

**No. 50**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, June 5, 2001.

10:00 a.m.

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

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

Bennett—present  
Bullard—present  
Byrum—present  
Cherry—present  
DeBeaussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present  
Emerson—present  
Emmons—present  
Garcia—present  
Gast—present  
Goschka—present

Gougeon—present  
Hammerstrom—present  
Hart—present  
Hoffman—present  
Johnson—present  
Koivisto—present  
Leland—present  
McCotter—present  
McManus—present  
Miller—present  
Murphy—present  
North—present

Peters—present  
Schuette—present  
Schwarz—present  
Scott—present  
Shugars—present  
Sikkema—present  
Smith—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—excused  
Young—present

Senator Gary Peters of the 14th District offered the following invocation:

Almighty God, in giving us dominion over things on earth, You have made us fellow workers in Your creation. Give us wisdom and reverence to use the resources of nature that no one may suffer from our abuse of them and that generations yet to come may continue to praise You for Your bounty. Amen.

Senators Young and Murphy entered the Senate Chamber.

### Motions and Communications

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

Senator Emerson moved that Senator Vaughn be excused from this week's sessions.  
The motion prevailed.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, June 4, for his approval the following bills:

**Enrolled Senate Bill No. 72 at 4:12 p.m.**

**Enrolled Senate Bill No. 73 at 4:14 p.m.**

**Enrolled Senate Bill No. 74 at 4:16 p.m.**

**Enrolled Senate Bill No. 75 at 4:18 p.m.**

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

**Senate Bill Nos. 514 515 516 517 518 519 520 521**

**House Bill Nos. 4829 4830 4831 4832 4833 4834 4835 4836 4837 4838 4839 4840 4841 4842  
4843 4844 4845 4846 4847 4848 4849 4850 4851 4852 4853 4854 4855 4856  
4857 4858 4859 4860**

### Messages from the House

Senator Emmons moved that consideration of the following joint resolution and bill be postponed for today:

**Senate Joint Resolution D**

**Senate Bill No. 283**

The motion prevailed.

### **Senate Bill No. 230, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (H-1).

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

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

**Roll Call No. 157**

**Yeas—0**

**Nays—35**

Bennett  
Bullard  
Byrum

Emmons  
Garcia  
Gast

Leland  
McCotter  
McManus

Scott  
Shugars  
Sikkema

Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Johnson	Schuetz	Young
Emerson	Koivisto	Schwarz	

**Excused—2**

Hoffman	Vaughn
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**Not Voting—0**

In The Chair: President

**Senate Bill No. 236, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2002; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Substitute (H-1).

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

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

**Roll Call No. 158****Yeas—0****Nays—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Johnson	Schuetz	Young
Emerson	Koivisto	Schwarz	

**Excused—2**

Hoffman	Vaughn
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**Not Voting—0**

In The Chair: President

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

**Senate Bill No. 237****Senate Bill No. 238**

The motion prevailed.

**Senate Bill No. 232, entitled**

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies; and to repeal acts and parts of acts.

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

**Senate Bill No. 233, entitled**

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

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

**Senate Bill No. 234, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2002; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2002; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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

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

**Senate Bill No. 235, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

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

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

**Senate Bill No. 239, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2002; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

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

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

Senator Hoffman entered the Senate Chamber.

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

**Senate Bill No. 237, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Substitute (H-1).

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

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

**Roll Call No. 159**

**Yeas—0**

**Nays—36**

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

**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: President

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

**Senate Bill No. 238, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

Substitute (H-1).

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

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

**Roll Call No. 160**

**Yeas—0**

**Nays—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Garcia	Leland	Scott
Byrum	Gast	McCotter	Shugars
Cherry	Goschka	McManus	Sikkema
DeBeaussaert	Gougeon	Miller	Smith
DeGrow	Hammerstrom	Murphy	Steil

Dingell  
Dunaskiss  
Emerson

Hart  
Hoffman  
Johnson

North  
Peters  
Schuette

Stille  
Van Regenmorter  
Young

**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: President

**Third Reading of Bills**

Senator Emmons moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 334**

**House Bill No. 4412**

The motion prevailed.

