

**No. 44**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, May 18, 1999.

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 not present.

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

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

Rogers—present  
Schuette—present  
Schwarz—present  
Shugars—present  
Sikkema—present  
A. Smith—present  
V. Smith—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Senator Jackie Vaughn III of the 4th District offered the following invocation:

Grant us vision for our state, fair as she might be: a state of justice where none shall prey upon others; a state of plenty where vice and poverty shall cease to fester; a state of humanism where success shall be founded on service; honor shall be given to nobleness alone; a state of peace where order shall not rest on force, but on the love of all of humanity, the great mother of the common life.

Proverbs 14:34 challenges all of us. Righteousness exalteth a nation, but sin is reproach to any people. This is our prayer for this holiday season and God's blessings to all of humankind.

### Recess

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:04 a.m.

11:01 a.m.

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

During the recess, Senators Miller, V. Smith, Goschka, Schwarz, Shugars, Dunaskiss, Gast, Murphy, Johnson, Hoffman, DeGrow, Steil, Bennett, Gougeon, Jaye, Emmons, North, Stille, Sikkema, Leland and Van Regenmorter entered the Senate Chamber.

A quorum of the Senate was present.

By unanimous consent the Senate proceeded to the order of

### Messages from the Governor

The following messages from the Governor were received:

Date: May 10, 1999

Time: 3:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

#### **Enrolled Senate Bill No. 125 (Public Act No. 21), being**

An act to amend 1949 PA 300, entitled "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 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," by amending sections 320a and 732 (MCL 257.320a and 257.732), section 320a as amended by 1998 PA 350 and section 732 as amended by 1998 PA 348.

(Filed with the Secretary of State on May 11, 1999, at 9:30 a.m.)

Date: May 10, 1999

Time: 3:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

#### **Enrolled Senate Bill No. 126 (Public Act No. 22), being**

An act to amend 1994 PA 451, entitled "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," by amending sections 81134, 81135, and 82141 (MCL 324.81134, 324.81135, and 324.82141), section 81134 as amended by 1998 PA 355 and sections 81135 and 82141 as added by 1995 PA 58.

(Filed with the Secretary of State on May 11, 1999, at 9:32 a.m.)

Respectfully,  
John Engler  
Governor

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 13:  
**House Bill Nos. 4132 4605 4606**

The Secretary announced that the following House bill was received in the Senate and filed on Friday, May 14:  
**House Bill No. 4582**

The Secretary announced the printing and placement in the members' files on Friday, May 14 of:  
**Senate Bill Nos. 588 599 600 601 602 603 604**  
**Senate Joint Resolution L**  
**House Bill Nos. 4649 4650 4651 4652 4653 4654 4655 4656 4657 4660 4661 4662 4663 4664**  
**4665 4667 4668 4669 4670 4671 4672 4673 4674 4675 4676 4677 4678 4679**  
**4680 4681 4682**

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

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

- Senate Bill No. 556**
- Senate Bill No. 557**
- Senate Bill No. 558**
- Senate Bill No. 559**
- Senate Bill No. 560**
- Senate Bill No. 586**
- Senate Bill No. 505**
- Senate Bill No. 506**
- Senate Bill No. 566**
- Senate Bill No. 567**
- Senate Bill No. 568**
- Senate Bill No. 569**
- Senate Bill No. 570**
- Senate Bill No. 571**
- Senate Bill No. 509**
- Senate Bill No. 515**
- Senate Bill No. 516**
- Senate Bill No. 517**
- Senate Bill No. 518**
- Senate Bill No. 519**
- Senate Bill No. 343**
- Senate Bill No. 344**
- Senate Bill No. 345**
- Senate Bill No. 346**
- Senate Bill No. 347**
- Senate Bill No. 348**
- Senate Bill No. 487**
- Senate Bill No. 488**
- Senate Bill No. 489**

**Senate Bill No. 507**  
**Senate Bill No. 281**  
**Senate Bill No. 438**  
**Senate Bill No. 385**  
**Senate Bill No. 485**  
**Senate Bill No. 513**  
**Senate Bill No. 514**  
**Senate Bill No. 454**  
**Senate Bill No. 555**  
**Senate Bill No. 96**  
 The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 556, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 625, 625g, 625h, 732, 904, 904c, 904d, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.625, 257.625g, 257.625h, 257.732, 257.904, 257.904c, 257.904d, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by 1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 732 as amended by 1998 PA 348, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and sections 904d and 904e as added by 1998 PA 358.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendments:

1. Amend page 54, following line 9, section 732(1)(b), after "(b)" by striking out "BEGINNING OCTOBER 1, 2000, IMMEDIATELY" and inserting "Immediately".

2. Amend page 54, following line 9, section 732(1)(c), after "(c)" by striking out "Immediately" and inserting "BEGINNING OCTOBER 1, 2000, IMMEDIATELY".

The amendments were adopted, a majority of the members serving voting therefor.

Senator Van Regenmorter offered the following amendment:

1. Amend page 75, following line 22, subsection (8), after "REQUIRE" by inserting "THE DEFENDANT OR".

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. 215**

**Yeas—36**

Bennett	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema
Cherry	Gougeon	McManus	Smith, A.
DeBeaussaert	Hammerstrom	Miller	Smith, V.
DeGrow	Hart	Murphy	Steil
Dingell	Hoffman	North	Stille
Dunaskiss	Jaye	Peters	Van Regenmorter
Emerson	Johnson	Rogers	Vaughn
Emmons	Koivisto	Schwarz	Young

