

No. 47
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, May 29, 2001.

12:00 noon.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Senator Thaddeus G. McCotter of the 9th District offered the following invocation:

Lord, as we leave this year's mean season of spring and fully cognizant that every poem is a prayer, we humbly offer a Russian requiem for this past month of May:

"And then I dreamt that my heart does not ache anymore, it is a small bell hanging in yellow China;
On a slender pagoda it hangs and quietly chimes, teasing flocks of cranes in the enamel sky.
And modest girl in a dress of red silk with gold-embroidered wasps, flowers and dragons—
Her legs tucked underneath her; quietly; without thoughts; without words;
Is attentively listening to this peaceful, peaceful chiming."

—"China" (Khatah) by A. Vertinsky and B. Gumilyov

Lord, may summer be a season of reprieve and renewal. Amen.

Recess

Senator Emmons moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 12:03 p.m.

12:13 p.m.

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

During the recess, Senators Miller, Smith, Bennett, Goschka, North, Johnson, Steil, Hammerstrom, Van Regenmorter, Hoffman, Gougeon, Schwarz, Gast, Schuette, Garcia, McManus, Shugars, Dunaskiss, Bullard, Stille, DeGrow and Sikkema entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Emmons moved that the enrollment be vacated on the following bills:

Senate Bill No. 72

Senate Bill No. 73

The motion prevailed.

The bills were placed on the order of Messages from the House.

Senator Emerson moved that Senator Murphy be temporarily excused from today's session.

The motion prevailed.

Senator Emerson moved that Senator Byrum be excused from today's session.

The motion prevailed.

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

The motion prevailed.

The following communication was received:
Department of State

Administrative Rules Notice of Filing

May 1, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:50 p.m. this date,

administrative rule (01-05-02) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Supplying Water to the Public - Part 4.*" effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communication was referred to the Secretary for record.

The following communication was received:
Department of Treasury

May 18, 2001

Public Act 77 of 1960, as amended, requires that the Michigan Higher Education Assistance Authority submit an annual report to the Governor and the Legislature. Enclosed, for your review, is the Annual Report for 1999-00 of both the Michigan Higher Education Assistance Authority and the Michigan Higher Education Student Loan Authority.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,
Douglas B. Roberts
State Treasurer

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

May 24, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Technology Services and the Automated Information Systems, Department of Education, May 2001.

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 Thursday, May 24:
House Bill Nos. 4448 4698

The Secretary announced the printing and placement in the members' files on Thursday, May 24, of:

Senate Bill No. 506
House Bill Nos. 4809 4810 4811 4812 4813

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

House Bill Nos. 4814 4815 4816 4817 4818 4819 4820 4821 4822 4823 4824 4825 4826 4827 4828

Messages from the Governor

The following message from the Governor was received:

Date: May 24, 2001
Time: 10:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 341 (Public Act No. 7), being

An act to amend 1993 PA 331, entitled "An act to provide for the levy and collection of a state education tax; to create the education finance authority and board; to prescribe the powers and duties of the authority and the board; to

provide for the levy of a tax by the authority and the distribution of the tax; and to prescribe the duties of certain state officers,” (MCL 211.901 to 211.906) by adding section 5a.

(Filed with the Secretary of State on May 24, 2001, at 11:20 a.m.)

Respectfully,
John Engler
Governor

Messages from the House

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

Senate Joint Resolution D

Senate Bill No. 283

The motion prevailed.

Senate Bill No. 72, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 81c. Senator Emmons moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

Senate Bill No. 73, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 217e. Senator Emmons moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

Senator Emmons requested the yeas and nays.

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

The motion prevailed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 115

Yeas—31

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

Nays—1

Dingell

Excused—3

Byrum

Murphy

Vaughn

Not Voting—2

Leland

Schuette

In The Chair: President

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

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

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

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

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

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

Senate Bill No. 446, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10g (MCL 460.10g), as added by 2000 PA 141.