The following bill was announced:

**Senate Bill No. 334, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

(This bill was defeated on May 17 and the motion to reconsider the vote postponed. See Senate Journal No. 43, p. 504.)

The question being on the motion to reconsider the vote by which the bill was defeated,

The motion prevailed.

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. 161**

**Yeas—21**

Bullard  
Byrum  
Cherry  
DeBeaussaert  
Dingell  
Dunaskiss

Emerson  
Emmons  
Gast  
Hammerstrom  
Hart

Hoffman  
Johnson  
Leland  
McCotter  
Miller

Murphy  
Peters  
Scott  
Smith  
Young

**Nays—15**

Bennett  
DeGrow  
Garcia  
Goschka

Gougeon  
Koivisto  
McManus  
North

Schuette  
Schwarz  
Shugars  
Sikkema

Steil  
Stille  
Van Regenmorter

**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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:

Today I’m especially honored to have so many outstanding guests here. Mr. President, I have the privilege to represent the Italian American Cultural Center in the city of Warren. It is a really, really outstanding facility that tries to teach all the youngsters in Michigan, especially Macomb County, the proud heritage and the hard work of all the Italian citizens who not only reside in Michigan, but also may visit from their homeland.

On Sunday, June 3, there was a major celebration of the 55th anniversary of the founding of the Italian republic. I am so fortunate to have not only the president of the Italian American Cultural Center, Mr. Anthony Sanfemio, sitting in the north Gallery, but we also have with us this morning, Natale Bucciarelli, who’s also one of the officers and presidents of the Italian club.

I especially have the privilege to introduce the president of the Abruzzo Region in Italy, a region that is just east of Rome, and it’s famous for its great mountainous regions and the beautiful scenery. This morning I have the president of that region visiting, Mr. Giovanni Pace, who’s standing in the Gallery. I hope that we can give him a great Michigan welcome to welcome him here to the great state of Michigan and thank him for all his heritage and hard work in Italy and here in Michigan.

The following bill was read a third time:

**House Bill No. 4412, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending the part heading to part 417 and sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, 42714, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, 324.42714, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 42714 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

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. 162**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: President

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts;”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

### **General Orders**

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

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

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

#### **House Bill No. 4505, entitled**

A bill to amend 1998 PA 57, entitled “An act to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts,” by repealing section 6 (MCL 125.1596).

#### **House Bill No. 4708, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78o (MCL 211.78o), as added by 1999 PA 123.

#### **House Bill No. 4709, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78f (MCL 211.78f), as added by 1999 PA 123.

#### **House Bill No. 4712, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 124 (MCL 211.124); and to repeal acts and parts of acts.

#### **House Bill No. 4713, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 59 (MCL 211.59), as amended by 1999 PA 123.

#### **House Bill No. 4715, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 106 (MCL 211.106).

#### **House Bill No. 4716, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78m (MCL 211.78m), as added by 1999 PA 123.

#### **House Bill No. 4717, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 60 (MCL 211.60), as amended by 1999 PA 123.



**Senate Bill No. 181, entitled**

A bill to amend 1911 PA 209, entitled "An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use, and to prohibit the use of the same for advertising purposes, and to provide a punishment for such forbidden use," by amending section 3 (MCL 2.23).

**Senate Bill No. 476, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 641, 1198, and 1206a.

**House Bill No. 4429, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1201 (MCL 380.1201). 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. 373, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 601b, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.601b, 257.625, 257.625m, 257.732, and 257.904d), sections 303, 319, 320a, 625, 625m, 732, and 904d as amended by 2000 PA 460 and section 601b as added by 1996 PA 320.

Substitute (S-3).

