

No. 51
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, May 30, 2000.

12:00 noon.

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

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

Bennett—excused
Bullard—present
Byrum—present
Cherry—present
DeBeaussiaert—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 Christopher D. Dingell of the 7th District offered the following invocation:

In drafting today's invocation, I was drawn to the Epistle of James, a pillar of the early Christian community in Jerusalem. There is much to help a legislator in the book of James. James wrote that the fervent prayer of a righteous person is powerful indeed. He also wrote that only a person who can control their tongue becomes a person in the fullest sense.

Lord, help us this day to practice the humility filled with good sense that shows wisdom and understanding. Amen.

Senator Young entered the Senate Chamber.

Motions and Communications

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

Senator V. Smith moved that Senators Byrum and Miller be temporarily excused from today's session.
The motion prevailed.

Senators Hoffman and Vaughn entered the Senate Chamber.

The following communication was received:
Family Independence Agency

May 24, 2000

Enclosed is the Family Independence Agency's 1999 report on "The Cost Effectiveness of the Recovery of Overpayments," as required by Act 41 of 1993. Our records are unclear whether or not you received reports for 1997 and 1998; therefore, these reports are also enclosed.

If you have any questions regarding this information, please contact Asha Shah, Director, Budget, Analysis and Financial Management Administration.

Sincerely,
Douglas E. Howard

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, May 25:

House Bill Nos.	5255	5256	5572	5573	5574	5575	5576	5689	5693	5709	5710	5736	5740	5741
	5742	5743	5744	5746	5747	5759	5760	5761	5770	5782	5783	5784	5805	

The Secretary announced that the following House bills were received in the Senate and filed on Friday, May 26:

House Bill Nos. **4727** **4792**

The Secretary announced the printing and placement in the members' files on Thursday, May 25, of:

Senate Bill No. **1291**

House Bill Nos. **5834** **5835** **5836** **5837** **5838** **5839** **5840** **5841** **5842**

The Secretary announced the printing and placement in the members' files on Friday, May 26, of:

Senate Bill No. **1290**

House Bill Nos. **5843** **5844** **5845** **5846** **5847**

House Joint Resolution **S**

Messages from the Governor

The following messages from the Governor were received:

Date: May 26, 2000

Time: 2:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1125 (Public Act No. 113), being

An act to repeal 1861 PA 263, entitled "An act to provide for the floating of logs and timber in the streams of this state," (MCL 426.51 to 426.57).

(Filed with the Secretary of State on May 26, 2000, at 2:54 p.m.)

Date: May 26, 2000
Time: 2:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1126 (Public Act No. 114), being

An act to repeal 1867 PA 202, entitled “An act to protect the title of the owners of floating logs and lumber,” (MCL 426.101 to 426.107).

(Filed with the Secretary of State on May 26, 2000, at 2:56 p.m.)

Date: May 26, 2000
Time: 2:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1127 (Public Act No. 115), being

An act to repeal 1897 PA 43, entitled “An act to provide for the analysis of water in use by the public in certain cases,” (MCL 390.81 to 390.83).

(Filed with the Secretary of State on May 26, 2000, at 2:58 p.m.)

Date: May 26, 2000
Time: 2:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1159 (Public Act No. 117), being

An act to amend 1972 PA 354, entitled “An act to authorize the replacement or payment without presentation of lost, destroyed or wrongfully taken bonds or other evidences of indebtedness issued by public corporations; and to prescribe the powers and duties of certain departments and agencies,” by repealing section 5 (MCL 129.135).

(Filed with the Secretary of State on May 26, 2000, at 3:02 p.m.)

Date: May 26, 2000
Time: 2:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1160 (Public Act No. 118), being

An act to amend 1985 PA 227, entitled “An act to create the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain powers to political subdivisions of the state and water suppliers regarding, and allow certain agreements regarding obligations of political subdivisions of the state and water suppliers purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; and to grant powers and impose duties on officers and agencies of the state, political subdivisions of the state, and water suppliers,” by amending section 7 (MCL 141.1057), as amended by 1997 PA 27.

(Filed with the Secretary of State on May 26, 2000, at 3:04 p.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received and read:

May 25, 2000

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

Crime Victims Services Commission

Mr. Michael F. Skinner, 2222 Walmar Drive, Lansing, Michigan 48917, county of Eaton, as a member representing attorneys, succeeding Mr. S. Nicholas Frontczak of Clinton Township, whose term has expired, for a term expiring on September 27, 2002.

Ms. Dolores Bussey, 29205 Chelsea Crossing, Farmington Hills, Michigan 48331, county of Oakland, as a member representing the medical profession, succeeding The Honorable Paul N. DeWeese of Williamston, who has resigned, for a term expiring on September 27, 2002.

Reverend Dr. Laura E. Foster, 73 Richton, Highland Park, Michigan 48203, county of Wayne, as a member representing community based victim advocates, succeeding Ms. Barbara K. Hill of Battle Creek, who has resigned, for a term expiring on September 27, 2000.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

TREASURY; EMERGENCY MUNICIPAL LOAN ACT

May 26, 2000

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 1158.

