

No. 12
STATE OF MICHIGAN
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Senate Chamber, Lansing, Thursday, February 14, 2002.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Philip E. Hoffman.

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—excused
Emerson—present
Emmons—present
Garcia—present
Gast—present
Goschka—present

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

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

Senator Martha G. Scott of the 2nd District offered the following invocation:

O Heavenly Father, we thank You for this wonderful, beautiful Valentine's Day. Lord, may we be reminded of what it stands for: love, the love that You gave to each and every one of us. Lord, may we exemplify that today and every day.

Heavenly Father, we just say thank You for the honor and opportunity to serve in this wonderful house of the Senate. Lord, help us as we deliberate today for the people and that we will keep in mind that when we've done it to the least of these, we've done it unto Thee.

O Heavenly Father, we just say thank You, and we bless You—bless Your name today, Father. We ask this in Thy name, O Lord.

And because this is Black History Month, I would just like to thank all of our ancestors and those who have paved the way for all of us. I just thank them for the shoulders that we stand on today. Let's remember Sojourner Truth and Martin Luther King—the love that they shared for all of us. So we thank You for this blessed day. Amen.

Senator Hammerstrom entered the Senate Chamber.

Motions and Communications

Senator Emmons moved that Senators Goschka, Schwarz, Shugars and Garcia be temporarily excused from today's session.

The motion prevailed.

Senator Emmons moved that Senator Steil be excused from today's session.

The motion prevailed.

Senator Emerson moved that Senators Smith, Young and Miller be temporarily excused from today's session.

The motion prevailed.

Senator Emerson moved that Senators Murphy and Hart be excused from today's session.

The motion prevailed.

Senators Shugars, Goschka, Smith, Miller, Schwarz, Garcia and Young entered the Senate Chamber.

Senator Emmons moved that rule 3.902 be suspended to allow the guests of Senator Schuette admittance to the Senate floor, including the center aisle.

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

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:05 a.m.

10:14 a.m.

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

During the recess, Senators Schuette and Goschka and Representative Stamas introduced to the Senate Calvary Baptist Academy Kings Soccer Team, 2001 Michigan Association of Christian Schools State Champions, Coaches John Day, Bobby John, Dale Moore, and John Van Holstyn and presented them with Senate Resolution No. 167.

Mr. Michael Reece, School Administrator, responded briefly.

Senate Bill No. 9, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 32503, and 33938 (MCL 324.502, 324.32503, and 324.33938), section 502 as amended by 1998 PA 114 and sections 32503 and 33938 as added by 1995 PA 59, and by adding section 61505a.

(The motion was made to discharge the Committee on Natural Resources and Environmental Affairs on September 20, yeas and nays ordered and consideration postponed. See Senate Journal No. 61 of 2001, p. 1603.)

Senator Emmons moved to reconsider the vote by which consideration of the motion to discharge was postponed until Tuesday, February 19.

The motion prevailed.

The question being on the motion that further consideration of the discharge motion be postponed until Tuesday, February 19.

Senator Emmons withdrew the motion.

The question being on the motion to discharge the Committee on Natural Resources and Environmental Affairs from further consideration of the bill,

Senator Emerson withdrew the motion.

Senator Peters moved that he be named co-sponsor of the following bill:

Senate Bill No. 1080

The motion prevailed.

Senator Cherry moved that his name be removed as sponsor of the following bill:

Senate Bill No. 1080

The motion prevailed.

The following communication was received:

Office of the Auditor General

February 12, 2002

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the University of Michigan - Flint, February 2002.

If you desire further information concerning this report, I will be pleased to furnish it to you if available.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 13:

House Bill Nos. 5376 5377 5378 5379 5525 5583 5584 5585

The Secretary announced the printing and placement in the members' files on Wednesday, February 13, of:

**House Bill Nos. 5608 5609 5610 5611 5612 5613 5614 5615 5616 5617 5618 5619 5620 5621
5622 5623 5624 5625 5626 5627 5628 5629 5630 5631 5632 5633 5634 5635**

Messages from the House**Senate Bill No. 493, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1242 (MCL 500.1242). Substitute (H-1).

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

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

Roll Call No. 89**Yeas—33**

Bennett
Bullard

Garcia
Gast

Leland
McCotter

Schwarz
Scott

Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	North	Smith
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Sanborn	Van Regenmorter
Emerson	Koivisto	Schuette	Young
Emmons			

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Schwarz

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

Senate Bill No. 541, entitled

A bill to amend 1945 PA 327, entitled “An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics,” by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 51, 83, 86, 87, 89, 133, 151, and 205 (MCL 259.2, 259.3, 259.4, 259.5, 259.6, 259.7, 259.8, 259.9, 259.51, 259.83, 259.86, 259.87, 259.89, 259.133, 259.151, and 259.205), sections 2, 3, 4, 5, 6, 7, 8, 51, 83, 86, and 133 as amended by 1996 PA 370, sections 9 and 151 as amended by 2000 PA 382, and section 89 as amended by 1998 PA 81, and by adding sections 80g, 80h, 83a, 83b, 87a, 89a, 205a, and 205b; and to repeal acts and parts of acts.

