

No. 64
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, September 28, 2000.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator John J.H. Schwarz.

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
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—excused
North—present
Peters—present

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

Senator Joe Young, Jr., of the 1st District offered the following invocation:

Dear Lord, there are many things that we'd like to do, and there are many things we should do. Please give us the wisdom and the opportunity to combine the two, and do the best that we can for the citizens of the state of Michigan. Amen.

Senators DeGrow, Hammerstrom, Jaye, Miller, Emerson and Goschka entered the Senate Chamber.

Motions and Communications

Recess

Senator Rogers moved that the Senate recess subject to the call of the President. The motion prevailed, the time being 10:02 a.m.

11:00 a.m.

The Senate was called to order by the President pro tempore, Senator Schwarz.

During the recess, Senators Bennett, A. Smith and Hoffman entered the Senate Chamber.

Senator V. Smith moved that Senators Murphy and Vaughn be excused from today's session. The motion prevailed.

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

The following communication was received:

Department of Environmental Quality

September 22, 2000

Attached please find the report to the Michigan Legislature as required by Section 211(2) of 1999 PA 125, regarding anticipated Great Lakes water diversions in the twenty-first century and recommendations on a research program and other measures needed to evaluate the impact of proposed diversions.

If you have any questions regarding this report, please contact Mr. G. Tracy Mehan, III, Director, Office of the Great Lakes, at 517-335-4056.

Thank you for your consideration.

Sincerely,
Russell J. Harding
Director
517-373-7917

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 27:

House Bill Nos. 5153 5228 5402 5403 5404 5405 5406 5407 5408 5409 5410 5411 5412
5413 5414 5415 5416 5417 5758

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, September 27, for his approval the following bill:

Enrolled Senate Bill No. 967 at 12:04 p.m.

The Secretary announced the printing and placement in the members' files on Wednesday, September 27, of:

Senate Bill Nos. 1371 1372 1373 1374 1385 1386 1387 1388 1389 1390 1391 1392 1393
House Bill Nos. 5951 5962 5964

Messages from the House

Senate Bill No. 892, 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 28 (MCL 205.28), as amended by 1998 PA 221.

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.

Senate Bill No. 1273, entitled

A bill to define organic agriculture and products; to provide for the establishment of standards relative to organic products, producers and handlers of organic products, and other persons; to provide for designation of certain entities as certifying agents; to provide for registration of certain persons; to create certain funds and provide for their disposition; to create certain advisory committees; to provide for certain powers and duties of certain state agencies; and to provide for penalties and remedies.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

Senate Bill No. 734, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 1992 PA 267.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 5, after "containers;" by striking out the balance of the line through "CONSUMPTION;" on line 8 and inserting "TO NONALCOHOLIC BEVERAGES AND PREPARED FOOD INTENDED FOR IMMEDIATE CONSUMPTION PROVIDED DURING WORK HOURS FOR FREE OR AT A REDUCED RATE TO EMPLOYEES OF FOOD SERVICE ESTABLISHMENTS LICENSED BY THE MICHIGAN DEPARTMENT OF AGRICULTURE;"

2. Amend page 2, following line 20, by inserting:

"(4) "FOOD SERVICE ESTABLISHMENT" MEANS THAT TERM AS DEFINED IN SECTION 1107 OF THE FOOD LAW OF 2000, 2000 PA 92, MCL 289.1107.

Enacting section 1. This amendatory act takes effect October 1, 2001."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 773, entitled

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

The House of Representatives has amended the bill as follows:

1. Amend page 4, line 15, after "stamps;" by striking out the balance of the sentence and inserting "OR NONALCOHOLIC BEVERAGES AND PREPARED FOOD INTENDED FOR IMMEDIATE CONSUMPTION PROVIDED DURING WORK HOURS FOR FREE OR AT A REDUCED RATE TO EMPLOYEES OF FOOD SERVICE ESTABLISHMENTS LICENSED BY THE MICHIGAN DEPARTMENT OF AGRICULTURE. AS USED IN THIS SUBSECTION, "FOOD SERVICE ESTABLISHMENT" MEANS THAT TERM AS DEFINED IN SECTION 1107 OF THE FOOD LAW OF 2000, 2000 PA 92, MCL 289.1107."

2. Amend page 4, following line 19, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2001."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 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 House of Representatives has substituted (H-1) the bill.