Enrolled Senate Bill 1158 amends the Emergency Municipal Loan Act to repeal the ability to promulgate rules under the act. The rationale advanced in support of this bill is that the loan board has not yet used the authority. So what?

Given that the only time rules might be needed would be during a possible conflict, the absence of the ability to promulgate rules could become a fatal flaw in this already weak act. Future governors may need this rule making authority.

For this reason, I am returning Enrolled Senate Bill 1158 without signature.

Sincerely,
John Engler
Governor

This bill was returned from the Governor on May 26, 2000, at 3:05 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator Rogers moved that the veto message be referred to the Committee on Government Operations. The motion prevailed.

Recess

Senator Rogers moved that the Senate recess subject to the call of the President. The motion prevailed, the time being 12:06 p.m.

12:53 p.m.

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

During the recess, Senators Byrum, Cherry, Bullard, DeGrow and McCotter entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 5184, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 1999 PA 67.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendment:

1. Amend page 4, line 23, by striking out all of subdivision (c) and relettering the remaining subdivisions.
- The amendment was adopted, a majority of the members serving voting therefor.

Senator Van Regenmorter offered the following amendments:

1. Amend page 2, line 33, after "VARIABLE" by striking out "C" and inserting "D".
2. Amend page 2, line 38, after "VARIABLE" by striking out "C" and inserting "B".

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

Roll Call No. 364**Yeas—36**

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

Nays—0**Excused—2**

Bennett

Miller

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.

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5185, entitled

A bill to amend 1979 PA 53, entitled “An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties,” by amending section 6 (MCL 752.796), as amended by 1996 PA 326.

The question being on the passage of the bill,
Senator Van Regenmorter offered the following amendments:

1. Amend page 2, line 10, after “No.” by striking out “983” and inserting “893”.
2. Amend page 2, line 11, after “No.” by striking out “984” and inserting “894”.
3. Amend page 2, line 12, by striking out all of subdivision (c) and relettering the remaining subdivisions.

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

The question being on the passage of the bill,

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

Roll Call No. 365

Yeas—36

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

Nays—0

Excused—2

Bennett

Miller

Not Voting—0

In The Chair: Schwarz

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

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

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5186, entitled

A bill to amend 1979 PA 53, entitled “An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties,” by amending section 7 (MCL 752.797), as amended by 1996 PA 326.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendment:

1. Amend page 6, line 15, by striking out all of subdivision (c) and relettering the remaining subdivisions.

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

The question being on the passage of the bill,

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

Roll Call No. 366

Yeas—36

Bullard	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema

Cherry	Gougeon	McManus	Smith, A.
DeBeaussaert	Hammerstrom	Murphy	Smith, V.
DeGrow	Hart	North	Steil
Dingell	Hoffman	Peters	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emerson	Johnson	Schuetten	Vaughn
Emmons	Koivisto	Schwarz	Young

Nays—0

Excused—2

Bennett

Miller

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5187, entitled

A bill to amend 1979 PA 53, entitled “An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties,” by amending section 2 (MCL 752.792), as amended by 1996 PA 326.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendments:

1. Amend page 3, line 12, after “No.” by striking out “983” and inserting “893”.
2. Amend page 3, line 13, after “No.” by striking out “984” and inserting “894”.
3. Amend page 3, line 14, by striking out all of subdivision (c) and relettering the remaining subdivisions.

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

The question being on the passage of the bill,

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

Roll Call No. 367

Yeas—36

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

Nays—0

Excused—2

Bennett

Miller

Not Voting—0

In The Chair: Schwarz

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

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

Senate Bill No. 906, entitled

A bill to amend 1974 PA 300, entitled “Motor vehicle service and repair act,” by amending section 10 (MCL 257.1310).

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. 368**Yeas—36**

Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Murphy
North
Peters
Rogers
Schuette
Schwarz

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

Nays—0**Excused—2**

Bennett

Miller

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. 1014, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 207 (MCL 450.4207), as amended by 1997 PA 52.

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. 369**Yeas—36**

Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Murphy
North
Peters
Rogers
Schuette
Schwarz

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

Nays—0**Excused—2**

Bennett

Miller

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. 1238, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 904 (MCL 450.4904), as amended by 1997 PA 123.

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. 370**Yeas—36**

Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Murphy
North
Peters
Rogers
Schuette
Schwarz

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

Nays—0**Excused—2**

Bennett

Miller

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. 1239, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 728 (MCL 339.728), as added by 1997 PA 10.

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. 371**Yeas—36**

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

Nays—0**Excused—2**

Bennett

Miller

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Miller entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1240, entitled

A bill to amend 1962 PA 192, entitled “Professional service corporation act,” by amending section 4 (MCL 450.224), as amended by 1998 PA 10.

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. 372**Yeas—37**

Bullard	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema

Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetten	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

Nays—0

Excused—1

Bennett

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. 1241, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 102 and 902 (MCL 450.4102 and 450.4902), as amended by 1997 PA 52.

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. 373

Yeas—37

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

Nays—0

Excused—1

Bennett

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. 1243, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 217, 222, and 251 (MCL 257.217, 257.222, and 257.251), section 217 as amended by 1998 PA 247, section 222 as amended by 1999 PA 267, and section 251 as amended by 1998 PA 455.