The House of Representatives has concurred in the Senate amendment to the House substitute (H-1). The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

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. 1029

House Bill No. 4325

House Bill No. 5033
House Bill No. 5449
House Bill No. 5389
House Bill No. 5390
House Bill No. 5391
House Bill No. 5392
Senate Bill No. 920
House Bill No. 5022
House Bill No. 5023
House Bill No. 5024
House Bill No. 5025
House Bill No. 5186
Senate Bill No. 397
Senate Bill No. 884
Senate Bill No. 885
Senate Bill No. 886
Senate Bill No. 888
Senate Bill No. 890
Senate Bill No. 894
Senate Bill No. 895
Senate Bill No. 896
Senate Bill No. 898
Senate Bill No. 899
Senate Bill No. 900
Senate Bill No. 901
Senate Bill No. 902
Senate Bill No. 903
Senate Bill No. 904
Senate Bill No. 905
Senate Bill No. 906
Senate Bill No. 907
Senate Bill No. 908
Senate Bill No. 909
Senate Bill No. 910
Senate Bill No. 911
Senate Bill No. 913
Senate Bill No. 914
Senate Bill No. 915
Senate Bill No. 916
Senate Bill No. 918
Senate Bill No. 1019
Senate Bill No. 1020
Senate Bill No. 1025
Senate Bill No. 1026
Senate Bill No. 1027
Senate Bill No. 1032
Senate Bill No. 1034
Senate Bill No. 1035
Senate Bill No. 1037
Senate Bill No. 1038
Senate Bill No. 1039
Senate Bill No. 1040
Senate Bill No. 1041
Senate Bill No. 1042
Senate Bill No. 1043
Senate Bill No. 1044
Senate Bill No. 1045
Senate Bill No. 1046
Senate Bill No. 1047

Senate Bill No. 1048
Senate Bill No. 1049
Senate Bill No. 1050
Senate Bill No. 1052
Senate Bill No. 1053
Senate Bill No. 1054
Senate Bill No. 1055
Senate Bill No. 1056
Senate Bill No. 1057

The motion prevailed.

The Assistant President pro tempore, Senator Hoffman, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 1029, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 449, 450, and 462 (MCL 750.449, 750.450, and 750.462).

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. 90

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4325, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451).

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. 91**Yeas—32**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—1

Schwarz

In The Chair: Hoffman

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, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5033, 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 2000 PA 279.

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. 92**Yeas—32**

Bennett	Emmons	Koivisto	Schuette
Bullard	Garcia	Leland	Scott
Byrum	Gast	McCotter	Shugars
Cherry	Goschka	McManus	Sikkema
DeBeaussaert	Gougeon	Miller	Smith
DeGrow	Hammerstrom	North	Stille

Dingell
Emerson

Hoffman
Johnson

Peters
Sanborn

Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—1

Schwarz

In The Chair: Hoffman

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.

Senator Emmons moved that Senator Schwarz be temporarily excused from the balance of today’s session.

The motion prevailed.

Senator Schwarz entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5449, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 145a, 145b, and 448 (MCL 750.145a, 750.145b, and 750.448).

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. 93

Yeas—33

Bennett
Bullard

Garcia
Gast

Leland
McCotter

Schwarz
Scott

Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeussaert	Hammerstrom	North	Smith
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Sanborn	Van Regenmorter
Emerson	Koivisto	Schuette	Young
Emmons			

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

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. 5389, 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 2001 PA 136, and by adding sections 17b, 17c, 17d, 17f, and 17g to chapter XVII.

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. 94

Yeas—33

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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. 5390, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 363, and by adding sections 14a, 14b, 14c, 14d, 14f, 14g, 14h, 14j, 14m, and 14p to chapter XVII.

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. 95

Yeas—33

Bennett
Bullard

Garcia
Gast

Leland
McCotter

Schwarz
Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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. 5391, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 156, and by adding sections 13b, 13c, 13d, 13e, 13f, 13g, 13j, 13k, 13m, 13n, and 13p.

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. 96

Yeas—33

Bennett
Bullard

Garcia
Gast

Leland
McCotter

Schwarz
Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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. 5392, 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 2001 PA 154, and by adding sections 11a, 11b, 11c, 11d, and 11e to chapter XVII.

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. 97

Yeas—33

Bennett
Bullard

Garcia
Gast

Leland
McCotter

Schwarz
Scott

Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	North	Smith
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Sanborn	Van Regenmorter
Emerson	Koivisto	Schuette	Young
Emmons			

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

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.

Senator Van Regenmorter offered to amend the title to read as follows:

A bill to amend 1927 PA 175, entitled "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," by amending section 31 of chapter IX and section 11 of chapter XVII (MCL 769.11 and 777.11), section 31 of chapter IX as amended by 1998 PA 317 and section 11 of chapter XVII as amended by 2001 PA 154, and by adding sections 11a, 11b, 11c, 11d, and 11e to chapter XVII; and repeal acts and parts of acts.

