No. 22 JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, March 8, 2000.

10:00 a.m.

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

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

Bennett—present Bullard—present Byrum—present Cherry—present DeBeaussaert—present DeGrow—present Dingell—present Dunaskiss—present Emerson—present Emmons—present Gast—present	Hammerstrom—present Hart—present Hoffman—present Jaye—present Johnson—present Koivisto—present Leland—present McCotter—present McManus—present Miller—present Murphy—present
Emmons—present	Miller—present

Rogers—present
Schuette—present
Schwarz—present
Shugars—present
Sikkema—present
A. Smith—present
V. Smith—excused
Steil—present
Stille—present

Van Regenmorter—excused

Vaughn—present Young—present Reverend Ira Combs of Greater Bible Way Temple of Jackson offered the following invocation:

Our Heavenly Father and Eternal God, we come to You acknowledging our individual and collective insufficiencies and our need for Your merciful assistance in these tumultuous, contentious political times. While men and women are involved in serendipitous and clandestine tactics of political competitive mischief, we remain faithfully convinced You are forever and universally in control. It is with this faith that we approach You today and prayerfully request the perpetuity of Your divine involvement in our social, economic, and political affairs.

On behalf of these prestigious, legal political legislative personalities, I request You to invoke the Spirit of civility

to act in governmental good breeding, polity, social, professional consideration, and common courtesy.

Where there is discord, let us seek concord. Where there is chaos, give us wisdom to make peace and tranquility. Where there are principles of disagreements, grant them and us the tenacity through due process to seek common ground. Where there may be hatred, let us all seek Thy atonement that we may gracefully experience Thy love. In the denouement, it is our sincere desire that the contributions we make as public servants for the community good are met with Thy divine acceptance and eternal pleasure. Amen.

Senators Murphy, Schwarz, Emmons and Bullard entered the Senate Chamber.

Motions and Communications

Senator Emerson moved that Senator Koivisto be temporarily excused from today's session. The motion prevailed.

Senator Emerson moved that Senator V. Smith be excused from today's session. The motion prevailed.

Senator Rogers moved that Senators Gast and McManus be temporarily excused from today's session. The motion prevailed.

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

Senator McManus entered the Senate Chamber.

Senator Rogers 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:

House Bill No. 5389 House Bill No. 5391 House Bill No. 5393

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 7: **House Bill Nos.** 4809 5394

Messages from the Governor

The following messages from the Governor were received:

Date: March 7, 2000 Time: 8:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 614 (Public Act No. 9), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences

of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

(Filed with the Secretary of State on March 7, 2000, at 1:05 p.m.)

Date: March 7, 2000 Time: 8:35 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 631 (Public Act No. 10), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1179.

(Filed with the Secretary of State on March 7, 2000, at 1:07 p.m.)

Date: March 7, 2000 Time: 8:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 657 (Public Act No. 11), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 7, 2000, at 1:09 p.m.)

Respectfully, John Engler Governor

Messages from the House

Senate Bill No. 910, entitled

A bill to designate the Bristol road overpass that spans the railroad tracks located on Michigan highway M-121 in Genesee county as the "Preston Schmidt Overpass"; and to prescribe the duties of the state transportation department.

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

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

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

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

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

The motion prevailed.

Senator Rogers' statement is as follows:

I have a pretty special announcement today that I would like to make. Senator Emerson passed along some pretty valuable information. We have one of our pages—if you wonder why stuff gets on your desks so fast—Lori Smith, who finished sixth in the National Junior College Championship in the 600-meter run last weekend, which is a phenomenal accomplishment. I'm not sure where she is on the floor right now. She's probably moving so fast you can't see her. If we could give her a warm applause in congratulations for her great achievement for Lansing Community College.

By unanimous consent the Senate proceeded to the order of

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 Assistant President pro tempore, Senator Hoffman, designated Senator Byrum as Chairperson.

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

House Bill No. 5389, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51c (MCL 206.51c), as added by 1999 PA 3; and to repeal acts and parts of acts.

House Bill No. 5393, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

House Bill No. 4769, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill: **House Bill No. 5391, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

Substitute (S-1).

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

- 1. Amend page 11, line 13, after "1999," by striking out "\$900.00" and inserting "\$1,800.00".
- 2. Amend page 14, following line 20, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1038 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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill: Senate Bill No. 1045, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 1105, 1106, 1107, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2519, 2702, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3956, 5101, 5204, 5213, 5219, 5308, 5406, 6306, 7206, 7409, 7501, and 7507 (MCL 700.1103, 700.1105, 700.1106, 700.1107, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2519, 700.2702, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3956, 700.5101, 700.5204, 700.5213, 700.5219, 700.5308, 700.5406, 700.6306, 700.7206, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts. Substitute (S-1).

