

No. 69
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, October 11, 2001.

10:00 a.m.

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

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

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

Gougeon—present
Hammerstrom—present
Hart—present
Hoffman—excused
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—excused
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

Father Timothy Pelc of St. Ambrose Catholic Church of Grosse Pointe Park offered the following invocation:

Three hundred years ago, European explorers landed along the shores of the Detroit River. Among them were two missionaries who braved the journey out of a zealous desire to meet the native people of the land and to share their experience of God. From that hour until today, generation after generation of people from every nation under the sun have come to make a home in southeastern Michigan, creating a mosaic of more than a hundred different ethnic and racial groups.

Despite our cultural diversity, we have been united by a deep conviction of the importance of faith as a necessary building block for creating a just society. In fact, right at the heart of downtown Detroit, at the corner of Woodward and Jefferson, proudly stands the beautiful Marshall Frederick's statue known as the "Spirit of Detroit" supporting the sun and a family in his outstretched arms—a sign of our community with God and each other through our shared covenant of faith. Above that statue are inscribed the following words of Paul's second letter to the Corinthians: "Now the Lord is that Spirit and where the Spirit is, there is freedom." This day we praise God for the freedom with which the city of Detroit has been blessed for these past 300 years.

As in all covenant relationships, our bond with God and each other needs to be reaffirmed each day as we proclaim anew our personal act of faith using the word "Amen," meaning so be it. So on this great day, honoring 300 years of our history, let us celebrate and proclaim our "Amen." I invite you to please add your "Amen" to each of these invocations.

Through the ancient spirituality of the native people who had already been living here for many centuries, the new arrivals acquired a deeper appreciation of God's presence in the wonder of nature. In thanksgiving for that example, we proclaim: Amen!

Over the years that followed, churches, synagogues, temples, and mosques quickly filled the landscape—external signs of our interior relationship with God and with each other, and a pledge of openness and respect and solidarity for people of other faith backgrounds and experiences. For all the diversity of our communities and for their faith heritage, we proclaim: Amen!

We also admit with sorrow the many times and ways our relationships were narrow and parochial, concerned about preserving and promoting our own particular religious, ethnic, and racial interests. We confess with sadness the subtle but clear lines of demarcation which separate us, and we pledge to work together for a renewal of the vitality and unity of our metro area and across the state. And so we proclaim: Amen!

As we begin this new century, we rejoice to see people returning to our great metropolitan city along the same corridors and arteries by which the previous generations have left. We trust that, yet again, Detroit is coming to a new birth, rising up from out of any ashes of our past. With hope, we proclaim: Amen!

As religious and political leaders, we gather together this day to announce a shared commitment to work with our respective congregations, constituents, and brothers and sisters of all viewpoints and backgrounds to create a new city and to forge together one common covenant relation with our Creator and with each other. For God's blessing on our cooperation, we say: Amen!

We turn to the Lord with thanksgiving for all that has been. We bless the Lord for His providential care and guidance because even in times of human prejudice and fear, and in the midst of tragedy and suffering, He has always sustained us. With humility of heart and eagerness of spirit, we pledge to look for His presence in one another. We ask forgiveness of one another for the times and the ways we have not been open or hospitable, and we pledge to be better stewards of our common gifts and resources. For this, we say: Amen!

Detroit is a city that belongs to each of us. It is a great international symbol of unity and diversity. We are a people of hope, a city of workers, blessed with boundless energy and creative strategies for every possible economic, educational, and political problem. On this day, we affirm that our relationships with each other must be and will be founded, first and foremost, on our respect and reverence for God, grateful for the life He has given us and His love which sustains us. With thanks, we proclaim: Amen!

May we remember that the thread of continuity from generation to generation, the heart and center of all is our conviction that God is with us and for us. Alone we can do nothing, but with God and one another, we can accomplish many great things. For all God's blessings in the past, we proclaim: Amen!

To the faith and the courage of the native people and the early pioneers of the first 100 years, we say: Amen!

To those who welcomed the stranger during the second century of our history and supported the cause of freedom and justice for all, we say, again: Amen!

With joy and gratitude, we give thanks for the last century of Detroit's 300 years; for the faith and determination of different races and ethnic people, all living and working together with God and with each other. Again, we say: Amen!

For all that will be in the years ahead, with hope, we proclaim: Amen! Amen! Amen!

Senator Young entered the Senate Chamber.

Motions and Communications

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

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

Senator Emmons moved that she be excused from next week's sessions.
The motion prevailed.

She will be attending the Task Force on Electronic Commerce and Telecommunications committee meeting and the National Council of State Legislatures Executive committee meeting in Honolulu.

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

The motion prevailed.