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. 920, entitled

A bill to authorize the state administrative board to convey certain property in Branch county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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. 98**Yeas—32**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—1

Johnson

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5022, entitled

A bill to amend 1846 RS 65, entitled “Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,” by amending sections 8 and 47 (MCL 565.8 and 565.47), section 8 as amended by 1980 PA 488.

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. 99**Yeas—33**

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

Nays—0

Excused—5Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

The next four bills here deal with this question of eliminating the second signature requirement on the title being recorded. I only rise to point out that while I am not going to oppose the bills, I think that there is a broader issue that we do need to address in this state. It means no criticism to the sponsor of the bills before us, but we have a serious problem in the state in the amount of time that it takes from when a deed is recorded until when it becomes available for public notice—sometimes that's 85 days. I understand in some communities it's eight months, and that incredible delay is a disservice to the people of the state of Michigan and needs to be addressed in some way. It can't be addressed in these bills, and I understand that. I just want to make sure that the members of the Senate take notice of the problem. I have heard it from some of the title companies in my community, and I'm sure around the state there are differing kinds of problems, but it is a serious one. I think there should not be that kind of delay for that notice to be made to the public after a deed is recorded. So I just want to say that for the record today.

I thank the sponsor for his interest in this bill, which in some ways minimizes the delays. But I think that there is a broader concern as well.

The following bill was read a third time:

House Bill No. 5023, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 1996 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. 100**Yeas—33**Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0**

Excused—5Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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. 5024, entitled

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," by amending section 1 (MCL 565.351), as amended by 1991 PA 140.

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. 101**Yeas—33**Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0****Excused—5**Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

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. 5025, entitled

A bill to amend 1967 PA 288, entitled “Land division act,” by amending section 144 (MCL 560.144).

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. 102

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

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 regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5186, 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 1 (MCL 52.201); and to repeal acts and parts of acts.

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. 103

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

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. 397, entitled

A bill to designate an official fossil of this state.

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. 104

Yeas—33

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	North	Smith
DeGrow	Hoffman	Peters	Stille
Dingell	Johnson	Sanborn	Van Regenmorter

Emerson
Emmons

Koivisto

Schuette

Young

Nays—0**Excused—5**Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator McCotter's statement is as follows:

I welcome the Senator from the 28th District's amendment and his optimism in the future of humanity.

The following bill was read a third time:

Senate Bill No. 884, entitled

A bill to amend 1919 PA 149, entitled "An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress," by amending sections 7 and 8 (MCL 395.7 and 395.8).

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. 105

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0**

Excused—5Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 885, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 15 (MCL 400.15).

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. 106**Yeas—33**Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0****Excused—5**Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 886, entitled

A bill to amend 1921 PA 59, entitled "An act to relieve the county and state from the support of certain classes of aliens who are subject to deportation from the United States; making an appropriation therefor and providing penalties for the non-performance of duties under the provisions of this act," by amending section 2 (MCL 404.32).

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. 107**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 888, entitled

A bill to amend 1846 RS 21, entitled "Of specific state taxes and duties," by amending section 30 (MCL 446.30).

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. 108**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 890, entitled

A bill to repeal 1909 PA 263, entitled “An act to authorize the Michigan dairymen’s association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor,” (MCL 453.451 to 453.452).

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. 109

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 894, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 26a of chapter XIV and section 6 of chapter XVI (MCL 774.26a and 776.6), section 26a of chapter XIV as amended by 1980 PA 506.

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. 110

Yeas—33

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 895, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending sections 49 and 61 (MCL 800.49 and 800.61).

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. 111

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 896, entitled

A bill to amend 1881 PA 181, entitled “An act to provide for the payment of interest on the educational funds, and to repeal section 10 of chapter 131 of the Compiled Laws of 1871, being compiler’s section 3477,” by amending section 1 (MCL 21.201).

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. 112**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 898, 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 3 and 4 (MCL 209.3 and 209.4), section 4 as amended by 2001 PA 36.

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. 113**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 899, entitled

A bill to amend 1917 PA 99, entitled “An act to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state’s portion of the expense incurred hereunder;” by amending section 1 (MCL 249.1).

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. 114**Yeas—33**

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

Nays—0

Excused—5Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 900, entitled

A bill to repeal 1921 PA 358, entitled "An act authorizing the state to reimburse counties and townships to the extent of 1/2 of the amounts spent by such counties and townships in connection with the destruction of grasshoppers and similar pests, making an appropriation therefor, and providing a tax to meet the same," (MCL 286.131 to 286.135).

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. 115**Yeas—33**Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0****Excused—5**Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 901, entitled

A bill to amend 1863 PA 140, entitled "An act to provide for the selection, care and disposition of the lands donated to the state of Michigan, by act of congress, approved July second, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," by amending sections 8 and 10 (MCL 322.178 and 322.180).

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. 116**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 902, entitled

A bill to amend 1909 PA 139, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this state and to provide a tax to raise moneys therefor," by amending section 5 (MCL 331.105).