**Nays—0**

**Excused—0**

**Not Voting—2**

Bullard

Schuette

In The Chair: President

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 219, 233, 258, 303, 310d, 321a, 323, 602a, 605, 625, 625g, 625h, 732, 904, 904c, 904d, and 904e (MCL 257.204a, 257.219, 257.233, 257.258, 257.303, 257.310d, 257.321a, 257.323, 257.602a, 257.605, 257.625, 257.625g, 257.625h, 257.732, 257.904, 257.904c, 257.904d, and 257.904e), sections 204a, 219, 233, and 323 as amended by 1998 PA 346, sections 258 and 602a as amended by 1998 PA 347, section 303 as amended by 1998 PA 351, sections 310d and 321a as amended by 1998 PA 343, section 625 as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, section 625h as amended by 1996 PA 59, section 732 as amended by 1999 PA 21, section 904 as amended by 1998 PA 342, section 904c as added by 1998 PA 359, and sections 904d and 904e as added by 1998 PA 358.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senators Shugars, Gougeon and Miller moved that they be named co-sponsors of the following bill:

**Senate Bill No. 556**

The motion prevailed.

Senator Rogers moved that Senators Schuette and Bullard be temporarily excused from today's session.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 557, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7408a (MCL 333.7408a), as added by 1993 PA 361.

The question being on the passage of the bill,

Senator Schuette entered the Senate Chamber.

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

**Roll Call No. 216**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars and Gougeon moved that they be named co-sponsors of the following bill:

**Senate Bill No. 557**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 558, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8511 (MCL 600.8511), as amended by 1996 PA 79.

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. 217**

**Yeas—36**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emmons	Koivisto	Schuette	Vaughn
Gast	Leland	Schwarz	Young

**Nays—0**

**Excused—1**

Bullard

**Not Voting—1**

Emerson

In The Chair: President

The Senate agreed to the title of the bill.

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

**Senate Bill No. 558**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 559, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 9f of chapter IV (MCL 764.9f), as amended by 1998 PA 264.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendment:

1. Amend page 3, line 5, after "TO" by striking out the balance of the subdivision and inserting "DETAINMENT FOR VIOLATING A PERSONAL PROTECTION ORDER."

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

Senator V. Smith moved that Senator Emerson be temporarily excused from the balance of today’s session. The motion prevailed.

Senator Emerson entered the Senate Chamber.

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. 218**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetz	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars and Gougeon moved that they be named co-sponsors of the following bill:

**Senate Bill No. 559**  
The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 560, 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 section 3 (MCL 28.243), as amended by 1989 PA 97.

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. 219**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema

Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons  
Gast

Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto  
Leland

Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

Smith, A.  
Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars, Gougeon, Peters, Steil, North, DeBeaussaert, Goschka and A. Smith moved that they be named co-sponsors of the following bill:

**Senate Bill No. 560**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 586, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 1998 PA 416.

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. 220**

**Yeas—29**

Bennett  
Byrum  
Cherry  
DeBeaussaert  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Hammerstrom  
Hart  
Johnson  
Koivisto  
Leland  
McCotter

McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette

Schwarz  
Smith, A.  
Smith, V.  
Steil  
Stille  
Vaughn  
Young

**Nays—8**

DeGrow  
Goschka

Gougeon  
Hoffman

Jaye  
Shugars

Sikkema  
Van Regenmorter



**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Schuette stated that had he been present when the vote was taken on the passage of the following bill, he would have voted “yea”:

**Senate Bill No. 556**

The following bill was read a third time:

**Senate Bill No. 505, entitled**

A bill to amend 1984 PA 387, entitled “State food stamp distribution act,” by amending section 1 (MCL 400.751).

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. 221****Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0****Excused—1**

Bullard

**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. 506, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 60 (MCL 400.60).

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. 222****Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0****Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Shugars, Stille and Dunaskiss moved that they be named co-sponsors of the following bill:

**Senate Bill No. 506**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 566, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 4, 5, 7, 9, and 10 (MCL 28.722, 28.723, 28.724, 28.725, 28.727, 28.729, and 28.730), section 3 as amended by 1995 PA 10 and sections 7 and 10 as amended by 1996 PA 494, and by adding section 5a.

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. 223****Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

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

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 3, 4, 5, 7, 8, 9, and 10 (MCL 28.722, 28.723, 28.724, 28.725, 28.727, 28.728, 28.729, and 28.730), section 3 as amended by 1995 PA 10 and sections 7, 8, and 10 as amended by 1996 PA 494, and by adding sections 5a, 8a, and 8b.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 567, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 1998 PA 478.

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. 224**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**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. 568, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1 and 16a of chapter IX (MCL 769.1 and 769.16a), section 1 of chapter IX as amended by 1998 PA 520 and section 16a of chapter IX as amended by 1993 PA 85.

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. 225**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetz	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**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. 569, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1998 PA 330.

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. 226**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille

Dunaskiss  
Emerson  
Emmons  
Gast

Johnson  
Koivisto  
Leland

Rogers  
Schuette  
Schwarz

Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Bullard

**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. 570, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1998 PA 118.

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. 227**

**Yeas—37**

Bennett  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons  
Gast

Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Smith, A.  
Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Bullard

**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. 571, 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 added by 1998 PA 317.

The question being on the passage of the bill,

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

**Roll Call No. 228**

**Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuette	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0**

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Goschka, Shugars, Dunaskiss, McManus and McCotter moved that they be named co-sponsors of the following bills:

**Senate Bill No. 566**

**Senate Bill No. 567**

**Senate Bill No. 569**

**Senate Bill No. 570**

**Senate Bill No. 571**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 509, entitled**

A bill to amend 1950 (Ex Sess) PA 23, entitled "Airport zoning act," by amending section 24 (MCL 259.454).