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

1. Amend page 2, line 4, after "601B(3)," by inserting "SECTION 601C(2),".
2. Amend page 2, line 25, after "601B(3)," by inserting "SECTION 601C(2),".
3. Amend page 3, line 12, after "601B(3)," by inserting "SECTION 601C(2),".
4. Amend page 4, line 3, after "601B(2)," by inserting "SECTION 601C(1),".
5. Amend page 4, line 5, after "601B(2)," by inserting "SECTION 601C(1),".
6. Amend page 6, following line 14, by inserting:
  - “(ii) A VIOLATION OR ATTEMPTED VIOLATION OF SECTION 601C(1).” and renumbering the remaining subparagraphs.
7. Amend page 6, line 24, after "601B(3)," by inserting "SECTION 601C(2),".
8. Amend page 7, line 8, after "601B(3)," by inserting "SECTION 601C(2),".
9. Amend page 7, line 18, after "601B(3)," by inserting "SECTION 601C(2),".
10. Amend page 10, line 18, after "601B(2)," by inserting "SECTION 601C(1),".
11. Amend page 16, line 17, after the first "(3)" by inserting a comma and "601C(1) OR (2),".
12. Amend page 19, line 26, after "(2)" by striking out "NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT,".
13. Amend page 19, line 27, after "THAT" by inserting "HAS CRIMINAL PENALTIES AND AS A RESULT".
14. Amend page 20, line 1, after "A" by striking out "FELONY" and inserting "MISDEMEANOR".
15. Amend page 20, line 3, after "THAN" by striking out "2 YEARS" and inserting "1 YEAR".
16. Amend page 20, line 4, after "(3)" by striking out "NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT,".
17. Amend page 20, line 5, after "THAT" by inserting "HAS CRIMINAL PENALTIES AND AS A RESULT".
18. Amend page 20, following line 17, by inserting:
  - “(5) SUBSECTIONS (2) AND (3) DO NOT APPLY IF THE INJURY OR DEATH WAS CAUSED BY THE NEGLIGENCE OF THE PERSON WORKING IN THE CONSTRUCTION ZONE.” and renumbering the remaining subsection.
19. Amend page 21, following line 4, by inserting:
  - “SEC. 601C. (1) A PERSON WHO COMMITS A MOVING VIOLATION THAT HAS CRIMINAL PENALTIES AND AS A RESULT CAUSES INJURY TO A PERSON OPERATING AN IMPLEMENT OF HUSBANDRY ON A HIGHWAY IN COMPLIANCE WITH THIS ACT IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.
  - (2) A PERSON WHO COMMITS A MOVING VIOLATION THAT HAS CRIMINAL PENALTIES AND AS A RESULT CAUSES DEATH TO A PERSON OPERATING AN IMPLEMENT OF HUSBANDRY ON A HIGHWAY IN COMPLIANCE WITH THIS ACT IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 15 YEARS OR A FINE OF NOT MORE THAN \$7,500.00, OR BOTH.”.
20. Amend page 21, line 5, by striking out all of sections 625 and 625m.
21. Amend page 46, line 13, by striking out all of section 904d.

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. 374, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 459.

Substitute (S-2).

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

1. Amend page 3, line 26, by striking out all of lines 26 through 28.
2. Amend page 3, line 29, after "C" by striking out "COMMITTING".
3. Amend page 3, following line 31, by inserting:

"257.601C(2)	PERSON	C	MOVING VIOLATION CAUSING DEATH TO OPERATOR OF IMPLEMENT OF HUSBANDRY	15".
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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. 473, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 373, 502, 506, 507, and 1280 (MCL 380.373, 380.502, 380.506, 380.507, and 380.1280), section 373 as amended by 2000 PA 230, sections 502 and 507 as amended by 1995 PA 289, section 506 as added by 1993 PA 362, and section 1280 as amended by 1997 PA 180, and by adding sections 506a and 1206 and part 15a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4630, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.  
 Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4718, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78i (MCL 211.78i), as added by 1999 PA 123.

Substitute (S-1).

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

1. Amend page 8, line 13, after "THE" by striking out "STATE TAX COMMISSION" and inserting "FORECLOSING GOVERNMENTAL UNIT".