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. 374**Yeas—37**

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

Nays—0**Excused—1**

Bennett

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. 661, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by amending the title, as amended by 1991 PA 98, and by adding section 710g.

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. 375**Yeas—37**

Bullard	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema

Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetten	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

Nays—0

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4007, entitled

A bill to amend 1974 PA 369, entitled “An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties,” by amending sections 5 and 5b (MCL 256.605 and 256.605b), section 5 as amended and section 5b as added by 1998 PA 11.

The question being on the passage of the bill,

Senator Jaye offered the following amendments:

1. Amend page 1, line 1, after “(1)” by striking out “A” and inserting “SUBJECT TO SUBSECTION (6), A”.

2. Amend page 4, following line 2, by inserting:

“(6) A LICENSEE MAY EMPLOY AN INDIVIDUAL WHO HAS A VALID DRIVER TRAINING INSTRUCTOR CERTIFICATE FROM ANOTHER STATE FOR UP TO 6 MONTHS OR UNTIL THE INDIVIDUAL IS CERTIFIED IN THIS STATE.”.

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

The question being on the passage of the bill,

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

Roll Call No. 376

Yeas—37

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

Nays—0

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 4008, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 208b (MCL 257.208b), as amended by 1998 PA 329.

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. 377

Yeas—37

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

Nays—0

Excused—1

Bennett

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.

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. 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 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. 378

Yeas—37

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

Nays—0

Excused—1

Bennett

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.

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. 4846, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” (MCL 480.11 to 480.22) by adding section 3a.

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. 379

Yeas—36

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

Nays—1

Emerson

Excused—1

Bennett

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.

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

“An act to promote safety upon the public highways by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; and to repeal certain acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4865, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 705 (MCL 257.705), as amended by 2000 PA 82.

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. 380

Yeas—36

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

Nays—1

Emerson

Excused—1

Bennett

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.

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. 5140, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 721 (MCL 257.721), as amended by 1999 PA 24.

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. 381**Yeas—37**

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

Nays—0**Excused—1**

Bennett

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.

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. 5164, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 319 (MCL 257.319), as amended by 1999 PA 267.

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. 382**Yeas—37**

Bullard	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema

Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetten	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

Nays—0

Excused—1

Bennett

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.

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. 5172, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 312e (MCL 257.312e), as amended by 1991 PA 100.

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. 383

Yeas—37

Bullard	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille

Dunaskiss
Emerson
Emmons
Gast

Johnson
Koivisto
Leland

Rogers
Schuette
Schwarz

Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Bennett

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.

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. 5421, entitled

A bill to designate certain parts and bypasses of certain highways located in certain counties of this state; and to prescribe the duties of the state transportation department.

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. 384

Yeas—37

Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons
Gast

Goschka
Gugeon
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

Nays—0

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

Senate Bill No. 1237, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4aa.

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. 385

Yeas—37

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

Nays—0

Excused—1

Bennett

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. 1170, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 2971.

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. 386

Yeas—27

Bullard	Gast	Koivisto	Schwarz
Cherry	Goschka	McCotter	Shugars
DeBeaussiaert	Gougeon	McManus	Sikkema
DeGrow	Hammerstrom	Miller	Steil
Dingell	Hoffman	North	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emmons	Johnson	Schuette	

Nays—10

Byrum	Leland	Smith, A.	Vaughn
Emerson	Murphy	Smith, V.	Young
Hart	Peters		

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protest

Senator A. Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1170.

Senator A. Smith’s statement is as follows:

This bill has come through the legislative process so far entitled the “wrongful birth” bill. “Wrongful birth” is a really unfortunate title to put to an action that allows parents of severely disabled babies to recover projected medical costs and otherwise extraordinary expenses that would be incurred in the raising of an otherwise healthy child simply because the health care provider failed to notify the parents of the disability of the genetic defect of a preventable and very costly complication to life.

Expectant parents have a right to know what the implications of an ill-fated conception might be. The bill was improved by an earlier amendment offered by my colleague from the 14th District, Senator Gary Peters, in allowing for a cause of action in the case of gross negligence. Gross negligence is a very difficult standard to meet. It is one that deprives, as many courts have indicated, the right of a parent to meet those obligations that have been caused by the negligent performance of a physician or a health care professional to notify them of potential complications to a birth.

Because of the unfairness and limiting an opportunity for a redress of their grievance against a health care professional who acted negligently, I voted “no” on the bill.

The following bill was read a third time:

House Bill No. 5638, entitled

A bill to designate December 7 of each year as Pearl Harbor day in the state of Michigan.

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. 387

Yeas—37

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

Nays—0

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

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

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

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Rogers moved that the rules be suspended to permit immediate consideration of the following bill, now on Committee Reports:

Senate Bill No. 1274

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

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

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 388

Yeas—22

Bullard	Gougeon	McManus	Shugars
DeGrow	Hammerstrom	North	Sikkema
Dunaskiss	Hoffman	Rogers	Steil

Emmons
Gast
Goschka

Jaye
Johnson
McCotter

Schuette
Schwarz

Stille
Van Regenmorter

Nays—15

Byrum
Cherry
DeBeaussaert
Dingell

Emerson
Hart
Koivisto
Leland

Miller
Murphy
Peters
Smith, A.