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. 229**

**Yeas—26**

Bennett	Gougeon	McManus	Schwarz
DeGrow	Hammerstrom	Miller	Shugars

Dingell  
Dunaskiss  
Emmons  
Gast  
Goschka

Hoffman  
Johnson  
Koivisto  
Leland  
McCotter

Murphy  
North  
Rogers  
Schuette

Sikkema  
Steil  
Stille  
Van Regenmorter

**Nays—11**

Byrum  
Cherry  
DeBeaussaert

Emerson  
Hart  
Jaye

Peters  
Smith, A.  
Smith, V.

Vaughn  
Young

**Excused—1**

Bullard

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Cherry, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 509.

Senator Cherry's statement is as follows:

Mr. President, I voted "no" primarily because of misgivings I have. I really think this is one of these bills, and I think there are several like it, that you can wind up on either side of the question. As I ultimately understand what the bill will do, it will reduce the cost to the state of acquiring land through ultimately its eminent domain process by allowing the state to initiate certain proceedings under various acts to obtain variances in zoning for property that is involved in an eminent domain taking or what would be left to a private property owner after the takings occurred. That sounds like a pretty wandering explanation, but the net effect, I think, Mr. President, is when the state reduces its costs in takings, it reduces the value of the property or does not compensate a private party for what had been the previous value of the property. So, the state gains; the private property owner loses. And I guess that I'm not quite prepared at this point in time to support that kind of trade-off. It seems to me that in situations of eminent domain and takings that the benefit ought to go to the private property owner. At this point, Mr. President, I voted "no" on the previous bill.

Senator Bullard entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 515, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30510 and 30512 (MCL 324.30510 and 324.30512), as added by 1995 PA 59.

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. 230**

**Yeas—26**

Bennett  
Bullard

Goschka  
Gougeon

McManus  
Miller

Schwarz  
Shugars

DeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast

Hammerstrom  
Hoffman  
Jaye  
Johnson  
McCotter

Murphy  
North  
Rogers  
Schuette

Sikkema  
Steil  
Stille  
Van Regenmorter

**Nays—12**

Byrum  
Cherry  
DeBeaussaert

Emerson  
Hart  
Koivisto

Leland  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Excused—0**

**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. 516, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 20 (MCL 125.220).

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. 231**

**Yeas—26**

Bennett  
Bullard  
DeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast

Goschka  
Gougeon  
Hammerstrom  
Hoffman  
Jaye  
Johnson  
McCotter

McManus  
Miller  
Murphy  
North  
Rogers  
Schuette

Schwarz  
Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Nays—12**

Byrum  
Cherry  
DeBeaussaert

Emerson  
Hart  
Koivisto

Leland  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Excused—0**

**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. 517, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 20 (MCL 125.290).

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. 232**

**Yeas—25**

Bennett	Goschka	McCotter	Schuette
Bullard	Gougeon	McManus	Schwarz
DeGrow	Hammerstrom	Miller	Shugars
Dingell	Hoffman	Murphy	Sikkema
Dunaskiss	Jaye	North	Steil
Emmons	Johnson	Rogers	Stille
Gast			

**Nays—12**

Byrum	Emerson	Leland	Smith, V.
Cherry	Hart	Peters	Vaughn
DeBeaussaert	Koivisto	Smith, A.	Young

**Excused—0**

**Not Voting—1**

Van Regenmorter

In The Chair: President

The Senate agreed to the title of the bill.

Senator Rogers moved that Senator Van Regenmorter be temporarily excused from the balance of today's session. The motion prevailed.

Senator Rogers moved that rule 2.106 be suspended to allow all committees to meet during session. The motion prevailed, a majority of the members serving voting therefor.

The following bill was read a third time:

**Senate Bill No. 518, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 5 (MCL 125.585), as amended by 1986 PA 191.

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. 233**

**Yeas—25**

Bennett	Goschka	McCotter	Schuette
Bullard	Gougeon	McManus	Schwarz

DeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast

Hammerstrom  
Hoffman  
Jaye  
Johnson

Miller  
Murphy  
North  
Rogers

Shugars  
Sikkema  
Steil  
Stille

**Nays—12**

Byrum  
Cherry  
DeBeaussaert

Emerson  
Hart  
Koivisto

Leland  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Excused—1**

Van Regenmorter

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Van Regenmorter entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 519, entitled**

A bill to amend 1980 PA 87, entitled “The uniform condemnation procedures act,” by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

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. 234**

**Yeas—38**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Smith, A.  
Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—0**

**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. 343, entitled**

A bill to create an urban homestead program; to permit certain local governmental units, nonprofit community organizations, and state entities to create and administer urban homestead programs; to prescribe the powers and duties of certain state entities and local governmental units; and to provide for the disposition of personal and real property.

The question being on the passage of the bill,

Senator Jaye offered the following amendment:

1. Amend page 3, line 19, by striking out all of subparagraph (iii) and inserting:

“(iii) The applicant has been sentenced, imprisoned, on probation, or on parole in the immediately preceding 5-year period for a felony violation of section 7401, 7401a, 7402, 7410, or 7410a of the public health code, 1978 PA 368, MCL 333.7401, 333.7401a, 333.7402, 333.7410, and 333.7410a.

(iv) The applicant has been convicted of a violation or attempted violation of section 520b, 520c, 520d, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, and 750.520g.”.

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

Senator Jaye offered the following amendment:

1. Amend page 4, line 23, after “subsection.” by inserting “It is the intent of the legislature that substance abuse testing pursuant to this subsection be instituted no later than April 1, 2003.”.