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

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

Senator Emmons moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**Senate Bill No. 373**

**Senate Bill No. 374**

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

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

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

**Senate Bill No. 373, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 601b, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.601b, 257.625, 257.625m, 257.732, and 257.904d), sections 303, 319, 320a, 625, 625m, 732, and 904d as amended by 2000 PA 460 and section 601b as added by 1996 PA 320.

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. 163****Yeas—34**

Bennett	Emmons	Koivisto	Schuette
Bullard	Garcia	Leland	Schwarz
Byrum	Gast	McCotter	Scott
Cherry	Goschka	McManus	Shugars
DeBeaussaert	Gougeon	Miller	Sikkema
DeGrow	Hammerstrom	Murphy	Smith
Dingell	Hart	North	Van Regenmorter
Dunaskiss	Hoffman	Peters	Young
Emerson	Johnson		

**Nays—2**

Steil	Stille
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**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: Schwarz

Senator McManus offered to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 601b, and 732 (MCL 257.303, 257.319, 257.320a, 257.601b, and 257.732), sections 303, 319, 320a, and 732 as amended by 2000 PA 460, section 601b as added by 1996 PA 320, and by adding section 601c.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 374, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 459.

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. 164****Yeas—31**

Bennett	Emerson	Johnson	Peters
Bullard	Emmons	Koivisto	Schuette
Byrum	Garcia	Leland	Schwarz

Cherry  
DeBeaussiaert  
DeGrow  
Dingell  
Dunaskiss

Gast  
Gougeon  
Hammerstrom  
Hart  
Hoffman

McCotter  
McManus  
Miller  
Murphy  
North

Scott  
Sikkema  
Smith  
Young

**Nays—5**

Goschka  
Shugars

Steil

Stille

Van Regenmorter

**Excused—1**

Vaughn

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 74**

**Senate Resolution No. 75**

The resolution consent calendar was adopted.

Senators Dingell, Miller, Cherry and Scott offered the following resolution:

**Senate Resolution No. 74.**

A resolution commemorating August 2001 as Polish-American History Month.

Whereas, From the earliest days in Michigan, Polish Americans have played leading roles in the development of our Great Lakes state; and

Whereas, Michigan is fortunate enough to count the large number of Polish descendants in its population who make important contributions to Michigan's economy and society through their commitment to numerous professions, commerce, family, and the arts; and

Whereas, Polish American General Thaddeus Kosciuszko and Count Casimir Pulaski, who was a general and founder of the U.S. Cavalry in the American Revolution, selflessly contributed to the independence of our nation in wars and conflicts throughout our history; and

Whereas, Astronomers Nicolaus Copernicus and Marie Curie, novelist Henryk Sienkiewicz, Nobel Peace Prize winner Lech Walesa, spiritual leader Pope John Paul II, and the extraordinary musical legacy of revered composers Frederic Chopin and Ignacy Jan Paderewski have also made significant contributions to our nation; and

Whereas, Polish Americans in Michigan and all over the world continue to strengthen and enrich communities through their culture, pride, piety, industriousness, and commitment to the principles upon which our great nation was founded; now, therefore, be it

Resolved by the Senate, That we share in the commemoration of August 2001 as Polish-American History Month, as this is an important occasion for all Polish Americans and all who honor the ideals of liberty; and be it further

Resolved, That a copy of this resolution be transmitted to the Polish Legion of American Veterans U.S.A., Inc., and the Ladies Auxiliary, who will be holding its 47th biannual state convention August 23-26, 2001, at the Holiday Inn in Grayling.

Senator Young was named co-sponsor of the resolution.

Senators Shugars, McManus, Schuette, North, Steil, Van Regenmorter, Gougeon, Johnson, Sikkema, Stille, Bennett, Emmons, Gast, Hammerstrom, Garcia, Dunaskiss, Bullard, Dingell, DeBeaussaert, Smith, Hart, Byrum and Emerson offered the following resolution:

**Senate Resolution No. 75.**

A resolution commemorating June 16, 2001, as Michigan Runners' Day.