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).

Senate Bill No. 494, entitled

A bill to repeal 1895 PA 266, entitled "An act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties, and repealing all laws in conflict therewith," (MCL 550.101 to 550.109).

Senate Bill No. 496, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 456 (MCL 500.456), as amended by 1989 PA 214.

House Bill No. 4029, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2117 (MCL 500.2117), as amended by 1980 PA 461.

Senate Bill No. 436, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 733 (MCL 257.733), as amended by 1994 PA 50.

House Bill No. 4235, entitled

A bill to designate highway M-109 located in Leelanau county as the "D.H. Day Highway"; and to prescribe the duties of the state transportation department.

House Bill No. 4550, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675 (MCL 257.675), as amended by 1999 PA 34.

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

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

Senate Bill No. 231, entitled

A bill to make appropriations for a capital outlay program for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of appropriations.

Substitute (S-1).

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

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

House Bill No. 4256, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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. 27, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 1995 PA 267.

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. 35, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 1998 PA 103.

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. 396, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1999 PA 47.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4255, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (S-1).

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

1. Amend page 19, line 18, after "facility," by inserting "The report shall contain a comparison of the information for this facility with information for facilities housing similar populations in other states, with other Michigan facilities with similar sized populations, and with other Michigan facilities that house younger populations."

2. Amend page 19, line 22, after "programs," by inserting "Program information shall report the number of available enrollments, the number of enrollments and the number waiting for participation for each program offered."

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.

During the Committee of the Whole, Senators Schuette and Murphy entered the Senate Chamber.

Resolutions

Senator Emmons moved that the following concurrent resolutions be placed at the head of the Resolutions calendar:

Senate Concurrent Resolution No. 14

Senate Concurrent Resolution No. 15

Senate Concurrent Resolution No. 17

Senate Concurrent Resolution No. 18

Senate Concurrent Resolution No. 19

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 21

Senate Concurrent Resolution No. 22

The motion prevailed.

Senate Concurrent Resolution No. 14.

A concurrent resolution to increase the total project cost of the Classroom Facilities project at Saginaw Valley State University.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 15.

A concurrent resolution to increase the total project cost of the Lenawee Extension Center at Jackson Community College.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 17.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Library Addition and Renovation Project Phase II (Center for Student Services).

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 116**Yeas—35**

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

Nays—0**Excused—2**

Byrum Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 18.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Central Campus Renovation Phase II-Perry Building.

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 117**Yeas—35**

Bennett	Garcia	Leland	Scott
Bullard	Gast	McCotter	Shugars

Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Byrum

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 19.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Two-way Radio System and Microwave Backbone System Phase IV-A.

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 118

Yeas—35

Bennett
Bullard
Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Byrum

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 20.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor-Dana Building-School of Natural Resources and Environment project.

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 119**Yeas—35**

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

Nays—0**Excused—2**

Byrum

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 21.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Cooper Street Correctional Facility Additional Housing Units Numbers 1, 2, and 3.

The Assistant Secretary of the Senate made the following statement:

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

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

Roll Call No. 120**Yeas—35**

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

Nays—0**Excused—2**

Byrum Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 22.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Governors of Wayne State University relative to the Wayne State University Pharmacy Building Replacement.

The Assistant Secretary of the Senate made the following statement:

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

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

Roll Call No. 121**Yeas—34**

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

Nays—1

Garcia

Excused—2

Byrum

Vaughn

Not Voting—0

In The Chair: Schwarz

Senator Emmons offered the following concurrent resolution:

Senate Concurrent Resolution No. 23.

A concurrent resolution prescribing the Joint Rules of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the following be and are hereby adopted as the Joint Rules of the Senate and House of Representatives:

JOINT RULES**OF THE****SENATE AND HOUSE OF REPRESENTATIVES****Transmission of Messages.**

Rule 1. All messages necessary for conducting legislative business between the two Houses shall be communicated in writing and electronically by the Secretary of the Senate and the Clerk of the House of Representatives.