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

- 1. Amend page 74, following line 14, by inserting:
- "Sec. 7303. (1) Subject to subsection (2), the trustee of a revocable trust shall keep the settlor reasonably informed of the trust and its administration. Unless otherwise provided in the trust instrument, the trustee of a revocable trust does not have a duty to inform a trust beneficiary of the trust and its administration, other than the settlor or, if the settlor is an incapacitated person, the settlor's designated agent.
- (2) Unless otherwise provided in the trust instrument, if the trustee reasonably believes the settlor of a revocable trust is an incapacitated person and has no designated agent, the trustee shall keep each beneficiary, who, if the settlor were then deceased, would be a current trust beneficiary, reasonably informed of the trust and its administration. Notwithstanding the provisions of the trust instrument, upon good cause shown, the court may order the trustee to keep other beneficiaries reasonably informed of the trust and its administration.
- (3) For a revocable trust, within 28 days after acceptance of trust or the death of the settlor, whichever is later, and for all other trusts, within 28 days after acceptance of the trust, the trustee shall inform in writing each INTERESTED TRUST beneficiary of the trust's existence, of the court in which the trust is registered, if it is registered, of the trustee's name and address, and of the INTERESTED TRUST beneficiary's right to request and receive both a copy of the trust's terms that describe or affect the INTERESTED TRUST beneficiary's interest and relevant information about the trust property. In addition, all of the following apply:
- (a) Upon reasonable request, the trustee shall provide a beneficiary with a copy of the trust's terms that describe or affect the beneficiary's interest and with relevant information about the trust property.
- (b) Unless the settlor directs or requests in the trust instrument that the trustee provide accounts to less than all interested trust beneficiaries, all of the following apply:
- (i) At least annually and on termination of the trust or a change of the trustee, the trustee shall provide a statement of account to each current trust beneficiary and shall keep each current trust beneficiary informed of the trust and its administration.
- (ii) Upon reasonable request, the trustee shall provide a statement of account to each interested trust beneficiary who is not also a current trust beneficiary and shall keep each of those persons reasonably informed of the trust and its administration.
 - (iii) The trustee shall provide a statement of account and other information to a beneficiary as the court directs.
- (iv) In the trustee's discretion, the trustee may provide a statement of account and other information to any beneficiary.
- (c) If the settlor requests or directs the trustee in the trust instrument to provide accounts and information to less than all interested trust beneficiaries, the trustee shall provide statements of account and information as provided in the trust instrument. At the court's direction, the trustee shall provide statements of account and other information to persons excluded by the settlor's request or direction to the extent and in the manner the court directs.".

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. 1005, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 376 (MCL 380.376), as added by 1999 PA 10, and by adding part 4A and section 1206.

Substitute (S-2).

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

- 1. Amend page 2, line 8, after "PART" by inserting "OR THE DATE ON WHICH A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT, WHICHEVER IS LATER".
- 2. Amend page 3, line 6, after "PART" by inserting "OR, IF A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT AFTER THE EFFECTIVE DATE OF THIS PART, BEGINNING ON THE DATE ON WHICH A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT".
- 3. Amend page 3, line 19, after "PART" by inserting "OR, IF A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT AFTER THE EFFECTIVE DATE OF THIS PART, BEGINNING ON THE DATE ON WHICH A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT".
- 4. Amend page 4, line 2, after "PART" by inserting "OR THE DATE ON WHICH A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT, WHICHEVER IS LATER".
- 5. Amend page 5, line 16, after "PART" by inserting "OR, IF A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT AFTER THE EFFECTIVE DATE OF THIS PART, ON THE DATE ON WHICH A SCHOOL DISTRICT BECOMES A QUALIFYING SCHOOL DISTRICT,".
 - 6. Amend page 10, following line 24, by inserting:
 - "Sec. 371. As used in this part:
- (a) "Chief executive officer", EXCEPT AS USED IN SUBDIVISION (B), means the chief executive officer appointed for a qualifying school district under section 374.

- (b) "Mayor" means the mayor CHIEF EXECUTIVE OFFICER of the city, in which VILLAGE, OR TOWNSHIP WITH THE GREATEST POPULATION AS OF THE MOST RECENT DECENNIAL CENSUS LOCATED WITHIN THE BOUNDARIES OF a qualifying school district. is located.
 - (c) "Qualifying school district" means a school district of the first class under part 6.
- Sec. 372. (1) Not later than 30 days after the effective date of the amendatory act that added this part APRIL 25, 1999 OR, IF A QUALIFYING SCHOOL DISTRICT BECOMES A SCHOOL DISTRICT OF THE FIRST CLASS AFTER APRIL 25, 1999, NOT LATER THAN 30 DAYS AFTER THE DATE THE QUALIFYING SCHOOL DISTRICT BECOMES A SCHOOL DISTRICT OF THE FIRST CLASS, the mayor shall appoint a school reform board for a qualifying school district.
 - (2) A school reform board established under this section shall consist of the following 7 members:
 - (a) Six members appointed by the mayor.
- (b) For a period of 5 years after the effective date of the amendatory act that added this part DATE OF THE INITIAL APPOINTMENT OF THE MEMBERS OF THE SCHOOL REFORM BOARD APPOINTED UNDER SUBDIVISION (A), the superintendent of public instruction or his or her designee. After this period, the mayor shall appoint the seventh member of the school reform board.
- (3) A person who is a current member of the elected school board of a qualifying school district is not eligible for appointment as a member of the school reform board for that qualifying school district. Section 1101(1) does not disqualify any person from appointment to a school reform board under this section or from appointment as an officer under section 374. However, at least a majority of the appointed members of a school reform board must be school electors of the qualifying school district.
- (4) Except for the superintendent of public instruction or his or her designee, members of a school reform board shall serve at the will of the mayor. The term of an appointed member shall be 4 years, except that of the members first appointed under subsection (2)(a), 2 shall be appointed for a term of 2 years, 2 shall be appointed for a term of 3 years, and 2 shall be appointed for a term of 4 years.
- (5) If a member of a school reform board is removed from office by the mayor or is unable to complete his or her term, the mayor shall appoint a successor for the balance of the unexpired term. At the end of a member's term, the mayor shall appoint a successor or reappoint the member.
- (6) The mayor shall call the first meeting of the school reform board and shall designate a chairperson of the school reform board from among its members. If there is a vacancy in the office of chairperson, the mayor shall designate a successor
- (7) At the first meeting of the school reform board, the school reform board may elect from among its members other officers as it considers necessary or appropriate. After the first meeting, the school reform board shall meet at least monthly, or more frequently at the call of the chairperson or if requested by 4 or more members.
- (8) A majority of the members of the school reform board constitute a quorum for the transaction of business at a meeting of the school reform board. A majority of the members present and serving are required for official action of the school reform board.
- (9) Members of the school reform board shall serve without compensation. However, members may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the school reform board.
- Sec. 374a. For a period of 1 year after leaving office, a member of a school reform board appointed under this part or a chief executive officer of a qualifying school district or another officer appointed under section 374 is ineligible for election or appointment to any elective office of the qualifying school district or of the A city, VILLAGE, OR TOWNSHIP in which ANY PORTION OF the qualifying school district is located."
 - 7. Amend page 12, following line 8, by inserting:
- "Sec. 402. A school district that has a pupil membership of at least 100,000 enrolled on the most recent pupil membership count day is a single first class school district governed by this part.".