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. 235**

**Yeas—36**

Bennett	Goschka	McCotter	Shugars
Bullard	Gougeon	McManus	Sikkema
Byrum	Hammerstrom	Miller	Smith, A.
Cherry	Hart	Murphy	Smith, V.
DeBeaussaert	Hoffman	North	Steil
DeGrow	Jaye	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Gast	Leland	Schwarz	Young

**Nays—1**

Emerson

**Excused—0**

**Not Voting—1**

Emmons

In The Chair: President

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

A bill to create an urban homestead program; to permit certain local governmental units or nonprofit community organizations to create and administer urban homestead programs; to prescribe the powers and duties of certain state entities and local governmental units; and to provide for the disposition of personal and real property.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 344, entitled**

A bill to create an urban homestead program for single-family public housing; to provide that certain local governmental units, public housing entities, nonprofit community organizations, and certain state entities create and administer urban homestead programs for single-family public housing; to prescribe the powers and duties of certain state and local governmental units, public housing entities, and nonprofit community organizations; and to provide for the disposition of personal and real property.

The question being on the passage of the bill,

Senator Jaye offered the following amendment:

1. Amend page 4, line 9, by striking out all of subparagraph (iii) and inserting:

“(iii) The applicant has been sentenced, imprisoned, on probation, or on parole in the immediately preceding 5-year period for a felony violation of section 7401, 7401a, 7402, 7410, or 7410a of the public health code, 1978 PA 368, MCL 333.7401, 333.7401a, 333.7402, 333.7410, and 333.7410a.

(iv) The applicant has been convicted of a violation or attempted violation of section 520b, 520c, 520d, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, and 750.520g.”.

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

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

Senator Jaye offered the following amendment:

1. Amend page 5, line 14, after “subsection.” by inserting “It is the intent of the legislature that substance abuse testing pursuant to this subsection be instituted no later than April 1, 2003.”.

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. 236**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 345, entitled**

A bill to create an urban homestead program for multifamily public housing; to provide that certain local governmental units, public housing entities, and certain state entities create and administer urban homestead programs for multifamily public housing; to prescribe the powers and duties of certain state and local governmental units, public housing entities, and nonprofit community organizations; and to provide for the disposition of personal and real property.

The question being on the passage of the bill,

Senator Jaye offered the following amendment:

1. Amend page 6, line 20, after “subsection.” by inserting “It is the intent of the legislature that substance abuse testing pursuant to this subsection be instituted no later than April 1, 2003.”.

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. 237**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

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

A bill to create an urban homestead program for multifamily public housing; to provide that certain local governmental units and public housing entities create and administer urban homestead programs for multifamily public housing; to prescribe the powers and duties of certain state and local governmental units and public housing entities; and to provide for the disposition of personal and real property.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 346, entitled**

A bill to create an urban homestead program for certain vacant land; to empower certain local governmental units to create and administer urban homestead programs for vacant land; to prescribe the powers and duties of certain state and local governmental units; and to provide for the disposition of personal and real property.

The question being on the passage of the bill,  
Senator Jaye offered the following amendment:

1. Amend page 4, line 3, after “subsection.” by inserting “It is the intent of the legislature that substance abuse testing pursuant to this subsection be instituted no later than April 1, 2003.”.

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. 238**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 347, entitled**

A bill to amend 1933 (Ex Sess) PA 18, entitled “An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies,” by amending section 44b (MCL 125.694b).

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. 239****Yeas—37**

Bennett	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Steil
Dingell	Jaye	Peters	Stille
Dunaskiss	Johnson	Rogers	Van Regenmorter
Emerson	Koivisto	Schuetten	Vaughn
Emmons	Leland	Schwarz	Young
Gast			

**Nays—0****Excused—0****Not Voting—1**

Bullard

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

Senator Bullard entered the Senate Chamber.

Senator Cherry moved to reconsider the vote by which the bill was passed. The motion prevailed, 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. 240****Yeas—37**

Bennett	Gast	Leland	Schwarz
Bullard	Goschka	McCotter	Shugars
Byrum	Gougeon	McManus	Sikkema
Cherry	Hammerstrom	Miller	Smith, A.
DeBeaussaert	Hart	Murphy	Smith, V.
DeGrow	Hoffman	North	Stille
Dingell	Jaye	Peters	Van Regenmorter
Dunaskiss	Johnson	Rogers	Vaughn
Emerson	Koivisto	Schuetten	Young
Emmons			

**Nays—1**

Steil

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 348, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 1998 PA 33.

The question being on the passage of the bill,

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

**Roll Call No. 241**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Schuette's statement is as follows:

The Michigan Urban Homestead Initiative—this is the final bill in a six-bill package concerning providing people across the state of Michigan the opportunity to own their own home if they are living in public housing today.

This marks the culmination of years of efforts on a bipartisan basis, and I do wish to express my deep appreciation to Senators DeGrow, Emmons, Steil, Virgil Smith, Sikkema, Hammerstrom, Peters and Emerson, who have all worked together to make Michigan the first state in America to put together a template that harkens back to the Homestead Act



of 1862. In those days, if you farmed the land, fenced it in, made a crop or dug a well, after five years you owned the land.

We have modernized it, put in some good citizenship requirements and put into place a format, first in America, that if you're out of jail, your kids are in school, you're off drugs, on the job and you're paying rent for a five-year period of time, then the public housing unit that you were once were living in would be yours. This is an ethic that I think is so important in Michigan.

I want to express my appreciation to the Hudson Institute, John Weicher, Patrick Anderson and Jeff Reno, who worked so hard on this, and the cooperation that I've received from Chairman Patty Burkholz and the Michigan House of Representatives.

This is a banner date for our state, and I'm convinced that the Michigan Urban Homestead Initiative would not just be a plan for housing in Michigan, but rather a new approach to housing for America.

Wouldn't it be better to have citizens across Michigan and families across Michigan owning their home instead of the federal government? It seems to me that the federal government hasn't done that hot of a job. So we're trying something different and a new approach for housing for Michigan's future. I urge passage of this final bill, and upcoming we have three different bills dealing with tax reversion to try to get abandoned property back into economic circulation quicker and sooner to redevelop our cities so we don't plow up greenspace but put jobs where people live.