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

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

Senate Bill No. 801, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1998 PA 536.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 1243, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 222, and 251 (MCL 257.217, 257.222, and 257.251), section 217 as amended by 1998 PA 247, section 222 as amended by 1999 PA 267, and section 251 as amended by 1998 PA 455.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 15, after "transfer;" by striking out the balance of the line through "VEHICLE," on line 17.
2. Amend page 2, line 19, after "state;" by inserting "EXCEPT FOR A VEHICLE OWNED BY A DEALER AND LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE;"
3. Amend page 10, line 6, after "transfer;" by striking out the balance of the line through line 8.
4. Amend page 10, line 9, by striking out "if" and inserting "WHETHER".
5. Amend page 10, line 10, after "state;" by inserting "EXCEPT FOR A VEHICLE OWNED BY A DEALER AND LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE;"
6. Amend page 12, line 3, after "(7)" by striking out the balance of the line through "THE" on line 5 and inserting "The".
7. Amend page 12, line 8, after "vehicles" by inserting a semicolon and "EXCEPT FOR A VEHICLE LOANED OR LEASED TO A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCATION VEHICLE".

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Rogers moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

Senate Bill No. 959

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 1342, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 309c; and to repeal acts and parts of acts.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Byrum offered the following amendment:

1. Amend page 2, line 18, by striking out all of subsection (6) and inserting:

“(6) FROM THE FINES COLLECTED UNDER SUBSECTION (3), THE COMMISSION SHALL ORDER 50% TO BE PAID BY THE PROVIDER DIRECTLY TO THE CUSTOMERS WHO SUFFERED THE VIOLATION OF THIS SECTION. THE REMAINING 50% OF THE FINES COLLECTED UNDER SUBSECTION (3) SHALL BE DEPOSITED IN THE FUND CREATED UNDER SUBSECTION (7).

(7) THE TELECOMMUNICATION SENIOR ASSISTANCE FUND IS CREATED IN THE STATE TREASURY AND SHALL BE ADMINISTERED BY THE COMMISSION. THE FUND SHALL ONLY BE EXPENDED AS PROVIDED BY THIS SUBSECTION. THE STATE TREASURER SHALL CREDIT TO THE FUND ALL REVENUE RECEIVED UNDER SUBSECTION (6), ANY APPROPRIATIONS MADE BY THE LEGISLATURE TO THE FUND, AND ANY INTEREST CREATED BY THE FUND. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND NOT LAPSE TO THE GENERAL FUND. THE COMMISSION SHALL UTILIZE THE FUND TO ASSIST ELIGIBLE LOW INCOME SENIOR CITIZENS IN RECEIVING TELECOMMUNICATION SERVICES AT AN AFFORDABLE RATE. AS USED IN THIS SECTION, “ELIGIBLE SENIOR CITIZEN” MEANS AN INDIVIDUAL WHO IS 65 YEARS OF AGE OR OLDER AND WHOSE HOUSEHOLD INCOME DOES NOT EXCEED 200% OF THE POVERTY LEVEL AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.” and renumbering the remaining subsections.

The question being on the adoption of the amendment,

Senator McCotter moved that further consideration of the amendment be postponed temporarily.

On which motion Senator V. Smith requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 614

Yeas—22

Bennett	Goschka	McCotter	Schwarz
Bullard	Gougeon	McManus	Shugars
DeGrow	Hammerstrom	North	Sikkema
Dunaskiss	Hoffman	Rogers	Stille
Emmons	Jaye	Schuette	Van Regenmorter
Gast	Johnson		

Nays—13

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

Excused—3

Murphy	Steil	Vaughn
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Not Voting—0

In The Chair: Schwarz

Protests

Senators Byrum and Cherry, under their constitutional right of protest (Art. 4, Sec. 18), protested against the postponement of the amendment offered by Senator Byrum to Senate Bill No. 1342.

Senator Byrum’s statement is as follows:

I voted “no” on the motion to temporarily postpone my amendment because, in fact, what that motion by Senator McCotter resulted in was the body not going to be debating my amendment dealing with how we’re going to use the fines. My amendment would propose that we split the fines equally between those impacted customers, and then create a new fund for senior citizens.

My comments are being restricted to my “no” vote explanation. It was a procedural move so that the amendment that I was going to be offering was not going to be debated on this floor. I voted “no” because I disagreed. My amendment had been in for several days. It was number one on the amendment schedule. It was properly before this body. My point of order was not even acknowledged.