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

During the Committee of the Whole, Senators Gast and Koivisto entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1011, entitled

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

The above bill was read a third time.

The question being on the passage of the bill,

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

Roll Call No. 49 Yeas—35

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

Nays-1

Vaughn

Excused—2

Smith, V. Van Regenmorter

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. 1012, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by amending the title and by adding section 230a.

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. 50 Yeas—35

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

Nays—0

Excused—2

Smith, V. Van Regenmorter

Not Voting—1

Young

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

Senate Bill No. 1012

The motion prevailed.

Senator Young 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. 1012

The following bill was read a third time:

Senate Bill No. 961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a and 719 (MCL 257.252a and 257.719), section 252a as amended by 1981 PA 104 and section 719 as amended by 1996 PA 136.

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. 51 Yeas—36

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

Nays—0

Excused—2

Smith, V.

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4969, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 1992 PA 297, and by adding section 801i.

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. 52 Yeas—36

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

Nays—0

Excused—2

Smith, V. Van Regenmorter

Not Voting—0

In The Chair: Schwarz

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

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

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

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 140 Senate Resolution No. 141

The resolution consent calendar was adopted.

Senators Stille, Gast and Van Regenmorter offered the following resolution:

Senate Resolution No. 140.

A resolution honoring Orel D. Callahan, Ph.D.

Whereas, It is with great respect and appreciation that we offer tribute to Dr. Orel D. Callahan, Executive Director of the Lakeshore Coordinating Council for Substance Abuse Services. Dr. Callahan has displayed hard work and unyielding commitment in his service to the six-county region of Allegan, Berrien, Cass, Muskegon, Ottawa, and Van Buren. We offer thanks for his contributions, and we praise his efforts and dedication in promoting regional environments free of alcohol and other drug abuse. His guidance, experience, and knowledge will long be remembered throughout Michigan; and

Whereas, Dr. Callahan is loyal to his mission and has a sincere concern to meet the demands of the people in need of substance abuse services. He has gone above and beyond the call of duty as executive director of this exemplary organization. He is a professional of the highest caliber, earning both the respect and confidence of staff and supporters; and

Whereas, Impressive leadership ability, commitment, and integrity have been reflected in all of Dr. Callahan's endeavors throughout his tenure with the Lakeshore Coordinating Council for Substance Abuse Services. He has worked cooperatively with government officials and has played a significant role at the local, regional, and state levels serving on countless boards and committees. His experience and expert authority will certainly be missed; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of praise and tribute be hereby accorded to Dr. Orel D. Callahan in recognition of his years of effective service to the citizens of western Michigan in the fight against substance abuse; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Orel D. Callahan as evidence of our admiration and esteem.

Senator Goschka was named co-sponsor of the resolution.

Senators Schuette, Dunaskiss, Johnson, Hammerstrom, Sikkema, Bennett, Steil, Stille, Jaye, Schwarz, Gast, Bullard, Gougeon, Shugars, Goschka, Rogers, Hoffman, Vaughn, Hart, Murphy, McCotter, North, McManus, Dingell, Peters, A. Smith, Miller, DeBeaussaert, Young, Koivisto, Emmons, Emerson and Leland offered the following resolution:

Senate Resolution No. 141.