Whereas, Running is an aerobic activity which contributes to health benefits such as improved physical stamina, reduced blood pressure, lower heart rate, reduced serum cholesterol, and proportional body weight. Running is an activity in which people regardless of gender, age, and ability can participate; and

Whereas, Michigan runners contribute to Michigan's economy through travel and tourism to participate in events, as well as the purchase of apparel, shoes, and other supplies. The improved health of Michigan runners reduces Michigan health care costs, and runners are more productive workers due to decreased absenteeism and improved stamina, increasing the productivity and competitiveness of Michigan employers; and

Whereas, Michigan runners help meet local community needs through participation in activities which raise money for charities and awareness of such varied efforts as increased literacy, child abuse prevention, disease treatment, prevention and research, food banks, and many other causes; and

Whereas, On June 16, 2001, runners from throughout the Great Lakes state will gather at the Fudge Classic 10K in Traverse City, Lakestride 5K in Ludington, Kalamazoo Klassic, and other organized events both within and outside our state's borders, as well as countless personal recreational runs; now, therefore, be it

Resolved by the Senate, That June 16, 2001, be commemorated as Michigan Runners' Day in Michigan in recognition of the contributions of Michigan runners to the health, welfare, and economic vitality of the Great Lakes state. We urge all Michigan citizens to recognize the value of this physical activity and consider participating in it; and be it further

Resolved, That copies of this resolution be transmitted to organizers of events coinciding with this date and organizations which promote the activity of running in Michigan.

Senator Young was named co-sponsor of the resolution.

Senator Gast offered the following concurrent resolution:

**Senate Concurrent Resolution No. 24.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Hall of Justice Facility for the State Judiciary.

Whereas, 1998 PA 538 established a new office facility and parking structure for the judiciary, now entitled the Hall of Justice (the "Facility") at a Total Facility Cost of \$87,800,000, the total of which was to be funded by the state's General Fund; and

Whereas, It has now been determined to fund the final design and construction of the Facility through the State Building Authority (the "Authority"); and

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

Whereas, The site for the Facility is currently owned by the State; and

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

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

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

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

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Hall of Justice for the State Judiciary shall not exceed \$87,800,000 (the Authority share is \$87,799,900 and State General Fund/General Purpose share is \$100) plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$87,799,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$7,410,000 and \$9,263,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Attorney General, and the State Budget Director.

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Emmons moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senator Gast offered the following concurrent resolution:

**Senate Concurrent Resolution No. 25.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Secondary Complex Warehouse.

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

Whereas, The site for the Department of Management and Budget Secondary Complex Warehouse located in Eaton County (the "Facility") is currently owned by the State; and

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

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

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

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

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Department of Management and Budget Secondary Complex Warehouse shall not exceed \$45,000,000 (the Authority share is \$44,999,900 and the State General Fund/General Purpose share is \$100) plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$44,999,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$3,798,000 and \$4,747,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Attorney General, and the State Budget Director.

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Emmons moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

### **Statements**

Senators Peters, Sikkema, Emmons, McManus, Cherry, Stille and Hart asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Peters' statement is as follows:

The Great Lakes are Michigan's most precious natural resource. Yet last week in this chamber and this past weekend, the Republican majority and the Governor have dismissed a clear and present danger to these lakes and to the people who enjoy them, look to them for their livelihood, and drink their waters. Governor Engler joins Senate Republicans and dismissed the threat that directional drilling poses to the Great Lakes and their shorelines. The Governor played word games and tried to say that there's no drilling going on in the Great Lakes. It's true that there's no platform drilling in the Great Lakes, but it is drilling nonetheless. The oil and gas would come from the same deposits under our lakes, whether it be through direct or directional drilling—as my colleague, the Senator from the 18th District pointed out last week during debate.

Michigan citizens have told me in no uncertain terms that they are strongly opposed to directional drilling. They don't buy the argument that the drilling regulations tacked onto budget bills and rammed through here last week offer a safeguard for the environment. These regulations do not protect the shoreline or our waters; they simply justify it. The only protection offered by these drilling regulations is to the profits reaped by oil and gas companies who will buy these Great Lakes leases.