Senators Peters, Gougeon, Bennett, Dunaskiss, McCotter, DeBeaussaert, A. Smith, Byrum and McManus moved that they be named co-sponsors of the following bills:

**Senate Bill No. 344**

**Senate Bill No. 345**

**Senate Bill No. 346**

**Senate Bill No. 347**

**Senate Bill No. 348**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 487, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending the title and sections 57, 59, 60, 61, 73c, 74, 87b, 108, 131, 131c, and 131e (MCL 211.57, 211.59, 211.60, 211.61, 211.73c, 211.74, 211.87b, 211.108, 211.131, 211.131c, and 211.131e), the title and section 59 as amended by 1983 PA 254, sections 57, 60, 61, 73c, 74, 108, 131, and 131c as amended by 1993 PA 291, section 87b as amended by 1994 PA 189, and section 131e as amended by 1996 PA 476, and by adding sections 60a, 78, 78a, 78b, 78c, 78d, 78e, 78f, 78g, 78h, 78i, 78j, 78k, 78l, 78m, and 78n; 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. 242**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

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

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending the title and sections 57, 59, 60, 61, 73c, 74, 87b, 87c, 108, 131, 131c, and 131e (MCL 211.57, 211.59, 211.60, 211.61, 211.73c, 211.74, 211.87b, 211.87c, 211.108, 211.131, 211.131c, and 211.131e), the title and section 59 as amended by 1983 PA 254, sections 57, 60, 61, 73c, 74, 108, 131, and 131c as amended by 1993 PA 291, section 87b as amended by 1994 PA 189, section 87c as amended by 1988 PA 450, and section 131e as amended by 1996 PA 476, and by adding sections 60a, 78, 78a, 78b, 78c, 78d, 78e, 78f, 78g, 78h, 78i, 78j, 78k, 78l, 78m, 78n, and 87c; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 488, entitled**

A bill to provide for the identification, inspection, and certification of abandoned property; to prescribe certain duties for certain local units of government and county treasurers; to provide for certain administration and collection fees; and to facilitate the return of abandoned tax delinquent property to productive use.

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. 243****Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 489, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding sections 79, 79a, and 79b.

The question being on the passage of the bill,  
Senator McCotter offered the following amendment:

1. Amend page 2, line 6, section 79B(1)(C), after "VACANT" by striking out "OR DILAPIDATED AND IS" and inserting a comma and "DILAPIDATED, OR".

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. 244****Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 507, entitled**

A bill to allow local units of government to obtain clear title to property previously acquired through the tax reversion process; to provide due process to those persons with a prior recorded interest in that property; to allow local units of government to reduce the backlog of tax reverted property; and to facilitate the return of tax reverted property to productive use.

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. 245****Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter

Dunaskiss  
Emerson  
Emmons

Johnson  
Koivisto  
Leland

Schuette  
Schwarz

Vaughn  
Young

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 281, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 504a.

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. 246**

**Yeas—32**

Bennett  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson

Emmons  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Koivisto

Leland  
McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers

Schuette  
Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—5**

Gast  
Johnson

Schwarz

Smith, A.

Smith, V.

**Excused—0**

**Not Voting—1**

Bullard

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Rogers moved that Senator Bullard be temporarily excused from the balance of today’s session. The motion prevailed.

Senator Bullard entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 438, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40113b.

The question being on the passage of the bill,

Senator Dunaskiss offered the following amendment:

1. Amend page 1, line 2, after “PLATFORM” by inserting “AND REMOVABLE TREE STEPS ON PRIVATE AND PUBLIC NON-FOREST LAND OPEN FOR LAWFUL HUNTING”.

The question being on the adoption of the amendment,

Senator Dunaskiss requested the yeas and nays.

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

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

**Roll Call No. 247**

**Yeas—20**

Bennett	Dunaskiss	Jaye	Murphy
Bullard	Emerson	Johnson	Shugars
Cherry	Gougeon	Leland	Smith, V.
DeBeaussaert	Hart	McCotter	Vaughn
Dingell	Hoffman	Miller	Young

**Nays—17**

Byrum	Hammerstrom	Peters	Sikkema
DeGrow	Koivisto	Rogers	Smith, A.
Emmons	McManus	Schuette	Stille
Gast	North	Schwarz	Van Regenmorter
Goschka			

**Excused—0**

**Not Voting—1**

Steil

In The Chair: Schwarz

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 248**

**Yeas—18**

Bennett	Emerson	Jaye	McCotter
Bullard	Goschka	Johnson	Miller

DeBeaussaert  
Dingell  
Dunaskiss

Gougeon  
Hammerstrom  
Hart

Koivisto  
Leland

Shugars  
Smith, V.

### Nays—18

Byrum  
Cherry  
DeGrow  
Emmons  
Gast

Hoffman  
McManus  
North  
Peters  
Rogers

Schuette  
Schwarz  
Sikkema  
Smith, A.

Stille  
Van Regenmorter  
Vaughn  
Young

### Excused—0

### Not Voting—2

Murphy

Steil

In The Chair: Schwarz

### Protests

Senators McManus, Gast, Stille, Rogers, North and Emmons, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 438.

Senator McManus' statement, in which Senators Stille, North and Emmons concurred, is as follows:

I rise for really two reasons now. The first reason is that Senator Gast covered pretty well the thought that we turned the regulations over to the Natural Resources Commission under Proposal G and gave them the flexibility to make decisions on these issues. That was voted in heavily by the voters, and now this bill is trying to put into law something that only we could change. I think it is better left in the hands of the Natural Resources Commission.