A resolution to commemorate the Tenth Anniversary of the restoration of independence of the people of Lithuania. Whereas, It is a pleasure to join with the membership of the Lithuanian American community of metropolitan Detroit and the sons and daughters of this proud republic throughout our state and nation in marking the Tenth Anniversary of the restoration of independence of Lithuania; and

Whereas, The courage this nation has displayed throughout history, especially in the recent past, has provided a model of belief in liberty that has set the example for others to follow; and

Whereas, Established as an independent state in 1918, Lithuania never capitulated to the oppression of foreign rule. Lithuania was the leader in exercising its rights of self-determination; and

Whereas, Proud and noble people, in 1990, Lithuanians emerged from the illegal domination of the Soviet Union as a result of a strong sense of unity and longing for democracy for its citizens. In the face of many threats, Lithuanians stood boldly against the forces of tyranny to begin a process of spreading liberty that continues to this very day; and

Whereas, On March 11, 1990, Lithuania, through its Supreme Council, rejected Soviet rule and restored independence. The first Baltic republic to take such actions, Lithuania has now been joined in its self-assertion by many other republics throughout Europe; and

Whereas, Lithuania's struggles continue to blaze a trail as the new world of the twenty-first century takes shape, which has long inspired others. Lithuania is holding its rightful place among the family of nations; now, therefore, be it Resolved by the Senate, That tribute be hereby accorded to mark the Tenth Anniversary of the restoration of independence of Lithuania; and be it further

Resolved, That copies of this resolution be transmitted to the coordinators of this celebration in Michigan, Washington, D.C., and Vilnius, Lithuania, as evidence of our esteem.

By unanimous consent the Senate proceeded to consideration of the following concurrent resolution:

House Concurrent Resolution No. 82.

A concurrent resolution to change the scope of the Technology Education Building project at Washtenaw Community College.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Young moved that Senator Koivisto be excused from the balance of today's session.

The motion prevailed.

House Concurrent Resolution No. 81.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Oakland University relative to the Oakland University Classroom/Business School Building.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No.	53	Yeas—35
Kon Can No. :	3.3	reas—55

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

Nays-0

Excused—3

Koivisto Smith, V. Van Regenmorter

Not Voting—0

In The Chair: Schwarz

House Concurrent Resolution No. 80.

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

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 54 Yeas—35

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

Nays-0

Excused—3

Koivisto Smith, V. Van Regenmorter

Not Voting—0

In The Chair: Schwarz

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Miller, Byrum, Young, DeBeaussaert, Koivisto, Peters, Steil, McCotter, McManus, Rogers and Leland introduced

Senate Bill No. 1065, entitled

A bill to prohibit the disclosure of certain personal information about an individual under certain circumstances; and to provide for a civil remedy.

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

Senators Miller, Byrum, Young, DeBeaussaert, Koivisto, Peters, Steil, McCotter, McManus, Rogers and Leland introduced

Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 310 and 313 (MCL 257.310 and 257.313), section 310 as amended by 1998 PA 226 and section 313 as amended by 1991 PA 99.

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

Senators Miller, Byrum, Young, DeBeaussaert, Koivisto, Peters, Steil, McCotter, McManus, Rogers and Leland introduced

Senate Bill No. 1067, entitled

A bill to require certain credit providers to verify a change of address requested by a consumer; and to provide for certain penalties and remedies.

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

Senator Murphy introduced

Senate Bill No. 1068, entitled

A bill to repeal 1927 PA 275, entitled "An act to authorize the governor and state treasurer to refund the 6 per cent bonds secured by mortgage deed of trust of the Michigan state fair grounds; to call, pay and retire the outstanding bonds, and to issue new bonds to procure the funds to pay and retire said outstanding bonds," (MCL 12.31 to 12.35).

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

Senator A. Smith introduced

Senate Bill No. 1069, entitled

A bill to repeal 1978 PA 279, entitled "Weather modification control act," (MCL 295.101 to 295.132).

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

Senator McCotter introduced

Senate Bill No. 1070, entitled

A bill to repeal 1965 PA 188, entitled "Hazardous substances act," (MCL 286.451 to 286.462).

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

Senator Jaye introduced

Senate Bill No. 1071, entitled

A bill to repeal 1917 PA 263, entitled "An act to create the office of food and drug commissioner; to prescribe his powers, duties and compensation; to provide for the enforcement of the drug and liquor, dairy and food, and weights and measures laws; to abolish the office of dairy and food commissioner; and to provide for expenditures in connection therewith," (MCL 289.2 to 289.12).

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

Senator Jaye introduced

Senate Bill No. 1072, entitled

A bill to repeal 1978 PA 116, entitled "The John C. Hertel toxic substance control commission act," (MCL 286.181 to 286.194).

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

Senator Stille introduced

Senate Bill No. 1073, entitled

A bill to repeal 1919 PA 96, entitled "An act to provide for official county cream testers, the purchase of testing equipment, and prescribing their duties," (MCL 288.181 to 288.184).

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

Senator Hoffman introduced

Senate Bill No. 1074, entitled

A bill to repeal 1965 PA 280, entitled "An act to provide for licensing and regulating of slaughterhouses, edible rendering establishments and wholesale fabricating, processing or storage establishments of meat; to provide for the antemortem and postmortem inspection and reinspection of slaughtered meat animals; to prescribe the duties and powers of the department of agriculture; to prescribe license fees; to provide for the transfer of personnel and the rights of employees affected by this act; to provide for inspection of large wild game animals; and to provide penalties for violation of the provisions of this act," (MCL 287.571 to 287.582).

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

Senator McCotter introduced

Senate Bill No. 1075, entitled

A bill to amend 1929 PA 313, entitled "An act to provide for the control and eradication of white pine blister rust; to provide for the destruction of trees, plants and bushes infected with white pine blister rust; to authorize the commissioner of agriculture to remove, appraise and pay for healthy host plants necessarily destroyed; to declare certain plants and bushes a public nuisance; to authorize the commissioner to set aside fruiting currant and gooseberry and white pine growing districts as control areas; to provide for co-operation between state departments; to authorize the promulgation of rules and regulations; to provide funds for carrying out the purposes of this act; and to provide penalties for its violation," by amending section 2 (MCL 286.102).