Smith, V.
Vaughn
Young

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

Pursuant to rule 2.204, the bill was laid on the table.

Senator Rogers moved that the following bill be removed from the table:

Senate Bill No. 1274, 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 sections 1a, 1c, 1h, 9a, 10, 10a, 10h, 10o, 11, 11b, 12, 13, 14, 18b, 18e, and 25 (MCL 247.651a, 247.651c, 247.651h, 247.659a, 247.660, 247.660a, 247.660h, 247.660o, 247.661, 247.661b, 247.662, 247.663, 247.664, 247.668b, 247.668e, and 247.675), sections 1c and 10h as amended by 1982 PA 438, section 1h as added and section 12 as amended by 1997 PA 79, sections 9a, 10, and 11 as amended and section 10o as added by 1998 PA 308, section 10a as amended by 1992 PA 137, section 11b as amended by 1992 PA 223, section 13 as amended by 1999 PA 54, section 14 as amended by 1987 PA 234, sections 18b and 18e as amended by 1985 PA 201, and section 25 as amended by 1993 PA 20, and by adding section 10p; and to repeal acts and parts of acts.

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

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

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 389**Yeas—22**

Bullard
DeGrow
Dunaskiss
Emmons
Gast
Goschka

Gougeon
Hammerstrom
Hoffman
Jaye
Johnson
McCotter

McManus
North
Rogers
Schuette
Schwarz

Shugars
Sikkema
Steil
Stille
Van Regenmorter

Nays—15

Byrum
Cherry
DeBeaussaert
Dingell

Emerson
Hart
Koivisto
Leland

Miller
Murphy
Peters
Smith, A.

Smith, V.
Vaughn
Young

Excused—1

Bennett

Not Voting—0

In The Chair: Schwarz

The bill was placed on the order of General Orders.

Senator Rogers moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1274

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

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

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 390**Yeas—20**

Bullard
Dunaskiss
Emmons
Goschka
Gougeon

Hammerstrom
Hoffman
Jaye
Johnson
McCotter

McManus
North
Rogers
Schuette
Schwarz

Shugars
Sikkema
Steil
Stille
Van Regenmorter

Nays—15

Byrum
Cherry
DeBeaussaert
Dingell

Emerson
Hart
Koivisto
Leland

Miller
Murphy
Peters
Smith, A.

Smith, V.
Vaughn
Young

Excused—1

Bennett

Not Voting—2

DeGrow

Gast

In The Chair: Schwarz

Protest

Senator Young, under his constitutional right of protest (Art. 4, Sec. 18), protested against the motion to suspend the rules to place Senate Bill No. 1274 on the order of General Orders.

Senator Young's first statement is as follows:

I voted "no" against the first two procedures which involved removing from the committee reports Senate Bill No. 1274, as well as the second motion, which, in fact, placed it on the table for its removal for the following reasons.

It has just amazed me how the process has been deviated in such a way which provided a lack of opportunity for public review, a lack of an opportunity for legislative review, and quite frankly, just demonstrating to the public as a rule as just to be related that we really don't have a process by which we have a level playing field for the purposes of entering into discussion and debate based on ideas which should come to a conclusion rendering good public policy. Instead what took place is that Senate Bill No. 1274 first bypassed a vote to report from the Subcommittee on Transportation, chaired by the Senator from the 19th District, as a subcommittee chair responsible for getting it ready for the full body of the Appropriations Committee. But alarmingly so, this wasn't the end. This was only the beginning because after coming before the full Appropriations Committee, there was a procedural move which, in fact, set the bill up to be discharged by adopting a substitute and leaving that there with the intent of having a follow-up meeting of which the bill was reported without recommendation—kind of end route before us.

The two motions of which I objected to were a circumvention of the process by which not only the public, but legislators had an opportunity to review a bill—which numbered more than 89 pages at first, more than 100 pages at second—so that one could appreciate and look at to see if changes were needed. In fact, what did take place is more procedural fancy footwork which ultimately brought Senate Bill No. 1274 before us. In stepping around the subcommittee process, in toying and playing with the full committee process, this occurs now before us. I would hope that we would recognize that the process we have is for openness. The process should afford the opportunity for all ideas and comments to be put before us for purposes of good public policy and making clear-cut decisions.

It is my feeling that was not done, and it is for that reason that I voted "no" against the three procedures with the intent of actually a "no" vote explanation on the first two which called for putting that bill ultimately before us.

Senator Young's second statement is as follows:

What I want to indicate is that, first of all, the comments that were made spoke to the system not giving due respect to the Senator from the 19th District. Certainly, as I asked about the definition of disparaging, one can't even suggest or think that there was any negativity in that other than the system not respecting the good subcommittee chair from the 19th Senatorial District. So I would hope that the body would know that and certainly, in particular, the Senator from the 26th District.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

House Bill No. 5484, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 2402, 2403, 2404, 2517, 3805, 3807, 3987, 3988, 7503, and 7508 (MCL 700.1103, 700.2402, 700.2403, 700.2404, 700.2517, 700.3805, 700.3807, 700.3987, 700.3988, 700.7503, and 700.7508), sections 1103 and 3807 as amended by 2000 PA 54.