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. 117**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 903, entitled

A bill to amend 1909 PA 269, entitled “An act to revise the laws relating to Michigan state university; and to prescribe the powers and duties of the board of trustees of Michigan state university,” by amending section 20 (MCL 390.120).

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. 118

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 904, entitled

A bill to amend 1931 PA 96, entitled “An act to provide for the construction and maintenance of non-trunk line roads located within the limits of a United States forest,” by amending section 3 (MCL 249.33).

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. 119**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 905, entitled

A bill to amend 1859 PA 143, entitled "An act relative to the university interest fund," by amending section 1 (MCL 21.211).

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. 120**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 906, entitled

A bill to amend 1901 PA 232, entitled “An act to extend aid to the Michigan state college of agriculture and applied science,” by amending section 4 (MCL 390.224); and to repeal acts and parts of acts.

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. 121**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The President pro tempore, Senator Schwarz, resumed the Chair.

The following bill was read a third time:

Senate Bill No. 907, entitled

A bill to amend 1925 PA 177, entitled “An act to protect and promote the public health and welfare, and to provide for the construction, maintenance and operation of hospitals and sanatoriums for the treatment of tuberculosis; and to make an appropriation therefor,” by amending sections 9 and 14 (MCL 332.159 and 332.164).

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. 122**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 908, entitled

A bill to amend 1947 PA 4, entitled "An act to authorize and provide for the borrowing of \$270,000,000.00 to make payments to persons who served in the military, naval, marine or coast guard forces of the United States, including women serving in auxiliary branches thereof, or to their next of kin or estates, and the issuance of certain serial bonds and serial notes for such indebtedness; to create a veterans' military pay fund and a veterans' bond redemption fund; to pledge the full faith and credit of the state; to provide for the payment of principal and interest on such serial obligations; to make appropriations therefor; and to make such serial notes and serial bonds exempt from taxation," by amending section 1 (MCL 35.901).

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. 123**Yeas—33**

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

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 909, entitled

A bill to amend 1947 PA 12, entitled "Veterans' military pay act," by amending section 8 (MCL 35.928).

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. 124

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 910, entitled

A bill to amend 1955 PA 8, entitled "Korean veterans' military pay fund act of 1955," by amending sections 7 and 9 (MCL 35.977 and 35.979).

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. 125

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 911, entitled

A bill to amend 1945 PA 72, entitled "An act to prevent the importation from other states, and the spread within this state, of all serious insect pests and contagious plant diseases and to provide for their repression and control, imposing certain powers and duties on the commissioner of agriculture; to prescribe penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts," by amending section 5 (MCL 286.255).

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. 126

Yeas—33

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	North	Smith
DeGrow	Hoffman	Peters	Stille

Dingell
Emerson
Emmons

Johnson
Koivisto

Sanborn
Schuette

Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 913, entitled

A bill to amend 1846 RS 60, entitled “Of the superintendence and disposition of the public lands,” by amending section 19 (MCL 322.319).

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. 127

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 914, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 35, 41, 57a, 58, 62, 63, 64, 66, 67, 70, 73, 73a, 73b, 75, 83, 85, 86, 87, 88, 90, 95, 96, 97, 98, 98a, 99, 101, 102, 103, 105, 113, 121, 122, 127b, 130, 135, 138, 139, and 144 (MCL 211.35, 211.41, 211.57a, 211.58, 211.62, 211.63, 211.64, 211.66, 211.67, 211.70, 211.73, 211.73a, 211.73b, 211.75, 211.83, 211.85, 211.86, 211.87, 211.88, 211.90, 211.95, 211.96, 211.97, 211.98, 211.98a, 211.99, 211.101, 211.102, 211.103, 211.105, 211.113, 211.121, 211.122, 211.127b, 211.130, 211.135, 211.138, 211.139, and 211.144).

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. 128

Yeas—32

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—1

Bullard

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 915, entitled

A bill to amend 1933 PA 162, entitled "An act to provide for the levy of certain additional taxes in municipal school districts," by amending section 5 (MCL 211.255).

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. 129

Yeas—33

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 916, entitled

A bill to amend 1943 PA 92, entitled “An act to protect the interest of the public, acquired other than through taxation, in lands under the jurisdiction and control of the state land office board and department of conservation, and to make an appropriation therefor,” by amending sections 1, 2, 3, and 4 (MCL 211.371, 211.372, 211.373, and 211.374).

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. 130

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 918, entitled

A bill to amend 1897 PA 263, entitled “An act to authorize the auditor general to accept payment of taxes and charges from the owner of any description of land held by the state as state tax lands,” by amending section 1 (MCL 211.541).

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. 131**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1019, entitled

A bill to amend 1962 PA 213, entitled “An act to encourage the raising of started pullets; to provide for the inspection and certification as to the age, condition and health of started pullets; to define certain terms; to provide authority to establish and collect fees; to impose certain responsibilities on the department of agriculture; to grant authority to make rules and regulations to carry out the purpose of this act; and to prescribe penalties for violation thereof,” by repealing section 4 (MCL 287.174).