Senator McCotter introduced

Senate Bill No. 1076, entitled

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 8 (MCL 290.538).

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

Senator McCotter introduced

Senate Bill No. 1077, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

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

Senator Byrum introduced

Senate Bill No. 1078, entitled

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

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

Senator McCotter introduced

Senate Bill No. 1079, entitled

A bill to amend 1974 PA 181, entitled "An act to provide for the testing, condemnation and disposal of livestock and livestock products; to provide for the testing of certain livestock; to provide for the quarantine of certain livestock; to prescribe the conditions of condemnation; to provide for the indemnification of owners of quarantined or disposed livestock or livestock products; to provide for recovery of the costs of testing, condemnation, disposal, and indemnification; and to prescribe the powers and duties of the department of agriculture," by amending sections 3b and 7 (MCL 287.73b and 287.77); and to repeal acts and parts of acts.

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

Senator McCotter introduced

Senate Bill No. 1080, entitled

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

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

Senator Leland introduced

Senate Bill No. 1081, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 297e (MCL 750.297e). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Gast introduced

Senate Bill No. 1082, entitled

A bill to amend 1913 PA 184, entitled "An act to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the state dairy and food commissioner relative thereto," by amending sections 1, 2, 3, 4, 5, 6, and 8 (MCL 445.331, 445.332, 445.333, 445.334, 445.335, 445.336, and 445.338).

Senator Dunaskiss introduced

Senate Bill No. 1083, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 712 and 713 (MCL 257.712 and 257.713).

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

Senator Shugars introduced

Senate Bill No. 1084, entitled

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

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

Senator North introduced

Senate Bill No. 1085, entitled

A bill to repeal 1889 PA 204, entitled "An act to authorize the township board of any township in the upper peninsula to license hawkers, peddlers and pawnbrokers, and hawking and peddling, and to regulate and license the sale or peddling of goods, wares, merchandise, refreshments or any kind of property or thing by persons going about from place to place in the township, for that purpose, or from any stand, cart, vehicle, or other device, in the streets, highways, or in or upon wharves, docks, open places or spaces, public grounds or buildings in the township, and to provide a forfeiture for every person who, without license, or contrary to the terms of any license granted to him, shall exercise any occupation or trade, or do anything in respect to which any license shall be required by any resolution or regulation of the township board, made or passed under authority of this act," (MCL 446.101 to 446.105).

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

Senator McCotter introduced

Senate Bill No. 1086, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 4 (MCL 427.4).

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

Senator McCotter introduced

Senate Bill No. 1087, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 5 (MCL 427.5).

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

Senator Rogers introduced

Senate Bill No. 1088, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 6 (MCL 427.6).

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

Senator A. Smith introduced

Senate Bill No. 1089, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 8 (MCL 427.8).

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

Senator Steil introduced

Senate Bill No. 1090, entitled

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

Senator McCotter introduced

Senate Bill No. 1091, entitled

A bill to repeal 1899 PA 221, entitled "An act to compel parties engaged in securing ice to erect suitable danger signals and barricades, designating what officials it shall be the duty of to see that the provisions of this act are complied with, and to repeal Act No. 100 of the Public Acts of 1877, entitled "An act to compel parties engaged in securing ice to erect danger signals," being sections 9119 and 9120 of Howell's annotated statutes of the state of Michigan and sections 11525 and 11526 of the Compiled Laws of 1897," (MCL 752.351 to 752.353).

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

Senator Leland introduced

Senate Bill No. 1092, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 41 (MCL 750.41). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator McCotter introduced

Senate Bill No. 1093, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 171, 172, 173, and 173a (MCL 750.171, 750.172, 750.173, and 750.173a).

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

Senator McCotter introduced

Senate Bill No. 1094, entitled

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

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

Senator Dingell introduced

Senate Bill No. 1095, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 179 (MCL 750.179). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Dingell introduced

Senate Bill No. 1096, entitled

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

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

Senator Dingell introduced

Senate Bill No. 1097, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 266 (MCL 750.266). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Sikkema introduced

Senate Bill No. 1098, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 319 and 320 (MCL 750.319 and 750.320).

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

Senator Dingell introduced

Senate Bill No. 1099, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 366 (MCL 750.366). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Dingell introduced

Senate Bill No. 1100, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 513 (MCL 750.513). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Dingell introduced

Senate Bill No. 1101, entitled

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

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

Senator Dingell introduced

Senate Bill No. 1102, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 514 (MCL 750.514). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Dingell introduced

Senate Bill No. 1103, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 516 (MCL 750.516). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Dingell introduced

Senate Bill No. 1104, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 517 (MCL 750.517). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Koivisto introduced

Senate Bill No. 1105, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 494 (MCL 750.494). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Johnson introduced

Senate Bill No. 1106, entitled

A bill to amend 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," by amending sections 1 and 2 (MCL 752.161 and 752.162).

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

Senator McCotter introduced

Senate Bill No. 1107, entitled

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

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

Senator McCotter introduced

Senate Bill No. 1108, entitled

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

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

Senator McCotter introduced

Senate Bill No. 1109, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 348 (MCL 750.348). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senators McCotter and Goschka introduced

Senate Bill No. 1110, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 1988 PA 470.