It’s unfortunate that we were not going to have the full discussion on this amendment. The motion to postpone, I disagreed with. We had a discussion in committee as to what to do with the fines. It’s just unfortunate that we can’t have a full and open debate in this body and that we can’t have the amendments voted on by their merit. I disagreed with the motion to postpone. It’s one more time we’re playing politics in this body, and we’re not taking up the people’s business.

Senator Cherry’s statement is as follows:

I voted “no” on the motion to postpone the Byrum amendment primarily because of procedure. As I saw what was occurring was that the sponsor of the amendment was on the board to speak on behalf of her amendment, and then a motion was recognized by a member of the body who wasn’t even on the board. It just seems to me, Mr. President, that I’m used to facing trains as they come down the tracks, but at least the engineers ought to be running it right. If a member is recognized to speak, that ought to be honored. It wasn’t, and I voted “no” on the motion.

Senators Hammerstrom and Jaye offered the following amendment:

1. Amend page 2, line 18, by striking out all of subsection (6) and inserting:

“(6) THE COMMISSION SHALL ORDER THAT ANY FINES IMPOSED UNDER SUBSECTION (3) BE PAID BY THE PROVIDER IN THE FORM OF A REFUND AS DETERMINED BY THE COMMISSION TO ALL CUSTOMERS WITHIN THE PROVIDERS’ SERVICE AREA.”.

The question being on the adoption of the amendment,

Senator Hammerstrom 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. 615

Yeas—35

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

Nays—0

Excused—3

Murphy	Steil	Vaughn
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Not Voting—0

In The Chair: Schwarz

By unanimous consent the Senate returned to consideration of the amendment offered by Senator Byrum.

The question being on the adoption of the amendment,

Senator Byrum withdrew the amendment.

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. 616**Yeas—35**

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

Nays—0**Excused—3**

Murphy	Steil	Vaughn
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Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Shugars, Johnson, Bennett, McCotter, Byrum, DeBeaussaert, Young, Peters, Leland, Emerson and Miller moved that they be named co-sponsors of the following bill:

Senate Bill No. 1342

The motion prevailed.

The following bill was read a third time:

House Bill No. 4996, entitled

A bill to amend 1967 PA 119, entitled "An act regulating the use of chemical agents containing toxic chemicals or organic solvents or both, having the property of releasing toxic vapors; and providing for penalties," by amending the title and section 3 (MCL 752.273) and by adding section 2a; 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. 617**Yeas—34**

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

Nays—0

Excused—3

Murphy

Steil

Vaughn

Not Voting—1

Hart

In The Chair: Schwarz

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

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

The following bill was read a third time:

House Bill No. 4997, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 17 of chapter XVII (MCL 777.17), as amended by 2000 PA 279.

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. 618

Yeas—34

Bennett

Emmons

Leland

Schwarz

Bullard

Gast

McCotter

Shugars

Byrum

Goschka

McManus

Sikkema

Cherry

Gougeon

Miller

Smith, A.

DeBeaussaert

Hammerstrom

North

Smith, V.

DeGrow

Hoffman

Peters

Stille

Dingell

Jaye

Rogers

Van Regenmorter

Dunaskiss

Johnson

Schuette

Young

Emerson

Koivisto

Nays—0

Excused—3

Murphy

Steil

Vaughn

Not Voting—1

Hart

In The Chair: Hoffman

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

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

The following bill was read a third time:

House Bill No. 5556, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7401a, 7410, 7410a, and 7521 (MCL 333.7401a, 333.7410, 333.7410a, and 333.7521), section 7401a as added by 1998 PA 319, section 7410 as amended by 1999 PA 188, section 7410a as added by 1998 PA 261, and section 7521 as amended by 1990 PA 30, and by adding section 7401b.

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. 619

Yeas—34

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

Nays—0

Excused—3

Murphy	Steil	Vaughn
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Not Voting—1

Hart

In The Chair: Schwarz

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

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

“An act to protect 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.”.

The Senate agreed to the full title.

Senator V. Smith moved that Senator Hart be excused from the balance of today’s session.

The motion prevailed.

The following bill was read a third time:

House Bill No. 5557, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 13 and 18 of chapter XVII (MCL 777.13 and 777.18), as amended by 2000 PA 279.

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. 620

Yeas—34

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

Nays—0

Excused—4

Hart	Murphy	Steil	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1313, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2512 and 2517 (MCL 339.2512 and 339.2517), section 2512 as amended by 1996 PA 430 and section 2517 as amended by 2000 PA 236.