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. 132**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1020, entitled

A bill to amend 1917 PA 74, entitled “An act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and to punish violations of the same,” by amending section 4 (MCL 290.134).

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. 133**Yeas—33**

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

Nays—0

Excused—5Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1025, entitled

A bill to repeal 1865 PA 165, entitled "An act making it obligatory upon banks and bankers in this state to stamp counterfeit, altered and worthless bank bills," (MCL 487.651 to 487.652).

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. 134**Yeas—33**Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
EmmonsGarcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
KoivistoLeland
McCotter
McManus
Miller
North
Peters
Sanborn
SchuetteSchwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young**Nays—0****Excused—5**Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1026, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 502 (MCL 750.502).

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. 135**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1027, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 41 (MCL 750.41).

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. 136**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1032, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 409 (MCL 750.409).

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. 137**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1034, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 348 (MCL 750.348).

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. 138**Yeas—33**

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema

DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Hammerstrom
Hoffman
Johnson
Koivisto

North
Peters
Sanborn
Schuette

Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1035, entitled

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

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. 139

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1037, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 494 (MCL 750.494).

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. 140

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1038, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 517 (MCL 750.517).

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. 141

Yeas—33

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

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1039, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 516 (MCL 750.516).

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. 142

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1040, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 514 (MCL 750.514).

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. 143

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Cherry moved that Senator Emerson be temporarily excused from the balance of today's session.
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1041, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.

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. 144

Yeas—32

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema

DeBeaussaert
DeGrow
Dingell
Emmons

Hammerstrom
Hoffman
Johnson
Koivisto

North
Peters
Sanborn
Schuette

Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—6

Dunaskiss
Emerson

Hart
Murphy

Steil

Vaughn

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. 1042, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 513 (MCL 750.513).

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. 145

Yeas—32

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—6

Dunaskiss
Emerson

Hart
Murphy

Steil

Vaughn

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. 1043, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.

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. 146

Yeas—32

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

Nays—0

Excused—6

Dunaskiss	Hart	Steil	Vaughn
Emerson	Murphy		

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. 1044, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 179 (MCL 750.179).

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. 147

Yeas—32

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

Nays—0

Excused—6

Dunaskiss
Emerson

Hart
Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1045, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2000 PA 279.

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. 148

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1046, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 366 (MCL 750.366).

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. 149

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1047, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2000 PA 279.

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. 150

Yeas—33

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

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1048, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 266 (MCL 750.266).

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. 151

Yeas—33

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1049, entitled

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

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. 152

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1050, entitled

A bill to amend 1893 PA 123, entitled “An act to provide for the maintenance, supervision and government of the Michigan school for the blind, and to repeal all acts and parts of acts inconsistent herewith,” by amending section 1 (MCL 393.101).

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. 153

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1052, entitled

A bill to repeal 1976 PA 340, entitled “An act to create a municipal fire service classification board; to prescribe the powers and duties of certain state agencies and officials; to provide for the evaluation of fire service delivery systems; to establish a fire service classification scale; to provide recommendations for the improvement of the capabilities of fire service delivery systems to improve life safety and to reduce fire losses for the citizens of this state; to provide for the promulgation of rules; and to provide for the administration of this act,” (MCL 28.651 to 28.657).

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. 154

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1053, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2000 PA 502.

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. 155

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1054, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 57 (MCL 211.57), as amended by 1999 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. 156

Yeas—33

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

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

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. 1055, entitled

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 30a (MCL 205.30a), as amended by 1995 PA 116.

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. 157

Yeas—32

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Emerson

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Stille
Van Regenmorter
Young

Nays—0

Excused—5

Dunaskiss
Hart

Murphy

Steil

Vaughn

Not Voting—1

Emmons

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1056, entitled

A bill to repeal 1955 PA 191, entitled “An act authorizing the state highway commissioner of Michigan to enter into negotiations with the Wisconsin state highway commissioner in the preparation of plans, specifications and designs of an interstate bridge extending from First street in Menominee across the Menominee river to Ogden street in Marinette, Wisconsin, and to provide for the cost and expense of such plans, specifications and designs,” (MCL 254.131).

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. 158**Yeas—33**

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

Nays—0**Excused—5**

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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. 1057, entitled

A bill to amend 1925 PA 12, entitled “An act to provide for the laying out and establishing of additional trunk line mileage; to make all roads that have been improved as federal aid projects, and all roads that have been, or that may hereafter be, approved for federal aid, trunk line highways; to provide for the widening, altering or straightening of

trunk line highways; to provide for the abandonment, alteration or change of any portion of the trunk line highway; and to repeal all acts and parts of acts inconsistent herewith," by repealing section 2 (MCL 250.112).

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. 159

Yeas—33

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

Nays—0

Excused—5

Dunaskiss	Murphy	Steil	Vaughn
Hart			

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

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 pro tempore, Senator Schwarz, designated Senator Garcia as Chairperson.

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

Senate Bill No. 892, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 204 and 208 (MCL 500.204 and 500.208).