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

Senator McCotter introduced

Senate Bill No. 1111, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 34 (MCL 750.34); and to repeal acts and parts of acts.

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

Senator McCotter introduced

Senate Bill No. 1112, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 42 (MCL 750.42). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator McCotter introduced

Senate Bill No. 1113, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 409 (MCL 750.409). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator McCotter introduced

Senate Bill No. 1114, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 442, 443, 444, 445, 446, and 447 (MCL 750.442, 750.443, 750.444, 750.445, 750.446, and 750.447).

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

Senator McCotter introduced

Senate Bill No. 1115, entitled

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

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

Senator Hammerstrom introduced

Senate Bill No. 1116, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 448, 449, 450, 451, and 462 (MCL 750.448, 750.449, 750.450, 750.451, and 750.462).

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

Senator McCotter introduced

Senate Bill No. 1117, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 503 and 504 (MCL 750.503 and 750.504).

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

Senator McCotter introduced

Senate Bill No. 1118, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration,

audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30a (MCL 205.30a), as amended by 1995 PA 116.

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

Senator V. Smith introduced

Senate Bill No. 1119, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 97 (MCL 750.97). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator A. Smith introduced

Senate Bill No. 1120, entitled

A bill to amend 1851 PA 151, entitled "An act to provide for the government of the state university, and to repeal chapter 57 of the Revised Statutes of 1846," by repealing sections 12 and 13 (MCL 390.12 and 390.13).

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

Senator Emerson introduced

Senate Bill No. 1121, entitled

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

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

Senator McCotter introduced

Senate Bill No. 1122, entitled

A bill to repeal 1917 PA 54, entitled "An act to provide for the branding and labeling of mattresses and comforts, and to provide against the use of insanitary, unhealthy, old or second-hand material in the manufacture of mattresses and comforts, and to provide against the sale of mattresses or comforts containing such insanitary, unhealthy, old or second-hand materials," (MCL 429.301 to 429.311).

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

Senator Jaye introduced

Senate Bill No. 1123, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by repealing section 3 (MCL 10.3).

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

Senator Schuette introduced

Senate Bill No. 1124, entitled

A bill to repeal 1887 PA 229, entitled "An act establishing a lien for labor and services upon lumber, shingles, logs, timber, cedar posts, telegraph poles, railroad ties, bark, shingle-bolts, stave-bolts, staves, cord-wood, pulp-wood, hoppoles, hoop-poles, veneering wood and all other forest products, and to repeal Act No. 145 of the Session Laws of 1881, entitled "An act establishing a lien for labor and services upon logs, timber, cedar posts, telegraph poles, railroad ties, tanbark, shingle-bolts and staves, and to repeal Act No. 185 of the Session Laws of 1873, entitled 'An act establishing a lien for labor and services upon logs and timber, as amended by Act No. 253 of the Public Acts of 1879'," (MCL 426.1 to 426.15).

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

Senator Gougeon introduced

Senate Bill No. 1125, entitled

A bill to repeal 1861 PA 263, entitled "An act to provide for the floating of logs and timber in the streams of this state," (MCL 426.51 to 426.57).

Senator Goschka introduced

Senate Bill No. 1126, entitled

A bill to repeal 1867 PA 202, entitled "An act to protect the title of the owners of floating logs and lumber," (MCL 426.101 to 426.107).

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

Senator Schwarz introduced

Senate Bill No. 1127, entitled

A bill to repeal 1897 PA 43, entitled "An act to provide for the analysis of water in use by the public in certain cases," (MCL 390.81 to 390.83).

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

Senator McCotter introduced

Senate Bill No. 1128, entitled

A bill to repeal 1915 PA 50, entitled "An act to provide for the payment of bounties for the killing of common rats," (MCL 433.251 to 433.253).

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

Senator Hammerstrom introduced

Senate Bill No. 1129, entitled

A bill to repeal 1907 PA 226, entitled "An act to provide for the payment of bounties for the killing of English sparrows," (MCL 433.281 to 433.284).

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

Senator McCotter introduced

Senate Bill No. 1130, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by repealing section 6b (MCL 28.6b).

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

Senator A. Smith introduced

Senate Bill No. 1131, entitled

A bill to repeal 1990 PA 325, entitled "Michigan museum act," (MCL 399.301 to 399.510).

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

Senator McCotter introduced

Senate Bill No. 1132, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 663, 664, 665, and 666 (MCL 257.663, 257.664, 257.665, and 257.666).

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

Senator McCotter introduced

Senate Bill No. 1133, entitled

A bill to repeal 1883 PA 122, entitled "An act to provide for branding certain livestock; to provide for certain powers and duties of certain state agencies; and to prescribe application procedures and fees," (MCL 287.221 to 287.223).

Senator McCotter introduced

Senate Bill No. 1134, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 662 (MCL 257.662). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Bennett introduced

Senate Bill No. 1135, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 234 (MCL 257.234), as amended by 1987 PA 238.

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

Senator Bennett introduced

Senate Bill No. 1136, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing section 304 (MCL 257.304). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Bennett introduced

Senate Bill No. 1137, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 314 (MCL 257.314), as amended by 1989 PA 299.

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

Senator Bennett introduced

Senate Bill No. 1138, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

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

Senator McCotter introduced

Senate Bill No. 1139, entitled

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

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

Senator Hammerstrom introduced

Senate Bill No. 1140, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 57 (MCL 211.57), as amended by 1999 PA 123.