House Bill No. 5260, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 35 (MCL 205.735), as amended by 1994 PA 254.

House Bill No. 5654, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 30f.

House Bill No. 5252, entitled

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

House Bill No. 5682, entitled

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

Senate Bill No. 911, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 20 (MCL 431.320), as amended by 1997 PA 73.

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

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

Senate Bill No. 1274, 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 sections 1a, 1c, 1h, 9a, 10, 10a, 10h, 10o, 11, 11b, 12, 13, 14, 18b, 18e, and 25 (MCL 247.651a, 247.651c, 247.651h, 247.659a, 247.660, 247.660a, 247.660h, 247.660o, 247.661, 247.661b, 247.662, 247.663, 247.664, 247.668b, 247.668e, and 247.675), sections 1c and 10h as amended by 1982 PA 438, section 1h as added and section 12 as amended by 1997 PA 79, sections 9a, 10, and 11 as amended and section 10o as added by 1998 PA 308, section 10a as amended by 1992 PA 137, section 11b as amended by 1992 PA 223, section 13 as amended by 1999 PA 54, section 14 as amended by 1987 PA 234, sections 18b and 18e as amended by 1985 PA 201, and section 25 as amended by 1993 PA 20, and by adding section 10p; and to repeal acts and parts of acts.

Substitute (S-3).

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

1. Amend page 4, line 14, by striking out all of line 14 through "PROGRAM," on line 19.

2. Amend page 5, line 13, after "state" by striking out the period and inserting a comma and "EXCEPT THAT A TOWNSHIP WITH A POPULATION OF 20,000 OR MORE BASED ON THE MOST RECENT STATEWIDE FEDERAL CENSUS OR STANDARD METROPOLITAN STATISTICAL AREA ESTIMATES THAT DESIRES TO ASSUME JURISDICTION OVER ROADS WITHIN THE TOWNSHIP MAY RECEIVE THE FUNDS FOR THOSE ROADS DIRECTLY FROM THE STATE."

3. Amend page 8, following line 22, by inserting:

"SEC. 20B. A TOWNSHIP THAT DOES NOT HAVE A ROAD AGENCY ON THE EFFECTIVE DATE OF THIS SECTION SHALL NOT ESTABLISH A ROAD AGENCY OR USE TRANSPORTATION FUNDS TO HIRE ADDITIONAL TOWNSHIP EMPLOYEES TO PERFORM THE FUNCTION OF A ROAD AGENCY."

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

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

Senate Bill No. 651, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9112 and 9121 (MCL 324.9112 and 324.9121), section 9112 as added by 1995 PA 60 and section 9121 as amended by 1996 PA 173, and by adding section 9111a.

Substitute (S-2).

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

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

"(12) "MUNICIPALITY" MEANS ANY OF THE FOLLOWING:

(A) A CITY.

(B) A VILLAGE.

(C) A CHARTER TOWNSHIP.

(D) A GENERAL LAW TOWNSHIP THAT IS LOCATED IN A COUNTY WITH A POPULATION OF 200,000 OR MORE." and renumbering the remaining subsections.

2. Amend page 24, line 9, after "(1)" by inserting "SUBJECT TO SUBSECTION (2),".

3. Amend page 24, following line 20, by inserting:

"(2) THIS PART DOES NOT APPLY TO A METALLIC MINERAL MINING ACTIVITY THAT IS REGULATED UNDER A MINING AND RECLAMATION PLAN THAT CONTAINS SOIL EROSION AND SEDIMENTATION CONTROL PROVISIONS AND THAT IS APPROVED BY THE DEPARTMENT UNDER PART 631." and renumbering the remaining subsection.

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

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

Senate Bill No. 806, entitled

A bill to authorize a county, city, village, or township law enforcement agency to enter into mutual aid agreements with law enforcement agencies of a physically adjacent state; to prescribe the minimum terms of the mutual aid agreements; and to provide immunity from civil and criminal actions to certain persons.

Substitute (S-1).

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

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

Senate Bill No. 1184, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2b to chapter IV.

Substitute (S-4).

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

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

House Bill No. 5653, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

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

1. Amend page 9, line 25, after “YEAR.” by inserting “A DEDUCTION UNDER THIS SUBPARAGRAPH IS NOT ALLOWED FOR CONTRIBUTIONS TO AN EDUCATION SAVINGS ACCOUNT IN THE TAX YEAR IN WHICH THE INITIAL WITHDRAWAL IS MADE FROM THAT ACCOUNT OR ANY SUBSEQUENT YEAR.”.

2. Amend page 9, line 26, after “SECTION” by striking out “30F(A)” and inserting “30F”.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5460, entitled

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

Substitute (S-2).

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

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

House Bill No. 5078, entitled

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

Substitute (S-2).

