor oral health has been linked to future health, mental and social problems. When kids nationwide miss as many as 52 million hours of class time annually with oral health problems, then I think we must consider it a serious problem.

Our economy is booming, and revenue estimates are at an all-time high, yet this chamber failed to support my amendment to provide adequate funding for dental care for kids in need. Therefore, I call on the Governor and the director of the Department of Community Health to use a portion of the record-breaking tobacco settlement monies to help fund this important program. Before we create new programs that spend this once-in-a-lifetime windfall, we should meet our existing obligations in public health.

Senator Hoffman's statement is as follows:

Last weekend, I received some sad news that the state of Michigan lost a dear friend, a friend of mine, Harry Melling, who died at his home in Gaylord at the young age of 54.

Harry was known as an entrepreneur by many people because of his many different accomplishments. I'd like to take a moment to remember Harry here in the Senate as someone who really stood out in our great state.

Racing fans recognize Harry as one of the best known race car owners in NASCAR, especially between the years of 1984 through 1989 when the Melling racing team was red hot on the circuit. With race driver Bill Elliot behind the wheel, the team won 11 super speedway races in 1985, a NASCAR record. Some of those wins that year included the Daytona 500, the Winston 500 and the Southern 500. In 1987, the Melling racing team recorded the fastest speed ever for a stock car racer at 212.9 miles per hour. In 1988, the Melling racing team won the NASCAR Winston Cup championship with six victories, six pole positions and fifteen top five finishes.

As a friend, I was happy to have known Harry and to have had his support for many years. Harry Melling was a member of my cabinet club and was never afraid to give me an earful of advice on what he felt was good for his employees and what he felt was good for Michigan, especially when it came to cutting taxes. He could appreciate the importance of tax cuts because as a business owner, he could see every week how much his employees were able to keep of their paychecks and how much they had to hand over to the government.

If you ever happen to live in Jackson or in Gaylord like I do, you'd know Harry was president of Melling Tool and Treetop Sylvan Resort, major businesses that have employed thousands of local people over the years. Melling Tool had grown from a local business to a national firm with warehouses from coast to coast and a leading supplier of oil pumps and other automotive products. In 1983, he purchased Sylvan Resort along with his wife, Chris, in Gaylord and turned it into a year-round recreational facility by adding several top-notch golf courses. He renamed it Treetop Sylvan Resort, and I can tell you it sure is a beautiful place for families to spend time together.

Harry also loved sailing and bowling. He purchased the Rebel Sailing Boat Company when it was nearly bankrupt, and turned it around with a couple other guys into a profitable company.

Harry, a favorite son of Ferris State University, will be sorely missed.

Harry certainly enjoyed his family. I know he'll be greatly missed by his wife, Chris, and by his sons, Mark and Matthew, and his daughter, Michelle, and his grandchildren. We remember all that Harry was as a very enthusiastic person who loved life, loved his family and contributed immensely to the lives of others during his short term here.

Senator Van Regenmorter's statement is as follows:

On Friday, we're going to be losing one of our very fine Pages. Her name is Robin Goodwin. She was here for a full term, and then her term was extended for three months because she did such a great job. She's going to go to MSU where she will be working for the Institute for Public Policy and Research—a very, very significant position—and we're all going to miss her. I hope my colleagues on the floor will join me in saluting her and applauding her for her fine service to the Senate.

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

March 12, 1999

Pursuant to Act 501 of Public Acts of 1998, I am pleased to appoint the following members to the Legislative Retirement System Board of Trustees:

Senate Members - 2

Senator George A. McManus, Jr.

Senator Bob Emerson

Defined Contribution Plan Transferee Member
 Senator John J. H. Schwarz, M.D.

Deferred Vested Member
 Doug Cruce

Retired Members - 2
 Alvin J. DeGrow
 R. Robert Geake

Should you have any questions or require additional information on these appointments, please do not hesitate to contact me.

Sincerely,
 Dan DeGrow
 Senate Majority Leader

The communication was referred to the Secretary for record.

Introduction and Referral of Bills

Senators Schwarz, Young, Vaughn, North, Stille, Shugars, Goschka, Hammerstrom, Byrum and Rogers introduced **Senate Bill No. 631, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1179. The bill was read a first and second time by title and referred to the Committee on Education.

House Bill No. 4082, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 1989 PA 194.

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. 4206, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 1996 PA 320.

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. 4244, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending section 2d (MCL 141.422d), as amended by 1996 PA 401.

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. 4398, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

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. 4413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219e.

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 Financial Services.

House Bill No. 4451, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, and 13110.

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. 4473, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 7011 and 7060 (MCL 500.7011 and 500.7060), as added by 1986 PA 121.

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Rogers moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4489, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending the title and sections 57, 59, 60, 61, 73c, 74, 87c, 107, 108, 131, 131c, and 131e (MCL 211.57, 211.59, 211.60, 211.61, 211.73c, 211.74, 211.87c, 211.107, 211.108, 211.131, 211.131c, and 211.131e), the title and section 59 as amended by 1983 PA 254, sections 57, 60, 61, 73c, 74, 108, 131, and 131c as amended by 1993 PA 291, section 87c as amended by 1988 PA 450, section 107 as amended by 1998 PA 378, and section 131e as amended by 1996 PA 476, and by adding sections 60a, 67c, 78, 78a, 78b, 78c, 78d, 78e, 78f, 78g, 78h, 78i, 78j, 78k, 78l, 78m, 78n, 78o, and 78p; 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.

Senator Rogers moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4491, 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.

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. 4492, entitled

A bill to create an urban homestead bankrupt property program; to permit certain local governmental units to hold, rent, and transfer certain property; 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.

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. 4493, 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 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. 4495, 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.

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. 4504, 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 recorded 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.

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. 4509, entitled

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

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.

Senator Rogers moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4520, 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; for other purposes; and to prescribe penalties and provide remedies," by amending section 44b (MCL 125.694b).

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.

Senator Rogers moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4521, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 80.

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. 4598, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219f. 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 Financial Services.

House Bill No. 4609, entitled

A bill to amend 1957 PA 200, entitled "An act to provide for the creation by 2 or more municipalities of an intermunicipality committee for the purpose of studying area problems; and to provide authority for the committee to receive gifts and grants," (MCL 123.631 to 123.636) by adding section 7.

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. 4632, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 15b (MCL 247.665b), as added by 1997 PA 79.

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. 4639, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284 (MCL 380.1284), as amended by 1997 PA 53.

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. 4644, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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. 4645, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending sections 2 and 3 (MCL 445.112 and 445.113).

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. 4670, entitled

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

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 Financial Services.

Scheduled Meetings

Agriculture Preservation Task Force (SR 52) - Friday, June 18, at 1:00 p.m., Marlette Middle School Media Center, 6230 Euclid Street, Marlette; Saturday, June 19, at 9:00 a.m., Southwest Michigan Research and Extension Center, 1791 Hillandale, Benton Harbor; and Tuesday, June 29, at 11:00 a.m., Michigan State University Livestock Pavilion, East Lansing (3-1725).

School Aid Appropriations Subcommittee - Thursday, June 3, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1635). (CANCELED)

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 11:38 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, June 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.