

No. 67
STATE OF MICHIGAN
Journal of the Senate
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REGULAR SESSION OF 2002

Senate Chamber, Lansing, Wednesday, November 13, 2002.

10:00 a.m.

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

The roll was called by the Assistant 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—excused
Gast—present
Goschka—present

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

Sanborn—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 Walter H. North of the 37th District offered the following invocation:

Dear God, this week is Veterans' Week. Monday was Veterans' Day. Please bless all of the veterans who have made personal sacrifices that have resulted in the freedoms we enjoy not only in this country, but many countries around the world.

Dear God, we thank You for the opportunity to serve the people of this great state. As the service of some of us winds down, please let us strive to continue through the legislative session to arrive at solutions that are fair and just.

All of this we ask in Thy name. Amen.

The President, Lieutenant Governor Dick Posthumus, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Leland and Bennett entered the Senate Chamber.

Senator Emmons moved that Senators Bullard, Dunaskiss, Goschka, Hammerstrom and Sikkema be temporarily excused from today's session.

The motion prevailed.

Senator Emmons moved that Senators McCotter and Garcia be excused from today's and tomorrow's sessions.

The motion prevailed.

Senators Hammerstrom, Sikkema, Bullard and Goschka entered the Senate Chamber.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, November 12:

House Bill No. 6256

The Secretary announced the printing and placement in the members' files on Tuesday, November 12, of:

Senate Bill Nos. 1497 1500 1501 1502 1503 1504

**House Bill Nos. 6459 6460 6462 6463 6464 6465 6466 6467 6468 6469 6470 6471 6472 6474
6475 6476 6477 6488 6489 6497 6498 6499 6500 6503 6504 6505 6506 6507
6508 6509 6510 6511 6512 6513 6514 6516 6517 6518**

House Joint Resolution II

Messages from the House

House Bill No. 5083, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2217.

The House of Representatives has appointed Reps. Kuipers, Tabor and Hansen as conferees to join with Senators Bennett, Stille and Peters.

The bill was referred to the Conference Committee on November 12, 2002.

Senate Bill No. 557, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 222 (MCL 330.1222), as amended by 1995 PA 290.

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. 1337, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 232b.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), 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.

Conference Reports

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

Senate Joint Resolution D

The motion prevailed.

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 1013, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 2 of chapter XI (MCL 771.2), as amended by 1998 PA 520, and by adding section 4b to chapter XI.

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. 892

Yeas—26

Bullard	Emmons	Leland	Schwarz
Byrum	Gast	McManus	Scott
Cherry	Gougeon	Miller	Smith
DeBeaussaert	Hammerstrom	Murphy	Stille
DeGrow	Hart	North	Van Regenmorter
Dingell	Johnson	Peters	Young
Emerson	Koivisto		

Nays—8

Bennett	Hoffman	Schuette	Sikkema
Goschka	Sanborn	Shugars	Steil

Excused—4

Dunaskiss	Garcia	McCotter	Vaughn
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

Senate Bill No. 1383

Senate Bill No. 1221

Senate Bill No. 1385

Senate Bill No. 1410

Senate Bill No. 1418

Senate Bill No. 1428

Senate Bill No. 1434

The motion prevailed.

Senator Dunaskiss entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1383, entitled

A bill to amend 1990 PA 182, entitled “An act to require counties to redistribute certain payments received from the federal government; and to repeal certain acts and parts of acts,” by amending sections 1 and 3 (MCL 141.1301 and 141.1303).

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. 893

Yeas—35

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

Nays—0

Excused—3

Garcia	McCotter	Vaughn
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1221, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 302 (MCL 32.702).

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. 894

Yeas—35

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

Nays—0

Excused—3

Garcia

McCotter

Vaughn

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1385, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

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. 895

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—3

Garcia

McCotter

Vaughn

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1410, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

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. 896

Yeas—35

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

Nays—0

Excused—3

Garcia	McCotter	Vaughn
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1418, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304, 307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

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. 897

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Gast	McManus	Shugars
Byrum	Goschka	Miller	Sikkema
Cherry	Gougeon	Murphy	Smith
DeBeaussaert	Hammerstrom	North	Steil

DeGrow
Dingell
Dunaskiss
Emerson

Hart
Hoffman
Johnson
Koivisto

Peters
Sanborn
Schuette
Schwarz

Stille
Van Regenmorter
Young

Nays—0

Excused—3

Garcia

McCotter

Vaughn

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1428, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

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. 898

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—3

Garcia

McCotter

Vaughn

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1434, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 250 (MCL 500.250).