Amendments.

Rule 2. It shall be in the power of either House to amend an amendment made by the other to any bill or resolution.

Conference Committees.

Rule 3. (a) The House not concurring in the amendments of the other House shall appoint conferees and notify the amending House of its action. The amending House shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each House, to be appointed as each House may determine. The first named member of the House in which the bill or resolution originated shall be chairperson of the conference committee. Upon appointment of conferees by both Houses, the bill or resolution shall be referred to the conference committee.

(b) The conference committees of the two Houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each House who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the House of origin where the question shall be on the adoption of the conference report. If the conference report is adopted, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other House where the question shall be on the adoption of the conference report. If the conference report is adopted in the other House, the bill or resolution and the original signed copy of the conference report shall be returned to the House of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the House of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting. Conference committees on appropriation bills may use fiscal agency personnel for clerks.

Conference Report: Rejection.

Rule 5. If the conference report is rejected by the House of origin, it shall appoint second conferees and notify the other House of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other House, it shall appoint second conferees, notify the House of origin of its action, and transmit the bill or resolution to the House of origin. Upon receipt of the bill or resolution, the House

of origin shall appoint second conferees and refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Disagreement of Conferees.

Rule 6. If the conferees are unable to agree, a report of that fact shall be made to both Houses. The report shall be signed by at least a majority of the conferees of each House who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the House of origin. Both Houses shall appoint second conferees, and the House of origin shall refer the bill or resolution to the second conference committee. The procedure shall then be the same as for an original conference.

Second Conference: Failure.

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either House, no further conference is in order.

Power of Conferees.

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two Houses.

For all bills making appropriations, adoption of a substitute by either House shall not open identical provisions contained in the other House-passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either House open provisions not contained in either House version of the bill as a matter of difference.

When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill or resolution, the conferees may recommend amendments to conform with the agreement. The conferees may also recommend amendments to the other parts of the bill or resolution which shall be limited to necessary date revisions, adjusting totals, cross-references, misspelling and punctuation corrections, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or resolution or the title.

Adoption of Conference Report.

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by “yeas” and “nays” and shall require the same number of votes constitutionally required for passage of the bill or adoption of the resolution. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a House by a majority vote in that House, provided that a printed copy of the conference report has been placed on each member’s desk.

Conference Reports: Points of Order.

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. When a conference report is ruled out of order, it is a rejection of the report. Either House may refer the conference report back to the conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

Either House May Recede.

Rule 11. At any time while in possession of the bill or resolution, either House may recede from its position in whole or in part, and the bill or resolution upon request may be returned to the other House for that purpose. If this further action is agreed to by both Houses, the bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

Correction of Errors.

Rule 12. If errors are found in a bill or resolution which has been passed or adopted by both Houses, the House in which the bill or resolution originated may make amendments to correct the errors and shall notify the other House of its action. If the corrective amendments are agreed to by the other House, the corrected bill or resolution shall be referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.

In addition, the Secretary of the Senate and Clerk of the House of Representatives, as the case may be, shall correct obvious technical errors in the enrolled bill or resolution, including adjusting totals, misspellings, the omission or redundancy of grammatical articles, cross-references, punctuation, updating bill or resolution titles, capitalization, citation formats, and plural or singular word forms.

Bills and Joint Resolutions.

Rule 13. Upon introduction, no bill shall include catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause. The Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter. However, more than one section of the Constitution may be included in the same joint resolution if the subject matter of each section is germane to the proposed amendment.

Yeas and Nays.

Rule 14. The yeas and nays shall be taken and printed in the Journal of the House taking action upon the passage or adoption of any bill, joint resolution, conference report, and amendments made by the other House to a bill or joint resolution.

No Members Present.

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that House to order at the designated time and announce the absence of a quorum. That House shall be declared adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both Houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may, by a unanimous vote of that committee, convene either or both Houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

Passage, Adoption, and Enrollment Printing.