Senate Bill No. 1060, entitled

A bill to repeal 1870 (Ex Sess) PA 5, entitled "An act to authorize the introduction of water into, and the construction or purchase of hydraulic works in the cities and villages in the state of Michigan," (MCL 123.111 to 123.130).

Senate Bill No. 1061, entitled

A bill to repeal 1923 PA 60, entitled "An act to authorize the board of supervisors of any county of this state, severally, or in conjunction with the legislative body or board of any 1 or more cities or villages having a population

in excess of 5,000 according to the last official census to establish and operate a public agricultural produce market or markets or sell, exchange or abandon the same," (MCL 46.101 to 46.104).

Senate Bill No. 1063, entitled

A bill to amend 1981 PA 97, entitled "Michigan municipal distributable aid bond act," by amending section 10 (MCL 141.1030), as amended by 1987 PA 281; and to repeal acts and parts of acts.

Senate Bill No. 1064, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending sections 12, 21, and 33 (MCL 141.1212, 141.1221, and 141.1233), section 33 as amended by 1992 PA 265.

Senate Bill No. 1067, entitled

A bill to amend 1971 PA 182, entitled "An act to permit a city or village owning and operating a public utility to borrow money for a term not to exceed 5 years for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending or repairing the facilities of the public utility; to issue notes or other evidences of indebtedness therefor; to repay such borrowing from the revenues of the utility; to permit the pledging or assignment of bonds or other securities or evidences of debt held as investments for said public utility to secure such borrowings; and to provide other powers, rights and duties," by amending sections 1 and 2 (MCL 460.461 and 460.462), section 2 as amended by 1983 PA 121.

Senate Bill No. 1068, entitled

A bill to repeal 1919 PA 325, entitled "An act to authorize and empower cities to own and acquire land, by gift, purchase, condemnation, or otherwise, for the erection of memorials to soldiers and sailors; to authorize the erection of such memorials and determine the character thereof; to provide for the appropriation of money for the acquisition, erection and maintenance thereof, for the assessment, levy and collection of taxes, the borrowing of money, and the issuing of bonds therefor, and for the custody, control and management of such memorials," (MCL 35.871 to 35.873).

Senate Bill No. 1069, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 1998 PA 545.

Senate Bill No. 1070, entitled

A bill to repeal 1911 PA 228, entitled "An act to authorize the boards of supervisors of the several counties in this state to borrow money, and issue bonds therefor, for the purchase of land and improve the same by the erection of buildings and other improvements thereon or for the purpose of improving and erecting buildings upon lands already purchased and held by said county to be used for the purpose of holding thereon fairs and exhibitions of an agricultural character," (MCL 46.111).

Senate Bill No. 1071, entitled

A bill to repeal 1911 PA 26, entitled "An act to legalize the proceedings taken by any village in the state of Michigan, incorporated under Act No. 3 of the Public Acts of 1895, as amended, authorizing the issuance of bonds for the purpose of securing an additional water supply and extending the municipal lighting plant of any such village," (MCL 79.1 to 79.2).

Senate Bill No. 1072, entitled

A bill to repeal 1925 PA 209, entitled "An act to authorize any incorporated village having a population of 1,000 or less, which may be the county seat of any county in this state, to borrow money, and issue bonds therefor, for the purpose of buying or building a courthouse or jail or both for said county in such village, upon approval of the electors of said village," (MCL 79.41 to 79.43).

Senate Bill No. 1073, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," by amending sections 4 and 5 (MCL 119.4 and 119.5).

Senate Bill No. 1074, entitled

A bill to amend 1925 PA 234, entitled "An act to provide for the creation and establishment of port districts; to prescribe their rights, powers, duties and privileges; to prescribe their powers of regulation in certain cases; to prescribe their powers in respect to acquiring, improving, enlarging, extending, operating, maintaining and financing various projects and the conditions upon which certain of said projects may extend into another state or county," by amending section 32 (MCL 120.32).

Senate Bill No. 1076, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 19 (MCL 124.669), as amended by 1998 PA 373.

Senate Bill No. 1081, entitled

A bill to repeal 1931 PA 316, entitled "An act to authorize cities and villages to construct, own, equip, operate, maintain and improve works for the disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of the same; to authorize cities and villages to issue revenue bonds payable solely from the revenues of such works; and to make such bonds exempt from taxation and to make them lawful investments of sinking funds; to authorize contracts for the use of such works by private corporations and by other cities and villages and political subdivisions and charges against owners of premises therein served thereby," (MCL 123.201 to 123.220).

Senate Bill No. 1083, entitled

A bill to repeal 1941 PA 66, entitled "An act validating all proceedings heretofore had by the governing body of any city in this state having a water front bordering on any navigable waters which has heretofore provided for the acquisition, improvement and repair of water front facilities and improvements and for the issuance of revenue bonds in payment of the cost thereof; validating provisions which may have been made by such cities for the operation and control of such facilities and improvements; granting to such cities the right to license ferries and similar commercial craft and to impose fees and charges for the use of public piers, wharves, docks and landing places therein and to regulate and license the construction, operation, maintenance and business of owning private piers, wharves, docks and landing places of boats, ferries and craft on and adjacent to any lands bordering on such navigable waters with power to cancel such licenses and to make rules and regulations governing the construction, operation and maintenance thereof; validating any agreements which may have been entered into for the leasing of any part of such facilities or improvements; authorizing the issuance of such bonds; and granting supervision and regulation by such cities of all lands located therein which border on such navigable waters, including lands owned by the state of Michigan," (MCL 123.601 to 123.604).