Michigan consumers will continue to lose out to the oil and gas industry. Opening up the lakes to further exploration will not lower the price we pay at the pump or what we pay to heat our home. Allowing directional drilling in the Great Lakes is all about money and profits to a few companies and not about protecting the environment.

Our debate here in the Senate last week was heard in Washington, D.C. Plans were announced last week by United States Senator Debbie Stabenow to introduce federal legislation to protect the Great Lakes from any and all drilling. If this administration chooses to ignore the wishes of Michigan citizens, and if this administration chooses to trade protecting our Great Lakes for oil and gas industry profits, then our federal legislators need to step in and help.

My Democratic colleagues and I are committed to fight to protect our Great Lakes, and we welcome our federal legislators to the fight. We will not give up simply because the votes exist in this chamber to jam through legislation putting our lakes at risk. We will not sit idly by and let Republicans play word games when it comes to the protection of our Great Lakes. We will continue to fight with the support of our constituents and other elected officials to preserve and protect our Great Lakes—our greatest natural resource.

Senator Sikkema's statement is as follows:

The statement and I quote: "that directional drilling represents a clear and present danger to the Great Lakes," and in that statement that directional drilling "puts our lakes at risk" is pure unadulterated hogwash. It's absolute hogwash.

Directional drilling protects the Great Lakes. It's a method of drilling for oil and gas that protects not only our Great Lakes, but inland, wetlands, lakes, rivers, streams, unique recreational areas, and many other areas. Because of their environmental sensitivity at value, it is necessary to eliminate even the possibility of contamination. That is what directional drilling does.

Directional drilling for oil and gas under the Michigan portion of the Great Lakes has been practiced safely for more than 20 years. Under the Milliken, Blanchard—wait, let me make sure I have that right—under Milliken, Blanchard, and Engler administrations, it was practiced safely for over 20 years. Canada has been drilling for natural gas and oil using directional drilling under Lake Erie for nearly 90 years. In fact, over 2,200 natural gas wells have been drilled in Lake Erie since 1913, and there's been no incidence of environmental damage in the Great Lakes from either the Michigan wells or the Canadian wells.

Now even with the long history of environmental safety from directional drilling in August of 1997, Governor Engler asked the Michigan Environmental Science Board to evaluate the issue of directional drilling under the Great Lakes. He requested an evaluation not only of the risk of contamination to the water of the Great Lakes, but also the potential impacts to shoreline areas and the adequacy of state regulations.

The Michigan Environmental Science Board convened the team of independent experts that included scientists from the University of Michigan, Western Michigan University, and Michigan State University. The team included experts in fresh water ecology, chemistry, and terrestrial ecology. After reviewing all of the available data, including the many years of actual experience in and under the Great Lakes, the panel concluded—I know people don't want to hear this because it runs counter to their political objectives—but the panel concluded that there was virtually no risk to the Great Lakes.

Now that conclusion should have surprised no one. Directional drilling has a proven track record of protecting environmentally sensitive areas, and there's been directional drilling under the Great Lakes in both Michigan and Canada. Canada has proven this point time and time and time again.

Now, unfortunately, this has not stopped some individuals from making wild statements in an attempt to scare the public into believing our Great Lakes are at peril. In fact, one person, one State Senator running for higher office, last week said that directional drilling had the potential for "catastrophic contamination" and this morning said, "it represents a clear and present danger." This is ridiculous, and those are just absolutely ridiculous statements. We have nothing to fear from directional drilling. What we have to fear are certain politicians making untrue, deceptive, and misleading statements purely for personal and political gain.

Senator Emmons' statement is as follows:

I was appalled at Mackinac Island to hear Democrats propose that we federalize the Great Lakes. I don't think they can count. If you just count out the number of federal representatives who are from what I call the thirsty, thirsty South and Southwest, where do you think our little basin is going to come out when they want to put their straws in our lakes and take the water and use it on their irrigation fields and their cities, et cetera for those thirsty states?

We can solve these problems—whatever they are—right here in Michigan. I would urge our federal representatives, both in Congress and in the Senate, to keep their hands off our water. We will take care of it just fine, thank you.