Senator Young's statement is as follows:

Today we are having a birthday party in celebration of Detroit's 300th birthday. I sponsored an art and writing project for young people throughout Metropolitan Detroit. Young artists from several schools submitted art and essays on "What I Love About Detroit." This artwork will be displayed in Rooms 53 and 55 of the State Capitol beginning today through October 26. I invite you to view this imaginative and talented work.

Each Senator will find a piece of artwork on his or her desk for them to keep. One of the schools participating in the project was St. Ambrose Academy. Father Timothy Pelc from St. Ambrose, who's sitting at my desk, gave the invocation this morning. Several young artists from St. Ambrose developed a magnificent replica of Fort Pontchartrain. Unfortunately, this replica was unable to make it to Lansing as part of our display. However, they do have some wonderful pictures which show the hard work and talent that went into the project. Many of these young artists from St. Ambrose are here today in the north Gallery to help kick off the opening of our display. They are Mitchell Gatzke, Stella Gatzke, Jamie Owens, Ashley Halliburton, Steven Halliburton, and Lisa Halliburton. I would also like to recognize staff and chaperones from St. Ambrose: Chuck Dropiewski, Bernadette Gutowski, Mary Turpin, Grant and Stephanie Ruttinger, and, of course, Robert Gatzke.

Outside of the Senate Chamber we have cake and ice cream as well for your enjoyment. Thank you for helping me to celebrate the 300th birthday of the city of Detroit.

The Assistant Associate President pro tempore, Senator Miller, assumed the Chair.

Messages from the Governor

The following message from the Governor was received and read:

October 10, 2001

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

Michigan Beef Industry Commission

Mr. Jack W. Knirk, 168 N. Stringtown Road, Quincy, Michigan 49082-9721, county of Branch, as a member representing cattle feeders, succeeding himself, for a term expiring on May 31, 2004.

Mr. John Vander Boon, 1240 Grand River Drive, Ada, Michigan 49301, county of Kent, as a member representing meat packing executives, succeeding himself, for a term expiring on May 31, 2004.

Mr. Robert E. DeYoung, 3086 Hoag, NE, Grand Rapids, Michigan 49525, county of Kent, as a member representing retailers, succeeding himself, for a term expiring on May 31, 2004.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Conference Reports

Senator Shugars submitted the following:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 30, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16277.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House and to the following amendment:

1. Amend page 2, line 1, after "OF" by inserting "OR AS A RESULT OF A REFERRAL FROM".

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 16277.

Dale Shugars
John J.H. Schwarz
Conferees for the Senate

Jim Howell
Andrew Richner
Conferees for the House

Pursuant to joint rule 9, the conference report was laid over one day.

By unanimous consent the Senate returned to the order of
Messages from the House

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

Senate Bill No. 404

Senate Bill No. 405

Senate Bill No. 406

Senate Bill No. 410

Senate Bill No. 402

Senate Bill No. 403

Senate Bill No. 407

The motion prevailed.

Senate Bill No. 408, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 47 (MCL 125.1447).

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

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

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

Senate Bill No. 409, 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 2000 PA 492.

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

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 411, 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 2000 PA 412.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and amended 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 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 13.

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

Senator Schwarz entered the Senate Chamber.

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

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:

House Bill No. 4360

Senate Bill No. 675

House Bill No. 4813

House Bill No. 4924

House Bill No. 4925

House Bill No. 4735

House Bill No. 4736

The motion prevailed.

The following bill was read a third time:

House Bill No. 4360, entitled

A bill to make, supplement, and adjust appropriations for the department of consumer and industry services for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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. 337

Yeas—34

Bennett
Bullard

Emmons
Garcia

Leland
McCotter

Scott
Shugars

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gast
Goschka
Gougeon
Hammerstrom
Hart
Johnson
Koivisto

Miller
Murphy
North
Peters
Schuette
Schwarz

Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—3

Hoffman

McManus

Vaughn

Not Voting—0

In The Chair: Schwarz

Senator Emmons moved that the bill be given immediate effect.
The motion prevailed, 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. 675, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 12 and 17 (MCL 777.12 and 777.17), section 12 as amended by 2001 PA 104 and section 17 as amended by 2000 PA 300.

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. 338

Yeas—34

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Johnson
Koivisto

Leland
McCotter
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—3

Hoffman

McManus

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:

House Bill No. 4813, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 319 and 732 (MCL 257.319 and 257.732), as amended by 2001 PA 103, and by adding sections 58c and 626c; 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. 339**Yeas—34**

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

Nays—0**Excused—3**

Hoffman

McManus

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4924, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2103 (MCL 500.2103), as amended by 1990 PA 305.