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:

House Bill No. 4028, entitled

A bill to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts.

Substitute (S-4).

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

1. Amend page 6, line 11, after the first "than" by striking out "30" and inserting "42".

2. Amend page 6, line 11, after the second "than" by striking out "120" and inserting "119".
 3. Amend page 6, line 14, after "than" by striking out "120" and inserting "119".
 4. Amend page 8, line 13, after "occupant" by striking out the balance of the subparagraph and inserting "to avoid the designation of the property as blighting property."
 5. Amend page 11, line 1, after "for" by striking out "90" and inserting "91".
 6. Amend page 11, line 1, after "that" by striking out "90" and inserting "91".
 7. Amend page 12, line 11, by striking out "120" and inserting "119".
 8. Amend page 14, line 24, after "than" by striking out "30" and inserting "28".
- 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 amendments, the following bill:

Senate Bill No. 887, entitled

A bill to amend 1937 PA 329, entitled "An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor," by amending section 3 (MCL 419.103).

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

1. Amend page 1, line 3, after "MONEY" by striking out the balance of the line through "hereby" on line 5.
2. Amend page 2, line 1, after "before" by striking out the balance of the section and inserting "AUTHORIZING PAYMENT."

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 amendment, the following bill:

Senate Bill No. 889, entitled

A bill to amend 1933 PA 89, entitled "An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932," by amending section 13 (MCL 451.313).

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

1. Amend page 2, line 20, after "the" by striking out the balance of the line through the first "the" on line 21.

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

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

Senate Bill No. 897, entitled

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending sections 7 and 8 (MCL 35.607 and 35.608).

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

1. Amend page 1, line 3, after "surer" by striking out "based on vouchers drawn by" and inserting "AT THE DIRECTION OF".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1062, entitled

A bill to amend 1913 PA 380, entitled "An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of the those gifts; and to validate all such gifts made before the enactment of this act," by amending section 2 (MCL 123.872), as added by 1985 PA 9.

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. 1080, entitled

A bill to amend 1987 PA 204, entitled "Low-level radioactive waste authority act," by amending section 20a (MCL 333.26220a).

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. 1084, entitled

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 42 (MCL 460.842), as amended by 1983 PA 120.

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.

Resolutions

Senator Emmons moved that consideration of the following concurrent resolution be postponed for today:

Senate Concurrent Resolution No. 11

The motion prevailed.

House Concurrent Resolution No. 49.

A concurrent resolution to urge the United States Environmental Protection Agency to reevaluate Michigan's electrical demand growth rate and promote energy efficiency and the health of Michigan's citizens.

Whereas, Identifying specific strategies to control the transport of ozone-causing pollutants is a major challenge facing Michigan and our country. Michigan is strongly committed to the development of an effective and fair program based on emissions standards and practices that are appropriate for the state's future; and

Whereas, NOx is one of the precursors to the formation of ground level ozone or smog. It is believed by many in the healthcare delivery community that exposure to smog can result in a variety of health problems, including the aggravation of asthma and other respiratory diseases; and

Whereas, Programs to encourage the use of high efficiency, electrically oriented products and goods could help address Michigan's electricity demand growth; and

Whereas, Several years ago, the EPA NOx State Implementation Plan Call Rule set a cap on nitrogen oxide emissions that is based on miscalculations of Michigan's energy needs. The EPA assumptions, upon which the NOx emissions cap is determined, factor in an annual energy demand growth rate to the year 2007 at approximately one percent. In fact, however, the Michigan Public Service Commission has projected the state's annual energy growth rate to be approximately 2.28 percent, more than twice the rate used in the EPA calculations; and

Whereas, The impact of using the wrong energy growth assumptions is that Michigan would be forced to live under emissions thresholds that are prohibitively expensive. The restrictions would seriously hamper the state's economic strength, as well as jeopardizing energy supplies in the years to come. For this to occur because of erroneous assumptions is clearly wrong; and

Whereas, The EPA has provided other affected states surrounding Michigan with much more realistic estimates of their energy demand growth rates. The use of unrealistically low energy growth rates for Michigan would place this state at an unfair competitive disadvantage with surrounding states; and

Whereas, Michigan is in the process of adopting regulations to impose control levels that comply with EPA goals for air quality, including in areas of the Atlantic coast. Our state is also seeking a legal remedy in the federal courts, a process which is protracted and expensive, and which directs resources away from other productive endeavors. Clearly, it would be far more effective for the EPA to revisit the issue of Michigan's NOx budget in the context of the correct data on energy demand growth rates; and

Whereas, This state is in the process of evaluating its energy policies by reviewing its electric generation capabilities and its ability to meet our future energy demands; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Environmental Protection Agency to reevaluate Michigan's electrical demand growth rate, using realistic energy growth rates for prior years and projections for the years to come; and be it further

Resolved, That we urge the United States Environmental Protection Agency to support programs calling for energy efficiency, also taking into consideration the impacts on public health; and be it further

Resolved, That copies of this resolution be transmitted to the United States Environmental Protection Agency.