Senator McManus' statement is as follows:

Well, it has been said that this is all about money. I want to tell you that is right. It is all about money. It's about the price you are going to pay for gas to heat your house. It's about the price you are going to pay for electricity that's gonna be made by those eight new plants coming into Michigan that everybody wants powered by gas. They don't want nuclear, and they don't want coal. They're gonna be gas-powered.

So, yes, this is about money. This is about you as a consumer and what you are going to pay because you don't get gas if you don't drill; that's the first thing. The second thing is it's also about money because this money is owned by the people of the state of Michigan, and it goes into what we call a Natural Resources Trust Fund. There is a potential for up to \$100 million to go into that trust fund. That is our source for money to protect wetlands, to protect unique and scenic areas, and to protect sand dunes and coastal areas for farmland preservation. That is where we get that money. Interestingly enough, a lot of it is going to some of the people who are complaining the loudest.

This is a strategy that has been used in politics for years. Build up a straw man, and then confuse the public and knock it down. Don't drill for gas. It reminds me of when I was in Germany and talking to the Germans about the Russians after World War II, telling me that they would take the faucets off the bathroom because they thought if they took them home to Russia and screwed them into the wall, they would get water. That's the attitude of some people of this country today. They don't know milk comes from cows; they don't know gas comes from gas wells; they don't know gasoline comes from oil wells; but they expect it to be there, and they expect it to be cheap. The same kind of people will want us to protect all kinds of wetlands, scare up money to do it, and won't support drilling to get the money in.

Senator Cherry's statement is as follows:

This an interesting debate. It obviously wasn't concluded last week.

The Senator from the 31st District suggests that my colleague, the Senator from the 14th District, is undergoing this debate for just purely personal reasons with inappropriate motives. I thought the debate in this chamber was to refrain from such characterizations. Let me note, Mr. President, that the Senator from the 14th District isn't the only one who shares this concern. While he may be a candidate for statewide office, many of us who share his concerns aren't. A number of people here on the floor of the Senate last week articulated concerns about this issue, and they're not candidates. Somehow characterizing these concerns as simply stemming from someone's personal motives and personal gain, I think is inaccurate, inappropriate, and beyond what this body should tolerate.

But let me say this on the issue: I share the Senator from the 14th District's concerns. I'm not a candidate for statewide office. I'm simply here representing my constituents. I don't know that I agree with the Senator from the 36th District that this is about money, but perhaps it should be. Ultimately, what's at issue here is drilling for oil and gas through a technology that is a bit complex, and with a complex technology, we ought to be assured beyond any question that the environmental integrity of the Great Lakes will be protected.



What is before the commission, I understand, at this point is a moratorium to determine whether, in fact, there are any questions that we need to be concerned about. What's raised that debate is the expansion of what is currently going on.

I find it interesting that we don't even have the refining capability in this state right now to handle the gas and oil that we're currently drilling for. If we don't have that capacity now, it's pretty clear that any additional gas and oil is not going to reduce anybody's price one iota. But it would seem to me that when you begin talking about expanding supply, you ought to be asking the question about whether we can increase the refining capacity to handle the supply which would, in fact, impact the prices that everybody pays for the different types of petroleum-based fossil fuel that they use.

So we've got a lot of politics being bantered about and a lot of motives being questioned. Mr. President, I think anybody who gets up and raises their concern, pro and con, about this issue are engaging in a legitimate debate, raising legitimate issues, and that their opinions ought to be taken seriously.

Senator Stille's statement is as follows:

I would just like the record to reflect that I voted "no" on Senate Bill No. 373 and Senate Bill No. 374, which are the construction workers and now agricultural vehicle movement sentencing and penalty phase for accidents with those individuals. I want the record to reflect that I voted "no" because I have a significant resistance and desire to resist constantly increasing the length of time that people are imprisoned and the category, I guess you would say, for what they're imprisoned.

We have found ways of intruding into people's lives here in the state of Michigan all too much in the last few years. This is one more of those instances where we're trying to create special categories, in this particular case construction workers, to make sure someone else who perhaps has a form of an accident with them, spends a larger fine and a longer period of time in prison, and it just runs cross-grain in my sentiment.