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. 621

Yeas—34

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

Nays—0

Excused—4

Hart	Murphy	Steil	Vaughn
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Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The President, Lieutenant Governor Posthumus, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 959, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 5, 6, 7, 8, 16, and 20 (MCL 141.1051, 141.1053, 141.1055, 141.1056, 141.1057, 141.1058, 141.1066, and 141.1070), the title and sections 3 and 8 as amended by 1997 PA 27, section 7 as amended by 2000 PA 118, and section 20 as amended by 1988 PA 316; and to repeal acts and parts of acts.

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

Substitute (S-1).

The substitute 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. 622

Yeas—32

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

Nays—0

Excused—4

Hart	Murphy	Steil	Vaughn
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Not Voting—2

Hoffman	Koivisto
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In The Chair: President

The Senate agreed to the title of the bill.

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. 211

The resolution consent calendar was adopted.

Senators Rogers, Hoffman, Stille, Gougeon, Bennett, Johnson, Hammerstrom, Sikkema, Bullard, Steil and Gast offered the following resolution:

Senate Resolution No. 211.

A resolution to designate the month of October 2000 as Children's Internet Safety Month in Michigan.

Whereas, The Internet is one of the most effective tools available for purposes of education and research and gives children the opportunity to make friends and freely communicate with peers and family anywhere in the world; and

Whereas, It is vital to the well-being of children that the Internet offer them a wholesome environment to explore and that its capacity to deliver pornographic material to the innocent be responsibly monitored and effectively screened; and

Whereas, Children are ill-equipped to cope with lurid Internet content or cyberpredators and are at risk in their own home, school, and library; and

Whereas, Parents, families, religious leaders, educators, industry and government leaders, and responsible people everywhere are concerned about children's Internet safety, Web manipulation by the unscrupulous, and the rising tide of pornographic Web sites; and

Whereas, Heightened awareness and a broad public consensus against thwarting the true purpose of the Internet is a moral imperative against objectionable material such as violent, obscene, or sexually explicit adult material that may be received by a minor in unsolicited form; and

Whereas, It is important that positive forces in society and leading organizations and institutions, along with our citizenry, support this public service initiative to improve the Internet culture within their own spheres of influence; and

Whereas, The century of instant global communication holds great promise for achieving better understanding between people of the world. It also heralds a broader resolve to protect the safety of children in order that the Internet not be perceived as an instrument of cunning, pornographic invitations to the young but as evidence of profound respect for human dignity, creative inquiry, and commitment to excellence; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the month of October 2000 as Children's Internet Safety Month in Michigan.

By unanimous consent the Senate proceeded to the order of
Statements

Senator Rogers moved that he be permitted to submit a statement in writing for inclusion in a subsequent Journal. The motion prevailed.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senators Schuette, Sikkema, Hammerstrom, Gougeon and Hoffman introduced
Senate Bill No. 1395, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2 and 3 of chapter X (MCL 770.2 and 770.3), as amended by 1998 PA 407, and by adding section 16 to chapter X.

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

Senators Schuette, Hammerstrom, Sikkema, Gougeon and Hoffman introduced
Senate Bill No. 1396, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Van Regenmorter, Schuette, Hammerstrom, Sikkema, Gougeon and Hoffman introduced
Senate Bill No. 1397, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625a (MCL 257.625a), as amended by 1998 PA 351.

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

Senators McCotter, Schuette, Hammerstrom, Sikkema and Gougeon introduced
Senate Bill No. 1398, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Hammerstrom, Schuette, Sikkema, Gougeon and Hoffman introduced
Senate Bill No. 1399, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 60 (MCL 49.160). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Shugars, Schuette, Hammerstrom, Sikkema and Gougeon introduced

Senate Bill No. 1400, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000," by amending the title and sections 1, 2, 3, 5, 6, 8, and 19 (MCL 446.201, 446.202, 446.203, 446.205, 446.206, 446.208, and 446.219), section 5 as amended by 1998 PA 233.

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 Hoffman, Schuette, Hammerstrom, Sikkema and Gougeon introduced

Senate Bill No. 1401, entitled

A bill to amend 1981 PA 7, entitled "An act to prohibit without authorization the bringing into jails and other specified areas any alcoholic liquor, controlled substances, weapons, and certain other items; the selling or furnishing to prisoners, and the improper disposal of any alcoholic liquor, controlled substances, weapons, and certain other items; the possession or control by prisoners of any alcoholic liquor, controlled substances, weapons, and certain other items; to prescribe a penalty; and to repeal certain acts and parts of acts," by amending the title and sections 1, 3, and 5 (MCL 801.261, 801.263, and 801.265), section 1 as amended by 1985 PA 46 and section 5 as amended by 1999 PA 28.