Rule 16. Every bill passed or joint resolution adopted by both Houses and returned to the House of origin shall forthwith be enrolled and signed by the Secretary of the Senate and the Clerk of the House of Representatives. Enrolled bills shall be presented to the Governor, and enrolled joint resolutions that propose an amendment to the Constitution shall be filed with the Secretary of State with a certificate attached to the effect that the joint resolution has been adopted by the Senate and House of Representatives, respectively, in accordance with the provisions of the Constitution. If the House having last passed the bill or adopted the joint resolution requests its return and such request be granted or a motion is made in the House of origin to amend errors in the bill or joint resolution or to give the bill immediate effect, the enrollment printing shall not occur.

Every bill, joint resolution, and concurrent resolution passed or adopted by either House shall be transmitted to the other House. If notice of a motion to reconsider on the next succeeding legislative day is made from the floor or written notice is filed with the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, the bill, joint resolution, or concurrent resolution shall remain in that House until after adjournment the next succeeding legislative day. The notice of reconsideration shall be printed on the daily calendar and in the Journal. If no motion is made in accordance with such notice, the bill, joint resolution, or concurrent resolution shall immediately be transmitted after adjournment.

Immediate Effect.

Rule 17. Whenever both Houses, by the constitutional vote, order that a bill take immediate effect, a statement shall be added at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

Joint Resolutions.

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members serving in each House for adoption. Other joint resolutions shall require a majority of the members serving in each House for adoption. All joint resolutions shall require a record roll call vote.

Veto Override: Filing with Secretary of State.

Rule 19. When a bill is passed by both Houses over the objections of the Governor or a bill is not filed by the Governor with the Secretary of State within the constitutionally mandated 14-day period, and the Legislature continues in session, an official enrolled bill with a letter from the House of origin signed by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, shall be filed with the Secretary of State for a public act number to be assigned. The letter shall certify that the Governor's veto has been overridden by both Houses of the Legislature or that the bill has not been returned within the specified time, as the case may be, in accordance with the provisions of the Constitution.

Section Numbers of Compiled Laws - Amendments.

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed. If the bill was passed at an extra session of the Legislature, the title shall designate which extra session.

Such title shall contain the last title of the act it is proposed to amend. However, the short title (e.g., This act shall be known and may be cited as "The judicature act of 1915,") shall be used in acts where it has been defined by legislative enactment. The title shall also contain the chapter, part numbers and compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title, the House other than the House of origin shall replace the short title with the last full title of the act it is proposed to amend or repeal. Other corrective amendments to the title shall be made as may be necessary. The full title and amended title shall be agreed to by both Houses.

When an amendment to a bill or a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case (capital) type, and the words to be omitted shall be printed in stricken-through type. This style requirement also applies to joint resolutions that amend the Constitution of Michigan.

All bills and joint resolutions introduced, amendments to joint resolutions, substitute bills and joint resolutions, and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

Tie-bars.

Rule 21. A bill or resolution that is tie-barred to a request number shall not be considered for passage or adoption unless that tie-barred request item has been introduced. No bill or resolution shall be passed or adopted by either House until the tie-barred item has been designated in the appropriate blank space provided.

Elections in Joint Convention.

Rule 22. Whenever there is an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives. The results shall be announced by the presiding officers to their respective Houses, printed in the Journal of each House, and communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

Legislative Handbook.

Rule 23. The initial appointment of the standing committee members of the two Houses shall be printed in their respective Journals as soon as possible after the announcement. The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing these appointments and other information they deem appropriate.

Compensation.

Rule 24. Compensation for members, officers, and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and transmitted directly to the payee.

If the office of a member of the Legislature becomes vacant, the compensation for the elected successor shall begin on the date of his or her oath of office.

Committee Expenses.

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$1,000.00 unless authorized in the resolution creating that committee.

Final Adjournment of Regular Sessions.