On top of that, the second reason I voted against this bill is the amendment to put these spikes in trees that end up, regardless of whether or not they're on state land, in the sawmill. Now when you're talking about a spike that's covered by this amendment, it's at least the size of your thumb. When you're talking about a 29-cent nail, the saw can go through that—it's not very good for the blade, but it isn't the same as hitting what amounts to a railroad spike. I believe it's extremely dangerous to have these things pushed for tree stands.

So, I have two reasons why I voted against it.

Senators Gast and Stille moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Gast's statement, in which Senators Rogers, North and Emmons concurred, is as follows:

Mr. President, very briefly, what I'm suggesting here is that we have given in 1988 to the Natural Resources Commission the right to regulate our seasons, the quality and quantity of animals we can take and the means of taking them. The Natural Resources Commission has said and ruled that we can hunt from tree platforms. Now, why in the world are we enacting it into statute when we are already there by the order of the commission. When the commission makes these determinations, they give us 30 days in which to rebuke their actions if we choose.

On that basis, I see absolutely no reason for this legislation because the platforms are already legal. If for some reason they don't pan out as perfected and so on, why, we don't have to pass another law to undo what we did wrong. Let the Natural Resources Commission, from reports in the field, make that determination. If we don't agree, then we can correct it.

I think the whole bill is absolutely useless.

Senator Stille’s statement, in which Senators North and Emmons concurred, is as follows:

I support the concept of raised platform hunting, but with this amendment that was passed by one vote, we have just adopted, or would have adopted with passage of this bill, one of the most dangerous processes possible for anyone cutting trees if they were to somehow come in contact with that spike with either a portable saw or a sawmill, as Senator McManus explained. It is incredible to think that large spikes of this nature on a step should be legal. Anyone who has ever been in the woods and observed some of the old rickety platforms that people left out there, and those spikes are considerably smaller than this spike on a step, would understand that it has to be dangerous if you ever come in contact with some type of sawing instrument. It’s just beyond good judgment. I don’t care if the company that manufactures them is in the state of Michigan. It does not make good sense to support that practice here in the state.

Senator Rogers moved to reconsider the vote by which the following bill was defeated:

**Senate Bill No. 438**

The question being on the motion to reconsider,

Senator Rogers moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 385, entitled**

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

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. 249**

**Yeas—37**

Bennett	Gast	Leland	Shugars
Bullard	Goschka	McCotter	Sikkema
Byrum	Gougeon	McManus	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons			

**Nays—0**

**Excused—0**

**Not Voting—1**

Miller

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

**Senate Bill No. 385**

The motion prevailed.

Senator V. Smith moved that Senator Miller be temporarily excused from the balance of today's session.

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 485, entitled**

A bill to amend 1943 PA 202, entitled "Municipal finance act," by amending section 1b of chapter VII (MCL 137.1b), as amended by 1982 PA 469.

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. 250**

**Yeas—36**

Bennett	Gast	Leland	Shugars
Bullard	Goschka	McCotter	Sikkema
Byrum	Gougeon	McManus	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emerson	Johnson	Schuette	Vaughn
Emmons	Koivisto	Schwarz	Young

**Nays—1**

Dingell

**Excused—1**

Miller

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Miller entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 513, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 (MCL 339.2601, 339.2603, 339.2605, 339.2607, 339.2609, 339.2611, 339.2613, 339.2615, 339.2617, 339.2619, 339.2621, 339.2623, 339.2625,



339.2627, 339.2629, 339.2633, 339.2635, and 339.2637), section 2601 as amended by 1994 PA 125 and sections 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 as added by 1990 PA 269, and by adding sections 2614 and 2636.

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. 251**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 514, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending sections 2, 6, and 38 (MCL 338.2202, 338.2206, and 338.2238), sections 2 and 6 as added by 1988 PA 461 and section 38 as added by 1990 PA 268.

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. 252**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Miller stated that had he been present when the votes were taken on the passage of the following bills, he would have voted “yea”:

**Senate Bill No. 385**

**Senate Bill No. 485**

The following bill was read a third time:

**Senate Bill No. 454, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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. 253**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Peters, A. Smith, Byrum and Cherry moved that they be named co-sponsors of the following bill:

**Senate Bill No. 454**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 555, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1998 PA 60.

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. 254**

**Yeas—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

**General Orders**

Senator Rogers 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 Stille 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 bill:

**House Bill No. 4470, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3118 (MCL 324.3118), as amended by 1995 PA 169.

The bill 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. 436, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17745a (MCL 333.17745a), as added by 1993 PA 305.

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 amendments, the following bill:

**House Bill No. 4394, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 81140a and 82147a.

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

1. Amend page 1, line 3, after "UNDER" by striking out "OF".
2. Amend page 1, line 11, by striking out "90" and inserting "93".
3. Amend page 2, line 15, by striking out "90" and inserting "93".

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

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

**Senate Bill No. 315, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

Substitute (S-1).

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

1. Amend page 3, following line 16, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date this amendatory act is enacted."

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

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

**Senate Bill No. 497, entitled**

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

Substitute (S-1).

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

1. Amend page 22, line 14, after "justice." by inserting "Upon showing good cause, a judge may delay the service of the inventory required under this subsection for 1 or more periods. Each period shall not be greater than 30 days."

2. Amend page 24, following line 21, by inserting:

"(18) An order authorizing interception under this act shall also authorize the entry of the premises covered under the order for the sole purpose of installing, maintaining, or removing an interception device. The judge who issued the order shall be notified within 48 hours of the time and method of each entry allowed by this subsection."

3. Amend page 26, line 26, after "The" by inserting "attorney general and the".

4. Amend page 28, following line 15, by inserting:

"Sec. 14. This act does not prohibit any of the following:

(a) An interception otherwise permitted by law for a peace officer of this state or of the federal government, or the officer's agent, while in the performance of the officer's duties.

(b) Hearing a communication transmitted by common carrier facilities by an employee of a communications common carrier when acting in the course of his or her employment.