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. 899

Yeas—35

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

Nays—0

Excused—3

Garcia	McCotter	Vaughn
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Emmons moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1127

Senate Bill No. 1368

Senate Bill No. 1448

Senate Bill No. 1449

Senate Bill No. 1450

Senate Bill No. 1451

Senate Bill No. 1452

Senate Bill No. 1419

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

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 Hammerstrom as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant 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. 1127, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520a, 520b, 520c, 520d, and 520e (MCL 750.520a, 750.520b, 750.520c, 750.520d, and 750.520e), sections 520a and 520e as amended by 2000 PA 505, section 520b as amended by 1983 PA 158, section 520c as amended by 2000 PA 227, and section 520d as amended by 1996 PA 155.

Senate Bill No. 1368, entitled

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 8 (MCL 28.258), as amended by 1995 PA 39.

Senate Bill No. 1449, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," (MCL 600.101 to 600.9948) by adding section 151d.

Senate Bill No. 1450, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," (MCL 600.101 to 600.9948) by adding section 151e.

Senate Bill No. 1451, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 1999 PA 73.

Senate Bill No. 1452, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

Senate Bill No. 1419, entitled

A bill to amend 2001 PA 122, entitled "Equitable sales and use tax administration act," by amending section 17 (MCL 205.167).

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. 1448, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226. Substitute (S-1).

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

Resolutions

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

Senate Resolution No. 276

The resolution consent calendar was adopted.

Senators DeBeaussaert and Smith offered the following resolution:

Senate Resolution No. 276.

A resolution honoring Paul D. Zugger upon his retirement from the Michigan Department of Environmental Quality, Environmental Assistance Division.

Whereas, It is with sincere appreciation for the hard work, dedication, and professionalism that Mr. Paul Zugger has put forth on behalf of the citizens of the state of Michigan that we offer our congratulations upon the occasion of his retirement from the Environmental Assistance Division of the Michigan Department of Environmental Quality. It is an honor and a privilege to recognize Mr. Zugger, who has served with dedication and integrity in the protection of Michigan's environment; and

Whereas, For over 30 years, Paul Zugger has provided leadership and served as an example of public service that is emulated by Michigan Department of Environmental Quality employees; and

Whereas, Mr. Zugger's public service career began in 1972, when he joined the Department of Natural Resources, holding positions in the Water Quality Division and the Environmental Enforcement Division; and

Whereas, In 1983, he was appointed as chief of the Surface Water Quality Division, where he served with distinction, overseeing a period of growth in environmental awareness and the importance of protecting Michigan's surface water resources; and

Whereas, In 1993, Mr. Zugger served a one-year detail with the United States Environmental Protection Agency, Office of Water, serving in an advisory capacity to the deputy assistant administrator for water on matters related to the federal Clean Water Act, and the national strategy for Combined Sewer Overflows; and

Whereas, Since its inception in 1994, Mr. Zugger has served as chief of the Environmental Assistance Division in the Michigan Department of Environmental Quality, guiding the growth of the new division, dedicated to providing timely and effective environmental information and assistance, fostering innovative approaches to ensuring that Michigan businesses, municipalities, and government agencies meet their environmental responsibilities; and

Whereas, He guided a myriad of environmental assistance programs, performing his duties in an exceptional manner and ensuring that these efforts bear fruit for many years to come; and

Whereas, The Michigan Department of Environmental Quality will greatly miss the counsel, advice, and leadership that Paul Zugger has provided; and

Whereas, Mr. Zugger has served in all of these capacities with the highest integrity and professionalism. It is a pleasure to join with his family, friends, and co-workers in commending him for an unparalleled career of accomplishments in protecting Michigan's environment and public health. May he know of our respect and warmest wishes; now, therefore, be it

Resolved by the Senate, That we hereby honor and celebrate the retirement of Paul D. Zugger from the Department of Environmental Quality, Environmental Assistance Division; and be it further

Resolved, That a copy of this resolution be transmitted to Paul D. Zugger as a token of our highest esteem.

Senators Hoffman, Dingell and North offered the following concurrent resolution:

Senate Concurrent Resolution No. 73.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, The Constitution of the State of Michigan of 1963 provides in Article XI, Section 5:

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.
; and

Whereas, As a result of recently completed negotiations and binding arbitration, a settlement has been reached on a three-year contract between the state and the Michigan State Troopers Association regarding compensation and other terms and conditions of employment. This settlement, which will be retroactive to its effective date of October 1, 1999, was reached past the time when the governor could transmit the increase as part of the budget; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, pursuant to Article XI, Section 5 of the Constitution of the State of Michigan of 1963, the Michigan Legislature waives the prior notice requirement to permit increases in rates of compensation for certain members of the Department of State Police as set in the contract settled between the Michigan State Police Troopers Association and the state and the Civil Service Commission; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

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.