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

1. Amend page 7, line 1, by inserting:

“(7) A person shall not be issued more than 1 track license. Controlling ownership and interlocking directorates among the holders of track licenses are prohibited.” and renumbering the remaining subsection.

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

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Miller’s statement is as follows:

I was a little tardy arriving today, having some problems getting here, but there were a few votes that I missed that were important. I would like the record to indicate that had I been present for House Bill Nos. 5184, 5185, 5186, and 5187, I would voted in the affirmative. For Senate Bill Nos. 906, 1014, 1238, and 1239—these are very important pieces of legislation—I would also like the Journal to show that had I been present, I would’ve voted in the affirmative on those four bills also.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Bullard, Shugars and Hammerstrom introduced

Senate Bill No. 1292, entitled

A bill to amend 1968 PA 2, entitled “Uniform budgeting and accounting act,” by amending sections 1, 2a, 2b, 2c, 2d, 4, 7, 8, 14, 15, 16, 17, 18, 19, and 20 (MCL 141.421, 141.422a, 141.422b, 141.422c, 141.422d, 141.424, 141.427, 141.428, 141.434, 141.435, 141.436, 141.437, 141.438, 141.439, and 141.440), sections 1 and 7 as amended by 1982 PA 451, sections 2b and 4 as amended by 1996 PA 439, section 2d as amended by 1999 PA 142, section 8 as amended by 1996 PA 400, section 15 as amended by 1981 PA 77, and sections 16 and 17 as amended by 1995 PA 41.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators McCotter, Sikkema, Bullard, Shugars, North, Emmons, Gougeon, McManus, Schuette, Stille, Goschka, Steil, Hammerstrom, Gast, Dunaskiss, Bennett, Dingell, Hart, DeBeaussaert and Murphy introduced

Senate Bill No. 1293, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 5h (MCL 117.5h), as amended by 1994 PA 313.

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

Senator Stille introduced

Senate Bill No. 1294, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Sikkema, McCotter, Bullard, Shugars, North, Emmons, Gougeon, McManus, Schuette, Stille, Goschka, Steil, Hammerstrom, Gast, Dunaskiss, Bennett, Dingell, Hart, DeBeaussaert and Murphy introduced

Senate Bill No. 1295, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 1 (MCL 41.181), as amended by 1999 PA 257, and by adding section 1a.

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

Senators Shugars, McCotter, Sikkema, Bullard, North, Emmons, Gougeon, McManus, Schuette, Stille, Goschka, Steil, Hammerstrom, Gast, Dunaskiss, Bennett, Dingell, Hart, DeBeaussaert and Murphy introduced

Senate Bill No. 1296, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by adding section 24d.

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

Senators Bullard, McCotter, Sikkema, Shugars, North, Emmons, Gougeon, McManus, Schuette, Stille, Goschka, Steil, Hammerstrom, Gast, Dunaskiss, Bennett, Dingell, Hart, DeBeaussaert and Murphy introduced

Senate Bill No. 1297, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 1 of chapter VII (MCL 67.1), as amended by 1994 PA 314, and by adding section 1b to chapter VII.

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

Senators Schwarz, Young, North, Gast, Gougeon, Hammerstrom, Shugars and Emerson introduced

Senate Bill No. 1298, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7311, 16221, 16226, and 17766 (MCL 333.7311, 333.16221, 333.16226, and 333.17766), section 7311 as amended by 1993 PA 80, sections 16221 and 16226 as amended by 2000 PA 29, and section 17766 as amended by 1990 PA 30, and by adding section 17713.

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

Senators Gougeon, McManus, Stille, North, DeBeaussaert, Hammerstrom, Van Regenmorter and Gast introduced

Senate Bill No. 1299, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending sections 2c, 3, and 7 (MCL 21.142c, 21.143, and 21.147), section 2c as added by 1990 PA 360 and sections 3 and 7 as amended by 1997 PA 32, and by adding section 2d.

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

Senator Emmons introduced

Senate Bill No. 1300, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 1982 PA 376.

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

Senator Schwarz introduced

Senate Bill No. 1301, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 1992 PA 78.

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

House Bill No. 4727, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20173. 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 Health Policy.

House Bill No. 4792, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

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. 5255, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1312 (MCL 380.1312), as amended by 1995 PA 289.

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. 5256, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81 (MCL 750.81), as amended by 1994 PA 64.

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. 5572, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3580.

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 Health Policy.

House Bill No. 5573, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 404 (MCL 550.1404), as amended by 1996 PA 516.

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 Health Policy.

House Bill No. 5574, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106, 20124, 20161, and 22205 (MCL 333.20106, 333.20124, 333.20161, and 333.22205), sections 20106 and 20161 as amended by 1996 PA 267 and section 22205 as amended by 1993 PA 88.

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 Health Policy.

House Bill No. 5575, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 224, 240, and 2213 (MCL 500.102, 500.224, 500.240, and 500.2213), section 224 as amended by 1998 PA 121, section 240 as amended by 1987 PA 261, and section 2213 as added by 1996 PA 517, and by adding chapter 35; 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 Health Policy.

House Bill No. 5576, entitled

A bill to provide review of certain health care coverage adverse determinations made by health carriers; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to provide fees; and to provide penalties for violations of this act.