(c) The recording by a public utility of telephone communications to it requesting service or registering a complaint by a customer, if a record of the communications is required for legitimate business purposes and the agents, servants, and employees of the public utility are aware of the practice by an employee safeguarding property owned by, or in custody of, his or her employer on his or her employer's property.

(d) The routine monitoring, including recording, by employees of the department of corrections of telephone communications on telephones available for use by prisoners in state correctional facilities, if the monitoring is conducted in the manner prescribed by section 70 of 1953 PA 232, MCL 791.270, and rules promulgated under that section."

5. Amend page 28, following line 15, by inserting:

"Sec. 15. This act shall be known and may be cited as the "electronic surveillance act"."

6. Amend page 28, following line 17, by inserting:

"Enacting section 2. This act takes effect 90 days after the date this amendatory act is enacted."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 598, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317, and by adding section 19a to chapter XVII.

Substitute (S-1).

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

1. Amend page 2, line 35, by striking out "5 PUB ORD" and inserting "6 PERSON".
2. Amend page 3, line 1, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date this amendatory act is enacted.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 497 of the 90th Legislature is enacted into law."

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.

### Resolutions

#### Senate Resolution No. 51.

A resolution to urge the Department of Environmental Quality to commence cleanup work on Tannery Bay in White Lake in Muskegon County.

The question being on the adoption of the following committee substitute:

Substitute (S-2).

The substitute was adopted.

The resolution, as substituted, was adopted.

By unanimous consent the Senate proceeded to the order of

### Statements

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

The motion prevailed.

Senator McCotter's statement is as follows:

I would just like the record to reflect that it's Timothy McCotter's fourth birthday, and I extend my best wishes to the "Beast."

By unanimous consent the Senate returned to the order of

### Introduction and Referral of Bills

Senator Van Regenmorter introduced

#### Senate Bill No. 605, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 701, 702, 705, 706, and 711 (MCL 38.2651, 38.2652, 38.2655, 38.2656, and 38.2661), sections 701 and 702 as amended by 1998 PA 66 and sections 705, 706, and 711 as added by 1996 PA 523.

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

#### House Bill No. 4132, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115p.

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

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

#### House Bill No. 4582, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

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. 4605, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1998 PA 224.

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 Transportation and Tourism.

**House Bill No. 4606, 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 1998 PA 223.

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 Transportation and Tourism.

### Committee Reports

The Committee on Technology and Energy reported

**House Concurrent Resolution No. 29.**

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of resolution, see Senate Journal No. 40, p. 599.)

With the recommendation that the concurrent resolution be adopted.

Mat Dunaskiss  
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Rogers, Byrum and Dingell

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Technology and Energy reported

**Senate Bill No. 492, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 102, 303, 316, 601, 602, and 604 (MCL 484.1102, 484.1303, 484.1316, 484.1601, 484.1602, and 484.1604), section 102 as amended by 1996 PA 313, sections 303 and 602 as amended by 1994 PA 29, and section 601 as amended by 1989 PA 36, and by adding section 605.

With the recommendation that the bill pass.

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

Mat Dunaskiss  
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Rogers, Byrum and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Technology and Energy reported

**Senate Bill No. 493, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 401, 403, 404, 405, 406, and 505 (MCL 484.1401, 484.1403, 484.1404, 484.1405, 484.1406, and 484.1505), sections 401, 403, and 405 as amended and section 406 as added by 1994 PA 29.

With the recommendation that the bill pass.

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

Mat Dunaskiss  
Chairperson

## To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Rogers, Byrum, Leland and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:

Meeting held on Wednesday, May 12, 1999, at 3:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Dunaskiss (C), Sikkema, Rogers, Byrum, Leland and Dingell

Excused: Senator Schuette

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 149, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2012 and 2014 (MCL 339.2012 and 339.2014), as amended by 1992 PA 103.

With the recommendation that the bill be referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Thaddeus G. McCotter  
Chairperson

## To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

Nays: None

The bill was referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 239, entitled**

A bill to provide certain advisories regarding the content of certain music performances; to regulate the operation of certain music venues; and to prescribe penalties.

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.

Thaddeus G. McCotter  
Chairperson

## To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 463, entitled**

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending the title and sections 2, 7, 8, 10, and 22 (MCL 125.1502, 125.1507, 125.1508, 125.1510, and 125.1522), the title as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

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.

Thaddeus G. McCotter  
Chairperson

## To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 496, entitled**

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

With the recommendation that the bill pass.

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

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 587, entitled**

A bill to provide for the creation of public employee health care funds; to provide for the administration of the funds; to authorize the investment of the assets of the funds; and to prescribe the powers and duties of investment fiduciaries and certain public officers and employees.

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.

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars, Miller and Murphy

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 Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, May 12, 1999, at 3:00 p.m., Room 405, Capitol Building

Present: Senators McCotter (C), Shugars, Miller and Murphy

Excused: Senator Van Regenmorter

The Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs reported

**Senate Bill No. 543, entitled**

A bill to repeal 1953 PA 140, entitled "An act to increase the efficiency of the military establishment; and to repeal certain acts and parts of acts," (MCL 32.261 to 32.262).

With the recommendation that the bill pass.

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

Mike Rogers  
Chairperson

To Report Out:

Yeas: Senators Rogers, McCotter, Schuette, Murphy and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs reported

**Senate Concurrent Resolution No. 8.**

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

(For text of resolution, see Senate Journal No. 29, p. 450.)

With the recommendation that the concurrent resolution be adopted.

Mike Rogers  
Chairperson



## To Report Out:

Yeas: Senators Rogers, McCotter, Schuette, Murphy and Dingell

Nays: None

The concurrent resolution was placed on the order of Resolutions.