I would like the record to reflect my desire to curtail the constant practice and process of extending prison terms and fines for individuals in this state.

Senator Hart's statement is as follows:

Let me preface my remarks by saying I'm not running for public office again for anything, but a lot of people care about this issue. I care about the environment as most of you do. You know, there's a great problem here, and we make comparisons between Canada and the United States. They don't have the restrictions we do here. Drilling here in America offshore would be at 1,500 feet. I'd like you to see the shoreline in Kingsville or Leamington. You know what, they're drilling like 100 feet off the shore. Isn't that a sight to see? I don't want to see that, and I'm sure you don't either. There's a danger when you do some slant drilling so damn close to shore.

By unanimous consent the Senate returned to the order of

### **Introduction and Referral of Bills**

Senators Smith, Emerson, Peters, Byrum, Murphy, Young, Cherry, Koivisto, Dingell, North, DeBeaussaert, Gast, Johnson, Hammerstrom, Miller, Gougeon and Schwarz introduced

#### **Senate Bill No. 522, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339, and by adding section 1591.

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

### **Committee Reports**

The Committee on Local, Urban and State Affairs reported

#### **Senate Bill No. 468, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Genesee county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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, Van Regenmorter and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4222, entitled**

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," by amending sections 12 and 13 (MCL 207.12 and 207.13), as amended by 1995 PA 257.

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, Van Regenmorter and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4223, entitled**

A bill to amend 1911 PA 44, entitled "An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act," by amending sections 4 and 5 (MCL 209.4 and 209.5), section 4 as amended by 1986 PA 143 and section 5 as amended by 1981 PA 52.

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, Van Regenmorter and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4547, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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, Van Regenmorter and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 31, 2001, at 9:33 a.m., Room 405, Capitol Building

Present: Senators McCotter (C), Van Regenmorter and DeBeaussaert

Excused: Senators Shugars and Miller

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 434, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 1994 PA 177.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Hart and Scott

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 30, 2001, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hammerstrom (C), Gougeon, Johnson, Goschka, Hart and Scott

The Committee on Banking and Financial Institutions reported

**Senate Bill No. 503, entitled**

A bill to regulate deferred presentment service for issued checks; to provide for licensing and fees; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

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

Valde Garcia  
Chairperson

To Report Out:

Yeas: Senators Garcia, Shugars, Goschka, Steil and Miller

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 Banking and Financial Institutions submits the following:

Meeting held on Thursday, May 31, 2001, at 9:15 a.m., Room 210, Farnum Building

Present: Garcia (C), Shugars, Goschka, Steil and Miller

Excused: Senators Scott and Vaughn

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

**House Bill No. 4710, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78g (MCL 211.78g), as added by 1999 PA 123.

With the recommendation that the bill pass.

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

Bill Schuette  
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Steil and Peters

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 4711, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78h (MCL 211.78h), as added by 1999 PA 123.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.  
The committee further recommends that the bill be given immediate effect.

Bill Schuette  
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Steil and Peters

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Thursday, May 31, 2001, at 12:50 p.m., Room 110, Farnum Building

Present: Senators Schuette (C), McCotter, Steil and Peters

Excused: Senator Leland

The Committee on Judiciary reported

**House Bill No. 4166, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 2 (MCL 52.202).

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, Schuette, Peters, Dingell and Emerson

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 30, 2001, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Bullard

#### Scheduled Meetings

**Appropriations** - Wednesday, June 6, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittee -**

**Capital Outlay, Joint** - Wednesday, June 6, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Detroit Metro Airport Review** - Wednesday, June 13, 2:00 p.m. or later immediately following session, Room 810, Farnum Building (373-1801)

**Families, Mental Health and Human Services** - Thursday, June 7, 9:30 a.m., Room 100, Farnum Building (373-3543)

**Judiciary** - Wednesday, June 6, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Senator Emmons moved that the Senate adjourn.  
The motion prevailed, the time being 11:44 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, June 6, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