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

Senator Bullard introduced

Senate Bill No. 1141, entitled

A bill to repeal 1913 PA 334, entitled "An act to provide for the establishment, survey, improvement and maintenance of state reward trunk line highways, to provide for the payment of triple state reward thereon, to define the duties of state, county, good roads district and township officers in regard thereto, and to appropriate funds to carry out the provisions thereof," (MCL 250.2 to 250.9).

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

Senator Peters introduced

Senate Bill No. 1142, entitled

A bill to repeal 1919 (Ex Sess) PA 19, entitled "An act to provide for the laying out and establishing of additional trunk line mileage, the same to be added to and connected with the state trunk line highways heretofore established, under the provisions of Act No. 334 of the Public Acts of 1913, as amended," (MCL 250.101).

Senator Sikkema introduced

Senate Bill No. 1143, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 51 (MCL 324.5101 to 324.5103).

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

Senator McCotter introduced

Senate Bill No. 1144, entitled

A bill to amend 1925 PA 12, entitled "An act to provide for the laying out and establishing of additional trunk line mileage; to make all roads that have been improved as federal aid projects, and all roads that have been, or that may hereafter be, approved for federal aid, trunk line highways; to provide for the widening, altering or straightening of trunk line highways; to provide for the abandonment, alteration or change of any portion of the trunk line highway; and to repeal all acts and parts of acts inconsistent herewith," by repealing section 2 (MCL 250.112).

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

Senator DeBeaussaert introduced

Senate Bill No. 1145, entitled

A bill to repeal 1929 PA 7, entitled "An act to provide for the laying out and establishing of additional trunk line mileage," (MCL 250.131).

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

Senator Vaughn introduced

Senate Bill No. 1146, entitled

A bill to repeal 1934 (1st Ex Sess) PA 27, entitled "An act to provide for the laying out and establishing of additional trunk line mileage," (MCL 250.142).

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

Senator McCotter introduced

Senate Bill No. 1147, entitled

A bill to repeal 1921 PA 324, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway commencing at the section corner common to sections 15, 16, 21 and 22, town 14 north, range 7 west, Wheatland township, Mecosta county, thence running due north through the village of Barryton, Mecosta county, and the village of Marion, Osceola county, to the city of McBain in Missaukee county, thence due north on the township line between town 21 north, range 7 west, and 21 north, range 8 west, to the southwest corner to section 25, town 22 north, range 8 west," (MCL 250.151).

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

Senator McCotter introduced

Senate Bill No. 1148, entitled

A bill to repeal 1921 PA 341, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan," (MCL 250.161).

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

Senator McCotter introduced

Senate Bill No. 1149, entitled

A bill to repeal 1921 PA 350, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from a point on the boundary line between the states of Michigan and Indiana southwest to Mottville on the Elkhart road to Port Sanilac in Sanilac county, and from New Buffalo in Berrien county, through Buchanan, Niles, Cassopolis, Vandalia, Fabius, Three Rivers, Fishers' Lake, Mendon, Leonidas, Union City, Burlington, Tekonsha, Homer, Concord, Spring Arbor, to Jackson in Jackson county, passing through certain intermediate towns, villages and cities, to be known and designated as the Colgrove highway," (MCL 250.171).

Senator Hammerstrom introduced

Senate Bill No. 1150, entitled

A bill to repeal 1921 PA 340, entitled "An act to provide for the laying out, establishing, construction, improvement and maintenance of a public wagon road from the city of Monroe in Monroe county to the boundary line between the states of Ohio and Michigan, to designate the character and general location of such road, to define the powers and duties of the state highway commissioner with reference thereto and to provide for the payment of the cost thereof," (MCL 250.181).

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

Senator McCotter introduced

Senate Bill No. 1151, entitled

A bill to repeal 1959 PA 82, entitled "An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county," (MCL 254.111 to 254.112).

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

Senator McCotter introduced

Senate Bill No. 1152, entitled

A bill to repeal 1927 PA 98, entitled "An act authorizing the state highway commissioner of the state of Michigan to enter into an agreement with the Wisconsin state highway commission to construct an interstate bridge project extending from approximately the intersection of Ogden avenue and Chandler street in the city of Menominee, Michigan, in a straight line terminating at the approximate center of Dunlap square in the city of Marinette, Wisconsin, and to provide for the cost and expense thereof," (MCL 254.121 to 254.123).

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

Senator McCotter introduced

Senate Bill No. 1153, entitled

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

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

Senator McCotter introduced

Senate Bill No. 1154, entitled

A bill to repeal acts and parts of acts.

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

Senator McCotter introduced

Senate Bill No. 1155, entitled

A bill to repeal 1947 PA 294, entitled "An act to enable the state bridge commission to sell certain real estate subject to certain limitations and to direct the disposition of the proceeds of said sale," (MCL 254.181).

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

Senator McCotter introduced

Senate Bill No. 1156, entitled

A bill to repeal 1962 PA 57, entitled "An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county," (MCL 254.351 to 254.352).

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

Senator McCotter introduced

Senate Bill No. 1157, entitled

A bill to repeal 1919 PA 36, entitled "An act to regulate the planting of ornamental, nut bearing or other food producing trees along the highways of the state of Michigan, or in public places, and for the maintenance, protection and care of such trees and to provide a penalty for injury thereof, or for stealing the products thereof," (MCL 247.231 to 247.235).