The House of Representatives has adopted the concurrent resolution.

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

Senator 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 Natural Resources and Environmental Affairs.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Emmons' statement is as follows:

I rise to commemorate the life of Carol Mohnke. She was a dear friend who lost her battle with cancer last Saturday. She was buried yesterday.

She touched and enriched countless lives with her 62 short years. And, while her voice is silenced, she will long live in the hearts of people who knew her. She left a husband Ron and five children and 17 grandchildren. She was beloved by her family, the community, and she will be immensely missed by the church that she and I both belong to—St. Peter's Lutheran Church.

She had many activities—great many of them having to do with children—in the school where she organized all sorts of theatrical productions that the children were able to participate in and star in. She was a wonderful, warm person who gave much to everyone who knew her.

We in the community mourn her but are grateful that we know that one day we'll see her again.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

House Bill No. 5376, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18609 and 18611.

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. 5377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 186.

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. 5378, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18605 and 18607.

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. 5379, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), as amended by 2000 PA 29, and by adding section 18613.

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. 5525, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act of 1964," by amending sections 1, 2, 8, 10a, 10b, and 31 (MCL 290.601, 290.602, 290.608, 290.610a, 290.610b, and 290.631), sections 2 and 8 as amended by 1982 PA 260 and section 31 as amended by 1986 PA 194, and by adding sections 9a, 9b, 28c, and 31a; and to repeal acts and parts of acts.

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 Farming, Agribusiness and Food Systems.

House Bill No. 5583, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as added by 1996 PA 285.

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. 5584, 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 section 1 (MCL 722.111), as amended by 1994 PA 205.

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. 5585, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 2001 PA 175.

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 Judiciary.

Committee Reports

The Committee on Technology and Energy reported

Senate Bill No. 880, entitled

A bill to create a telecommunication rights-of-way oversight authority; to establish a Michigan telecommunications service improvement fund; to provide for fees; to prescribe the powers and duties of certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-4) 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, Schwarz, Hammerstrom, Byrum, Leland and Cherry

Nays: Senator Schuette

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. 881, entitled

A bill to create the Michigan community communications development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; to make an appropriation; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-6) 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, Schwarz, Schuette, Hammerstrom, Byrum, Leland and Cherry

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. 999, 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," (MCL 207.1 to 207.21) by adding section 13b.

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.

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Schwarz, Schuette, Hammerstrom, Byrum, Leland and Cherry

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 submitted the following:

Meeting held on Wednesday, February 13, 2002, at 1:30 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower

Present: Senators Sikkema (C), Schwarz, Schuette, Hammerstrom, Byrum, Leland and Cherry

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submitted the following:

Meeting held on Tuesday, February 12, 2002, at 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower

Present: Senators Gougeon (C), Johnson, Smith and Murphy

Excused: Senator Schwarz

COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid submitted the following:

Meeting held on Wednesday, February 13, 2002, at 3:15 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Stille (C), Bennett and DeBeaussiaert

Scheduled Meetings

Appropriations - Tuesday, February 19, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Community Colleges - Wednesday, February 20, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Community Health - Tuesday, February 21, 1:30 p.m. and Monday, March 11, 3:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)

Corrections - Wednesdays, February 20 and February 27, 1:00 p.m., Room 100, Farnum Building, and Tuesday, March 5, 1:00 p.m., Room 210, Farnum Building (373-2413)

Environmental Quality - Tuesdays, February 19, 3:00 p.m. or later immediately following the Senate Appropriations Committee meeting, February 26 and March 5, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

Higher Education - Friday, February 15, 10:00 a.m., Saginaw Valley State University, 7400 Bay Road, Curtiss Hall, Emeriti Room, University Center; Friday, February 22, 9:30 a.m., Oakland University, Library Drive, 242 Elliott Hall, Rochester; Friday, March 1, 10:00 a.m., Calvin College, 3201 Burton S.E., Hekman Library, Meeter Center Lecture Hall, Grand Rapids; and Friday, March 8, 9:30 a.m., University of Michigan-Ann Arbor, 909 S. University Drive, William L. Clements Library, Ann Arbor (373-3447)

Natural Resources - Wednesdays, February 20, February 27 and March 6, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

School Aid and Department of Education - Wednesday, February 20, 2:00 p.m. and Tuesdays, February 26 and March 5, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1635)

Education - Wednesday, February 20, 3:30 p.m., Room 210, Farnum Building (373-7350)

Farming, Agribusiness and Food Systems - Wednesday, February 20, 1:00 p.m., Room 405, Capitol Building (373-1725)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 12:32 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, February 19, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.