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 Health Policy.

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.

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. 5689, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b) and by adding sections 21332 and 21716.

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 Health Policy.

House Bill No. 5693, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305.

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. 5709, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61503b and 61503c (MCL 324.61503b and 324.61503c), section 61503b as added by 1999 PA 246 and section 61503c as added by 1999 PA 247.

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 Natural Resources and Environmental Affairs.

House Bill No. 5710, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40117 and 40118 (MCL 324.40117 and 324.40118), as added by 1995 PA 57.

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 Natural Resources and Environmental Affairs.

House Bill No. 5736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21787.

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 Health Policy.

House Bill No. 5740, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 1995 PA 289.

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. 5741, entitled

A bill to require disclosures of criminal convictions and certain conduct by certain persons; to require criminal history checks of certain persons; to require disclosure of child abuse or child neglect records of certain persons; to regulate the employment of certain persons; to prescribe the powers and duties and limit the liability of certain state and local departments and agencies; and to prescribe penalties.

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 Families, Mental Health and Human Services.

House Bill No. 5742, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 11 (MCL 722.115 and 722.121), section 5 as amended by 1998 PA 519 and section 11 as amended by 1980 PA 232.

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 Families, Mental Health and Human Services.

House Bill No. 5743, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 1998 PA 485.

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 Families, Mental Health and Human Services.

House Bill No. 5744, entitled

A bill to create the project exile commission; to prescribe the duties of the members of the commission; to create the project exile fund; and to provide for disbursements from the fund.

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

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

House Bill No. 5745, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a.

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

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

House Bill No. 5746, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), 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 Judiciary.

House Bill No. 5747, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2951a.

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

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

House Bill No. 5759, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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 Health Policy.

House Bill No. 5760, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20178. 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 Health Policy.

House Bill No. 5761, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 26b.

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 Health Policy.

House Bill No. 5766, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 4, 10, and 12 (MCL 125.2152, 125.2154, 125.2160, and 125.2162), section 2 as amended by 1998 PA 92 and sections 4, 10, and 12 as amended by 1993 PA 333, and by adding section 12a.

The House of Representatives has passed the bill.

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. 5767, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 1999 PA 140.

The House of Representatives has passed the bill.

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. 5770, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a).

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 Health Policy.

House Bill No. 5781, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 28.421 to 28.434) by amending the title, as amended by 1990 PA 320, and by adding section 15.

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

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

House Bill No. 5782, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as amended by 1999 PA 90.

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

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

House Bill No. 5783, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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 Finance.

House Bill No. 5784, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 268. 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 Finance.

House Bill No. 5805, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21769. 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 Health Policy.

Committee Reports

The Committee on Technology and Energy reported

Senate Bill No. 121, entitled

A bill to regulate certain sales solicitations; to prescribe the powers and duties of certain governmental officials; and to prescribe remedies and penalties.

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

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

Mat Dunaskiss
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Schuette, Rogers, Byrum, Leland and Dingell

Nays: None

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

The Committee on Technology and Energy reported

Senate Bill No. 990, 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 the title and sections 1, 1a, and 7 (MCL 445.111, 445.111a, and 445.117), section 1 as amended by 1999 PA 18.

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

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

Mat Dunaskiss
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Schuette, Rogers, Byrum, Leland and Dingell

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 Technology and Energy submits the following:

Meeting held on Wednesday, May 24, 2000, at 3:00 p.m., Elijah Myers Room, Capitol Building

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

The Committee on Education reported

Senate Bill No. 1262, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1274b.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Peters and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5534, entitled

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; 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.

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Peters and Leland

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 Education submits the following:

Meeting held on Wednesday, May 24, 2000, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Emmons (C), Peters and Leland

Excused: Senators Bennett and Stille

The Committee on Appropriations reported

Senate Bill No. 1275, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358).

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

1. Amend page 2, line 3, by striking out subsection (3) and inserting:

"(3) FOR EACH FISCAL YEAR, BEGINNING WITH THE FISCAL YEAR ENDING SEPTEMBER 30, 2001, AND ENDING WITH THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, THERE IS APPROPRIATED AND TRANSFERRED FROM THE FUND TO THE STATE TRUNKLINE FUND ESTABLISHED UNDER SECTION 11 OF 1951 PA 51, MCL 247.661, THE SUM OF \$35,000,000.00."

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, Gougeon, Stille, Goschka and Koivisto

Nays: Senator North

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

The Committee on Appropriations reported

House Bill No. 5690, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 32610 and 32611.

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

1. Amend page 2, line 23, after "to" by inserting "the prevention and management of non-native species."

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Stille, Goschka, A. Smith, Koivisto, Young, Vaughn, DeBeaussiaert and Emerson

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, May 24, 2000, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Stille, Goschka, A. Smith, Koivisto, Young, Vaughn, DeBeaussiaert and Emerson

Excused: Senator Bennett

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5193, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

With the recommendation that the bill pass.