Senator Johnson introduced

Senate Bill No. 1158, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending section 2 (MCL 141.932), as amended by 1998 PA 528.

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

Senator Goschka introduced

Senate Bill No. 1159, entitled

A bill to amend 1972 PA 354, entitled "An act to authorize the replacement or payment without presentation of lost, destroyed or wrongfully taken bonds or other evidences of indebtedness issued by public corporations; and to prescribe the powers and duties of certain departments and agencies," by repealing section 5 (MCL 129.135).

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

Senator Hammerstrom introduced

Senate Bill No. 1160, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending section 7 (MCL 141.1057), as amended by 1997 PA 27.

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

Senator Bullard introduced

Senate Bill No. 1161, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending section 18 of article V (MCL 479.18), as amended by 1988 PA 355.

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

Senator Van Regenmorter introduced

Senate Bill No. 1162, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

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

House Bill No. 4809, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

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 Local, Urban and State Affairs.

House Bill No. 5394, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35a (MCL 208.35a), as added by 1999 PA 115.

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 Finance.

Committee Reports

The Committee on Banking and Financial Institutions reported

Senate Bill No. 664, entitled

A bill to amend 1975 PA 148, entitled "Debt management act," by amending sections 2, 5, 6, 8, 13, 14, 15, 16, and 18 (MCL 451.412, 451.415, 451.416, 451.418, 451.423, 451.424, 451.425, 451.426, and 451.428); 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.

Glenn D. Steil Chairperson

To Report Out:

Yeas: Senators Steil, Shugars, Emmons, Rogers and Miller

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submits the following:

Meeting held on Thursday, March 2, 2000, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Steil (C), Shugars, Emmons, Rogers, Miller and Cherry

Excused: Senator V. Smith

The Committee on Finance reported

House Bill No. 5389, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51c (MCL 206.51c), as added by 1999 PA 3; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Joanne Emmons Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5391, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

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.

Joanne Emmons Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

House Bill No. 5393, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

With the recommendation that the bill pass.

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

Joanne Emmons Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Navs: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, March 7, 2000, at 1:05 p.m., 8th Floor Conference Room, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submits the following: Meeting held on Thursday, February 24, 2000, at 3:00 p.m., House Conference Room, Capitol Building Present: Senators McManus (C), Schwarz and Emerson

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, International Trade and Regulatory Affairs submits the following: Meeting held on Tuesday, March 7, 2000, at 1:14 p.m., Room 110, Farnum Building Present: Senators Schuette (C), McCotter, Jaye, Leland and Peters

COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid submits the following: Meeting held on Tuesday, March 7, 2000, at 3:00 p.m., Senate Appropriations Room, Capitol Building Present: Senators Stille (C), Bennett and DeBeaussaert

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submits the following: Meeting held on Wednesday, March 8, 2000, at 8:30 a.m., Senate Appropriations Room, Capitol Building Present: Senators McManus (C), Gast and Koivisto

Scheduled Meetings

Appropriations Committee - Tuesday, March 14 at 2:00 p.m. and Wednesday, March 15, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Community Colleges Appropriations Subcommittee - Tuesday, March 14, at 11:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Education Committee - Wednesday, March 15, at 3:00 p.m., Room 810, Farnum Building (3-7350).

Family Independence Agency Appropriations Subcommittee - Thursday, March 16, at 3:00 p.m., Room 100, Farnum Building; Thursday, March 23, at 1:00 p.m., Room 100, Farnum Building; Thursday, March 30, at 1:00 p.m., Room 100, Farnum Building; Tuesday, April 4, at 1:00 p.m., Room 210, Farnum Building; Thursday, April 6, at 1:00 p.m., Room 100, Farnum Building; Tuesday, April 11, at 1:00 p.m., Room 210, Farnum Building; Thursday, April 13, at 3:00 p.m., Room 100, Farnum Building; Tuesday, May 2, at 1:00 p.m., Room 210, Farnum Building; and Tuesday, May 9, at 1:00 p.m., Room 210, Farnum Building (3-1760).

Higher Education Appropriations Subcommittee - Friday, March 10, at 10:00 a.m., Ferris State University, Grand Rapids Campus, Grand Rapids; and Tuesday, March 14, at 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-3447).

Natural Resources and Environmental Affairs Committee - Monday, March 13, at 7:00 p.m., Macomb Community College, Center Campus, "K" Building, Room 137, 44575 Garfield Road, Clinton Township; Thursday, March 23, at 6:00 p.m., Northwestern Michigan College, Oleson Center - Rooms 1 and 2, 1701 E. Front Street, Traverse City; Thursday, April 6, at 6:00 p.m., Lake Superior State University, Cisler Student and Conference Center - Ontario-Michigan Room, 650 Easterday Avenue, Sault Ste. Marie; and Monday, April 10, at 6:00 p.m., Monroe City Hall, Council Chamber, 120 E. First Street, Monroe (3-0797).

Technology and Energy Committee - Wednesday, March 15, at 3:00 p.m., Rooms 402 and 403, Capitol Building (3-2417).

Senator Goschka moved that the Senate adjourn. The motion prevailed, the time being 11:42 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, March 9, at 10:00 a.m.

CAROL MOREY VIVENTI Secretary of the Senate.