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

Daily Adjournment.

Rule 27. Neither House shall remain in session on any legislative day beyond 12:00 midnight. If either House is in session at 12:00 midnight, the presiding officer shall declare that House adjourned until a fixed hour for meeting on the next legislative day. That House shall stand adjourned until the next fixed meeting time.

Pending Business.

Rule 28. Any business, bill, or joint resolution which has not been defeated by either House shall be considered pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either House, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution, or veto override was defeated in a previous year.

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 concurrent resolution was adopted, a majority of the members serving voting therefor.

By unanimous consent the Senate returned 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 Peters 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. 491, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2000 PA 200.

Senate Bill No. 492, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as added by 2000 PA 204.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 446

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 446, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10g (MCL 460.10g), as added by 2000 PA 141.

The above bill was read a third time.

The question being on the passage of the bill,

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

Roll Call No. 122

Yeas—24

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

Nays—11

DeBeaussaert	Koivisto	Murphy	Smith
Emerson	Leland	Peters	Young
Hart	Miller	Scott	

Excused—2

Byrum

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Dunaskiss moved that he be excused from tomorrow's and Wednesday, June 6, sessions.
The motion prevailed.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Leland, Dingell, Hart, Cherry, DeBeaussaert, Scott, Emerson, Miller, Smith, Young, Byrum and Murphy introduced

Senate Bill No. 507, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," (MCL 207.1001 to 207.1170) by adding section 31.
The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Steil, McManus and Goschka introduced

Senate Bill No. 508, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 662, 672, 674, and 720 (MCL 168.662, 168.672, 168.674, and 168.720), section 662 as amended by 1999 PA 216 and section 674 as amended by 1996 PA 207, and by adding section 720a.

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

Senators McManus, Gast, Sikkema, Smith, Hart, Emmons, Bullard, Bennett, North, Stille, Gougeon, Young, Peters, DeBeaussaert and Emerson introduced

Senate Bill No. 509, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4 and 4d (MCL 205.94 and 205.94d), section 4 as amended by 2000 PA 200 and section 4d as amended by 2000 PA 328.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senators McManus, Gast, Sikkema, Smith, Hart, Emmons, Bullard, Bennett, North, Stille, Gougeon, Young, Peters, DeBeaussaert and Emerson introduced

Senate Bill No. 510, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 4a and 4g (MCL 205.54a and 205.54g), section 4a as amended by 1999 PA 116 and section 4g as amended by 2000 PA 417.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senators Hart, McManus, Murphy, Cherry and Peters introduced

Senate Bill No. 511, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 367c (MCL 750.367c), as amended by 1998 PA 344.

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

Senators Hart, McManus, Murphy, Cherry and Peters introduced

Senate Bill No. 512, 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 bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Cherry and Emerson introduced

Senate Bill No. 513, entitled

A bill to designate the overpass located at the intersection of highway I-75 and highway M-57 as the “Bernie Borden Memorial Overpass”; and to prescribe the duties of the state transportation department.

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

House Bill No. 4200, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703), as amended by 1999 PA 53.

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

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

House Bill No. 4333, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 5 (MCL 38.1305), as amended by 2000 PA 150.

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

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

House Bill No. 4448, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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

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

House Bill No. 4513, entitled

A bill to repeal 1913 PA 184, entitled “An act to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the state dairy and food commissioner relative thereto,” (MCL 445.331 to 445.341).

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 Farming, Agribusiness and Food Systems.

House Bill No. 4603, entitled

A bill to amend 1986 PA 255, entitled “Prepaid funeral contract funding act,” by amending section 19 (MCL 328.229).

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

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

House Bill No. 4698, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2000 PA 145.

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

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 371, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by repealing section 274 (MCL 206.274).

With the recommendation that the bill pass.

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Hoffman, North, Gougeon, Stille, Smith, Koivisto, Young and Murphy

Nays: Senators Bennett, Goschka, DeBeaussaert and Dingell

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 463, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 353c (MCL 18.1353c), as added by 1995 PA 195.