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5418, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20140 (MCL 324.20140), as amended by 1995 PA 71.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5520, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80113 (MCL 324.80113), as added by 1995 PA 58.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5521, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 7 (MCL 24.207), as amended by 1999 PA 262.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5581, entitled

A bill to repeal 1899 PA 221, entitled "An act to compel parties engaged in securing ice to erect suitable danger signals and barricades, designating what officials it shall be the duty of to see that the provisions of this act are

complied with, and to repeal Act No. 100 of the Public Acts of 1877, entitled "An act to compel parties engaged in securing ice to erect danger signals," being sections 9119 and 9120 of Howell's annotated statutes of the state of Michigan and sections 11525 and 11526 of the Compiled Laws of 1897," (MCL 752.351 to 752.353).

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5670, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48726 (MCL 324.48726), as added by 1995 PA 57.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5691, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32513, 32514, and 32515 (MCL 324.32501, 324.32502, 324.32503, 324.32504, 324.32505, 324.32510, 324.32511, 324.32512, 324.32513, 324.32514, and 324.32515), sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32514, and 32515 as added by 1995 PA 59 and section 32513 as amended by 1999 PA 106, and by adding section 32510a and part 326.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5526, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 802; 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.

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast and Peters

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submits the following:
Meeting held on Tuesday, May 23, 2000, at 2:00 p.m., Room 810, Farnum Building
Present: Senators Sikkema (C), Dunaskiss, Gast and Peters
Excused: Senator Young

The Committee on Judiciary reported
House Bill No. 5311, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5568, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 136c.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4784, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 62b (MCL 791.262b), as amended by 1988 PA 492.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

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.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Wednesday, May 24, 2000, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senators V. Smith and Dingell

The Committee on Government Operations reported

House Bill No. 5588, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by repealing section 6b (MCL 28.6b).

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, Hammerstrom and Sikkema

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5590, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by repealing section 3 (MCL 10.3).

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, Hammerstrom and Sikkema

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5594, entitled

A bill to repeal 1917 PA 54, entitled "An act to provide for the branding and labeling of mattresses and comforts, and to provide against the use of insanitary, unhealthy, old or second-hand material in the manufacture of mattresses

and comforts, and to provide against the sale of mattresses or comforts containing such insanitary, unhealthy, old or second-hand materials,” (MCL 429.301 to 429.311).

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, Hammerstrom and Sikkema

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5630, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 42 (MCL 750.42).

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, Hammerstrom and Sikkema

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Thursday, May 25, 2000, at 1:00 p.m., Room 405, Capitol Building

Present: Senators McCotter (C), Hammerstrom and Sikkema

Excused: Senators V. Smith and Miller

The Committee on Judiciary reported

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.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1282, entitled

A bill to amend 1961 PA 44, entitled “An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts,” by amending sections 1 and 2a (MCL 780.581 and 780.582a), section 1 as amended and section 2a as added by 1990 PA 308.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: None

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

The Committee on Appropriations reported
Senate Bill No. 1274, 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 sections 1a, 1c, 1h, 9a, 10, 10a, 10h, 10o, 11, 11b, 12, 13, 14, 18b, 18e, and 25 (MCL 247.651a, 247.651c, 247.651h, 247.659a, 247.660, 247.660a, 247.660h, 247.660o, 247.661, 247.661b, 247.662, 247.663, 247.664, 247.668b, 247.668e, and 247.675), sections 1c and 10h as amended by 1982 PA 438, section 1h as added and section 12 as amended by 1997 PA 79, sections 9a, 10, and 11 as amended and section 10o as added by 1998 PA 308, section 10a as amended by 1992 PA 137, section 11b as amended by 1992 PA 223, section 13 as amended by 1999 PA 54, section 14 as amended by 1987 PA 234, sections 18b and 18e as amended by 1985 PA 201, and section 25 as amended by 1993 PA 20, and by adding section 10p; and to repeal acts and parts of acts.

With a substitute (S-1) and without recommendation.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Stille and Goschka

Nays: Senators A. Smith, Koivisto, Young, Vaughn and DeBeaussiaert

Pursuant to rule 2.204, the bill and the substitute recommended by the committee were laid on the table.

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary submits the following:

Meeting held on Wednesday, May 10, 2000, at 1:00 p.m., Room 210, Farnum Building

Present: Senators North (C), Goschka and Vaughn

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Wednesday, May 24, 2000, at 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower

Present: Senator Hammerstrom (C)

Excused: Senators Gougeon, Jaye, Goschka, Johnson, Hart and Vaughn

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, May 25, 2000, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Gougeon, Johnson, Koivisto, Young and Emerson

Scheduled Meetings

Conference Committee -

HB 5058 - Wednesday, May 31, 9:30 a.m., Room 424, Capitol Building, (373-1707)

Health Policy - Recessed until Wednesday, May 31, 9:00 a.m., Room 100, Farnum Building (373-0793)

Local, Urban and State Affairs - Wednesday, May 31, 3:00 p.m., Room 405, Capitol Building (373-1707)

Technology and Energy - Wednesday, May 31, 11:00 a.m. or later immediately following session, Rooms 402 and 403, Capitol Building (373-2417)

Senator Hoffman moved that the Senate adjourn.
The motion prevailed, the time being 3:36 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, May 31, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