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. 340

Yeas—34

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

Nays—0

Excused—3

Hoffman	McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation

over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4925, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82147 (MCL 324.82147), as added by 1995 PA 58.

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. 341

Yeas—34

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

Nays—0

Excused—3

Hoffman	McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4735, entitled

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects,” by amending sections 1, 2, 3, 5, and 7 (MCL 125.981, 125.982, 125.983, 125.985, and 125.987), sections 1, 2, 3, and 5 as amended by 1999 PA 49 and section 7 as added by 1992 PA 146.

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. 342

Yeas—27

Bennett	Garcia	Leland	Scott
Bullard	Gast	Miller	Smith
Byrum	Gougeon	Murphy	Steil
Cherry	Hammerstrom	North	Stille
DeBeaussaert	Hart	Peters	Van Regenmorter
Dingell	Johnson	Schuetz	Young
Emerson	Koivisto	Schwarz	

Nays—7

DeGrow	Emmons	McCotter	Sikkema
Dunaskiss	Goschka	Shugars	

Excused—3

Hoffman	McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 4736, entitled

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects,” (MCL 125.981 to 125.987) by adding chapter 2.

The question being on the passage of the bill,

Senator Cherry offered the following amendment:

1. Amend page 13, line 4, after “ORDINANCES.” by inserting “A BUSINESS IMPROVEMENT DISTRICT CREATED UNDER THIS CHAPTER SHALL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS.”.

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

The question being on the passage of the bill,

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

Roll Call No. 343**Yeas—28**

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

Nays—6

DeGrow	Emmons	McCotter	Shugars
Dunaskiss	Goschka		

Excused—3

Hoffman	McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Smith's statement is as follows:

I would like to announce an event on the University of Michigan campus that is not a football game. Tomorrow, Friday, October 12, one of our members, Senator Christopher Dingell, is being honored as the outstanding alumni by the College of Engineering at the University of Michigan. I wish Chris the best as he goes forward to get his distinguished alumni award, and I hope my colleagues join me in that.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Garcia, Steil, Gougeon, Shugars, Johnson, Bullard, North, Scott, Emerson, Bennett, Stille, Leland, Hammerstrom, Goschka, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 698, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4201a.

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

Senators Garcia, Steil, Gougeon, Johnson, Shugars, Bullard, North, Scott, Emerson, Hart, Bennett, Stille, Leland, Hammerstrom, Goschka, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 699, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 430a.

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

Senators Goschka, Steil, Gougeon, Shugars, Johnson, Bullard, North, Scott, Emerson, Hart, Bennett, Stille, Leland, Garcia, Hammerstrom, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 700, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," (MCL 493.51 to 493.81) by adding section 21a.

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

Senators Garcia, Steil, Gougeon, Shugars, Johnson, Bullard, North, Emerson, Hart, Bennett, Stille, Leland, Hammerstrom, Goschka, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 701, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 23a.

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

Senators Garcia, Steil, Gougeon, Johnson, Bullard, North, Scott, Emerson, Hart, Bennett, Stille, Leland, Goschka, Hammerstrom, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 702, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," (MCL 490.1 to 490.31) by adding section 10a.

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

Senators Garcia, Steil, Gougeon, Shugars, Johnson, Bullard, North, Scott, Emerson, Hart, Bennett, Stille, Hammerstrom, Leland, Goschka, Miller, Koivisto, Dingell, Young and Emmons introduced

Senate Bill No. 703, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 718a.

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

Senators Van Regenmorter, Dingell and McCotter introduced

Senate Bill No. 704, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 36 of chapter VIII (MCL 768.36).

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

Scheduled Meetings

Economic Development, International Trade and Regulatory Affairs - Tuesdays, October 16 and 23, 1:00 p.m., Room 110, Farnum Building (373-7946)

Farming, Agribusiness and Food Systems - Wednesday, October 17, 1:00 p.m., Room 405, Capitol Building (373-1725)

Great Lakes Conservation Task Force - Thursday, October 18, 6:00 p.m., Northern Michigan University, Don H. Bollum University Center, Ontario Room, 2nd Floor, 1401 Presque Isle Avenue, Marquette; Tuesday, October 30, 6:00 p.m., City of Port Huron Municipal Office Center, 100 McMorran Boulevard, Port Huron; Monday, November 5, 6:00 p.m., St. Joseph Public Library, 500 Market, St. Joseph; Monday, November 26, 6:00 p.m., Saginaw Valley State University, Curtis Center, 2250 Pierce Road, University Center (373-0797)

Health Policy - Tuesday, October 16, 3:00 p.m., Room 100, Farnum Building (373-0793)

Judiciary - Wednesday, October 17, 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 10:40 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, October 16, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