With the recommendation that the bill pass.

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, North, Gougeon, Bennett, Stille, Goschka, Young, Murphy, DeBeaussaert and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 4253, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4254, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2002; to make, supplement, and

adjust appropriations for certain projects for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Gougeon, Bennett, Stille, Goschka, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4258, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, May 23, 2001, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

The Committee on Judiciary reported

Senate Bill No. 133, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending the title and sections 1, 2, 3, and 4 (MCL 28.211, 28.212, 28.213, and 28.214), section 4 as amended by 2000 PA 320, and by adding sections 1a and 3a; and to repeal acts and parts of acts.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, Schuette, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 469, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 307, 319, 617, and 904d (MCL 257.303, 257.307, 257.319, 257.617, and 257.904d), sections 303, 319, and 904d as amended by 2000 PA 460, section 307 as amended by 1999 PA 118, and section 617 as amended by 1989 PA 267.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, Schuette, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 470, entitled

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

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, Schuette, Peters, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 478, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending the title and sections 1, 1a, 2, 3, and 3a (MCL 28.241, 28.241a, 28.242, 28.243, and 28.243a), the title and sections 1 and 2 as amended by 1988 PA 40, section 1a as amended by 1996 PA 259, section 3 as amended by 1999 PA 266, and section 3a as amended by 1986 PA 231, and by adding section 8.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 479, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 497, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 222 and 237 (MCL 750.222 and 750.237), section 222 as amended by 1992 PA 217.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, Schuette, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 498, entitled

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

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, Schuette, Peters, Dingell and Scott

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 Judiciary submits the following:

Meeting held on Wednesday, May 23, 2001, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator McCotter

The Committee on Hunting Fishing and Forestry reported

House Bill No. 4412, entitled

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

With the recommendation that the bill pass.

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

Philip E. Hoffman
Chairperson

To Report Out:

Yeas: Senators Hoffman, Bullard, Koivisto and Cherry

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Wednesday, May 23, 2001, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Hoffman (C), Bullard, Koivisto and Cherry

Excused: Senator Gast

The Committee on Banking and Financial Institutions reported

Senate Bill No. 471, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 1996 PA 210.

With the recommendation that the bill pass.

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

Valde Garcia
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

Senate Bill No. 489, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act of 1963," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 12c, 12d, 13, 13a, 14, 14a, 15, 17, 18, and 21 (MCL 493.1, 493.2, 493.3, 493.4, 493.5, 493.6, 493.7, 493.8, 493.9, 493.10, 493.11, 493.12, 493.12a, 493.12c, 493.12d, 493.13, 493.13a, 493.14, 493.14a, 493.15, 493.17, 493.18, and 493.21), the title and section 17 as amended by 1980 PA 392, sections 1, 10, 13, and 13a as amended by 1996 PA 184, sections 2, 7, 8, 12c, and 21 as amended by 1992 PA 71, sections 4, 11, 12, 12a, and 14 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding section 15a; and to repeal acts and parts of acts.

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

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

Valde Garcia

Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submits the following:

Meeting held on Thursday, May 24, 2001, at 9:00 a.m., Room 210, Farnum Building

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

Excused: Senator Vaughn

Scheduled Meetings**Banking and Financial Institutions** - Thursday, May 31, 9:00 a.m., Room 210, Farnum Building (373-2420)**Education** - Wednesday, May 30, 8:00 a.m., Room 810, Farnum Building (373-7350)**Families, Mental Health and Human Services** - Wednesday, May 30, 3:00 p.m., Room 100, Farnum Building (373-3543)**Government Operations** - Wednesday, May 30, 9:30 a.m., Room 110, Farnum Building (373-1707)**Judiciary** - Wednesday, May 30, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Senator Emmons moved that the Senate adjourn.

The motion prevailed, the time being 1:20 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, May 30, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