Senator Emmons offered the following concurrent resolution:

Senate Concurrent Resolution No. 74.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the House of Representatives adjourns on Wednesday, November 13, 2002, it stands adjourned until Tuesday, December 3, 2002, at 2:00 p.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, November 14, 2002, it stands adjourned until Tuesday, December 3, 2002, at 10:00 a.m.

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.

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, Lieutenant Governor Posthumus, designated Senator Hammerstrom as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having resumed the Chair, the Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 1121, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16261, 16401, and 16411 (MCL 333.16261, 333.16401, and 333.16411).

Substitute (S-3).

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

1. Amend page 2, line 17, after the second "the" by inserting "HUMAN".

2. Amend page 3, line 21, after "article." by inserting "THE 2002 AMENDATORY ACT THAT ADDED THIS SENTENCE DOES NOT AFFECT THE SCOPE OF PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY PROVIDED FOR IN PARTS 170 AND 175.

Enacting section 1. The 2002 amendatory act that amended section 16411 is intended to codify existing law and to clarify and cure any misinterpretation of the operation of sections 16216, 16401, and 16411 of the public health code, 1978 PA 368, MCL 333.16216, 333.16401, and 333.16411, since the effective date of their enactment. The 2002 amendatory act does not affect the relationship between chiropractic and veterinary medicine, including the ability of a veterinarian to delegate the authority to practice animal chiropractic to a chiropractor, as provided in Department of Consumer and Industry Services v Hoffman, 230 Mich. App. 170 (1998)."

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Bullard introduced

Senate Bill No. 1508, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 109 (MCL 55.109), as amended by 1984 PA 301.

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

Senator Emmons introduced

Senate Bill No. 1509, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 3 and 13 (MCL 205.423 and 205.433), section 3 as amended by 1997 PA 187 and section 13 as amended by 1995 PA 131.

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

Senator Johnson introduced

Senate Bill No. 1510, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 377a, 380, and 382 (MCL 750.377a, 750.380, and 750.382), sections 377a and 380 as amended by 1998 PA 311 and section 382 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 Cherry and Byrum introduced

Senate Bill No. 1511, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

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

Senator Garcia introduced

Senate Bill No. 1512, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1263 (MCL 380.1263), as amended by 1990 PA 159.

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

Senator Garcia introduced

Senate Bill No. 1513, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Peters introduced

Senate Bill No. 1514, entitled

A bill to amend 1988 PA 112, entitled "The business opportunity act for persons with disabilities," by amending the title and section 3 (MCL 450.793), as amended by 1998 PA 73.

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

Senator Peters introduced

Senate Bill No. 1515, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 297a.

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

House Bill No. 6256, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending the title and sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 19, 21, 22, 23, and 24 (MCL 290.652, 290.653, 290.654, 290.655, 290.657, 290.658, 290.659, 290.660, 290.661, 290.667, 290.669, 290.671, 290.672, 290.673, and 290.674), sections 2, 3, 5, 7, 9, 10, 21, and 22 as amended by 1996 PA 216, section 8 as amended by 1997 PA 20, and sections 19, 23, and 24 as amended by 1980 PA 196; and to repeal acts and parts of acts.

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

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

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 1127, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520a, 520b, 520c, 520d, and 520e (MCL 750.520a, 750.520b, 750.520c, 750.520d, and 750.520e), sections 520a and 520e as amended by 2000

PA 505, section 520b as amended by 1983 PA 158, section 520c as amended by 2000 PA 227, and section 520d as amended by 1996 PA 155.

With the recommendation that the bill pass.

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1368, entitled

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 8 (MCL 28.258), as amended by 1995 PA 39.

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, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1448, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226.

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, 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. 1449, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," (MCL 600.101 to 600.9948) by adding section 151d.

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, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1450, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 151e.

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, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1451, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 1999 PA 73.

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, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1452, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

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, Dingell and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1497, entitled

A bill to amend 1927 PS 175, entitled "The code of criminal procedure," by amending sections 26 and 28 of Chapter V (MCL 765.26 and 765.28).

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, 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 Finance reported

Senate Bill No. 1419, entitled

A bill to amend 2001 PA 122, entitled "Equitable sales and use tax administration act," by amending section 17 (MCL 205.167).

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Tuesday, November 12, 2002 at 1:12 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Emmons (C), Bullard, Garcia, Peters and Byrum

Scheduled Meetings

Medicaid Buy-in Program Task Force - Thursday, November 14, 2:00 p.m., Room 810, Farnum Building (373-2523)

Technology and Energy - Thursday, November 14, 8:00 a.m., Room 405, Capitol Building (373-0797)

Transportation and Tourism - Thursday, November 14, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

Senator Emmons moved that the Senate adjourn.

The motion prevailed, the time being 10:49 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, November 14, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.