## COMMITTEE ATTENDANCE REPORT

The Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs submits the following:

Meeting held on Thursday, May 13, 1999, at 1:10 p.m., Room 210, Farnum Building

Present: Senators Rogers (C), McCotter, Schuette, Murphy and Dingell

The Committee on Transportation and Tourism reported

**House Bill No. 4317, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675 (MCL 257.675), as amended by 1998 PA 68.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.

Chairperson

## To Report Out:

Yeas: Senators Bullard, Johnson and North

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

**House Bill No. 4405, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306, 308, 310e, and 320a (MCL 257.306, 257.308, 257.310e, and 257.320a), sections 306 and 308 as amended and section 310e as added by 1996 PA 387 and section 320a as amended by 1998 PA 350.

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.

Bill Bullard, Jr.

Chairperson

## To Report Out:

Yeas: Senators Bullard, Johnson and North

Nays: None

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

The Committee on Transportation and Tourism reported

**Senate Bill No. 157, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803j, 803k, 803l, 803n, and 803o (MCL 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), as amended by 1998 PA 68.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.

Chairperson

## To Report Out:

Yeas: Senators Bullard, Johnson and North

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

**Senate Bill No. 554, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248 (MCL 257.248), as amended by 1998 PA 384.

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.

Bill Bullard, Jr.

Chairperson

## To Report Out:

Yeas: Senators Bullard, Johnson and North

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 Transportation and Tourism submits the following:

Meeting held on Thursday, May 13, 1999, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Bullard (C), Johnson and North

Excused: Senators Leland and Hart

The Committee on Hunting, Fishing and Forestry reported

**Senate Bill No. 461, entitled**

A bill to amend 1971 PA 79, entitled "Age of majority act of 1971," by amending section 3 (MCL 722.53).

With the recommendation that the bill pass.

Dave Jaye  
Chairperson

## To Report Out:

Yeas: Senators Jaye, Bullard, Hoffman, Dingell and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Forestry reported

**Senate Bill No. 460, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending the title and sections 1, 6a, 8, 9d, 10, 12, 12a, 12c, and 14 (MCL 28.421, 28.426a, 28.428, 28.429d, 28.430, 28.432, 28.432a, 28.432c, and 28.434), the title as amended and sections 9d and 10 as added by 1990 PA 320, section 1 as amended by 1992 PA 219, section 6a as amended by 1991 PA 34, and section 12c as added by 1992 PA 220, and by adding sections 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, and 5m; and to repeal acts and parts of acts.

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

Dave Jaye  
Chairperson

## To Report Out:

Yeas: Senators Jaye, Bullard, Hoffman, Dingell and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Corrections submits the following:

Meeting held on Tuesday, May 11, 1999, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators North (C), A. Smith and Hoffman

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, May 13, 1999, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast, Schwarz, McManus, Gougeon, Goschka and Young

Excused: Senators Koivisto and Emerson

## COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Thursday, May 13, 1999, at 1:30 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Hammerstrom, Schwarz, Byrum and Murphy

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submits the following:

Meeting held on Thursday, May 13, 1999, at 1:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Schwarz (C), McManus, Hoffman and A. Smith

Excused: Senator Koivisto

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Thursday, May 13, 1999, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Emmons (C), Bullard, Hammerstrom and Peters

Excused: Senator Dingell

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid submits the following:

Meeting held on Thursday, May 13, 1999, at 5:00 p.m., House Appropriations Room, Capitol Building

Present: Senators Stille (C), Bennett and DeBeaussaert

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid submits the following:

Meeting held on Monday, May 17, 1999, at 5:00 p.m., K/RESA-Kalamazoo Regional Education Service Agency, Kalamazoo, Michigan

Present: Senators Stille (C), Bennett and DeBeaussaert

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submits the following:

Meeting held on Tuesday, May 18, 1999, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Schwarz (C), McManus, Hoffman, Koivisto and A. Smith

**Scheduled Meetings**

Administrative Rules Joint Committee - Thursday, May 20, at 2:30 p.m., Rooms 425 and 426, Capitol Building (3-6476).

Agriculture Preservation Task Force (SR 52) - Friday, May 21, at 9:00 a.m., Lowell Township Hall, 2910 Alden Nash, Lowell Township; Monday, May 24, at 1:00 p.m., Oaklane Golf Course Conference Room, 800 N. Main Street, Webberville; Friday, June 18, at 1:00 p.m., Marlette Middle School Media Center, 6230 Euclid Street, Marlette; and Tuesday, June 29, at 11:00 a.m., Michigan State University Livestock Pavilion, East Lansing (3-1725).

Appropriations Committee - Wednesday, May 19, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Farming, Agribusiness and Food Systems Committee - Wednesday, May 19, at 1:00 p.m., Room 405, Capitol Building (3-1725).

Government Operations Committee - Thursday, May 20, at 1:00 p.m., Room 110, Farnum Building (3-1758).

Health Policy Committee - Thursday, May 20, at 8:30 a.m., Room 810, Farnum Building (3-0793).

Judiciary Committee - Wednesday, May 19, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-6920).

Local, Urban and State Affairs Committee - Wednesday, May 19, at 3:00 p.m., Room 405, Capitol Building (3-1707).

School Aid Appropriations Subcommittee - Monday, May 24, at 3:00 p.m., Traverse Bay Area Intermediate School District, Career Technical Center - Interactive Room, 800 Parsons, Traverse City (3-1635).

Technology and Energy Committee - Wednesday, May 19, at 1:00 p.m., Room 404, Capitol Building (3-2417).

Transportation and Tourism Committee - Thursday, May 20, at 1:30 p.m., Room 110, Farnum Building (3-1758).

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 1:50 p.m.

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

CAROL MOREY VIVENTI  
Secretary of the Senate.