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

Senators Bullard, Schuette, Hammerstrom, Sikkema and Gougeon introduced

Senate Bill No. 1402, entitled

A bill to repeal 1959 PA 203, entitled "Emergency interim local succession act," (MCL 31.101 to 31.115).

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

Senators Hoffman, Bullard and Gast introduced

Senate Bill No. 1403, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 44501, 44502, 44503, 44504, 44507, 44508, 44509, 44511, 44512, 44513, 44517, 44520, 44521, 44522, and 44526 (MCL 324.44501, 324.44502, 324.44503, 324.44504, 324.44507, 324.44508, 324.44509, 324.44511, 324.44512, 324.44513, 324.44517, 324.44520, 324.44521, 324.44522, and 324.44526), sections 44501, 44502, 44503, 44504, 44507, 44508, 44509, 44511, 44512, 44513, 44517, 44520, 44521, and 44526 as added by 1995 PA 57 and section 44522 as amended by 1998 PA 262.

The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Gougeon introduced

Senate Bill No. 1404, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 1999 PA 68.

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

Senators Hoffman, Young and Goschka introduced

Senate Bill No. 1405, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 2v and 2w (MCL 480.12v and 480.12w), as amended by 1995 PA 265.

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

Senator Emmons introduced

Senate Bill No. 1406, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 1999 PA 85, and by adding section 8c.

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

Senator Emmons introduced

Senate Bill No. 1407, entitled

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

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

Senator Bennett introduced

Senate Bill No. 1408, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending the title and sections 1, 2, 3, and 4 (MCL 28.211, 28.212, 28.213, and 28.214), section 4 as amended by 1998 PA 459, and by adding sections 1a and 3a; 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 Judiciary.

Senator Bennett introduced

Senate Bill No. 1409, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2000 PA 82.

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

Senators Schuette, North, Stille, Van Regenmorter, Gougeon, Dunaskiss, Bullard, McManus, Johnson, Sikkema, McCotter, Bennett, Emmons, Gast, Schwarz, Hammerstrom, Rogers, Jaye, Goschka, Shugars and Hoffman introduced

Senate Bill No. 1410, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 7b (MCL 432.207b), as added by 1997 PA 69.

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

House Bill No. 5153, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9c (MCL 211.9c).

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

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

House Bill No. 5228, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 1201, 2103, 2210, 2326, 2502, 2716, 2A103, 2A303, 2A307, 2A309, 4210, 7503, 8103, 8106, 8110, 8301, 8302, 8510, 9102, 9103, 9104, 9105, 9106, 9107, 9108, 9109, 9110, 9201, 9202, 9203, 9204, 9205, 9206, 9207, 9208, 9301, 9302, 9303, 9304, 9305, 9306, 9307, 9308, 9309, 9310, 9311, 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9401, 9402, 9403, 9404, 9405, 9406, 9407, 9408, 9409, 9501, 9502, 9503, 9504, 9505, 9506, and 9507 (MCL 440.1105, 440.1201, 440.2103, 440.2210, 440.2326, 440.2502, 440.2716, 440.2803, 440.2903, 440.2907, 440.2909, 440.4210, 440.7503, 440.8103, 440.8106, 440.8110, 440.8301, 440.8302, 440.8510, 440.9102, 440.9103, 440.9104, 440.9105, 440.9106, 440.9107, 440.9108, 440.9109, 440.9110, 440.9201, 440.9202, 440.9203, 440.9204, 440.9205, 440.9206, 440.9207, 440.9208, 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9307, 440.9308, 440.9309, 440.9310, 440.9311, 440.9312, 440.9313, 440.9314, 440.9315, 440.9316, 440.9317, 440.9318, 440.9401, 440.9402, 440.9403, 440.9404, 440.9405, 440.9406, 440.9407, 440.9408, 440.9409, 440.9501, 440.9502, 440.9503, 440.9504, 440.9505, 440.9506, and 440.9507), sections 1105, 9203, and 9402 as amended by 1998 PA 489, section 1201 as amended and sections 2A103, 2A303, 2A307, and 2A309 as added by 1992 PA 101, section 2326 as amended by 1982 PA 397, section 4210 as amended by 1993 PA 130, sections 8103, 8106, 8301, 8302, 9301, 9302, 9303, 9306, 9309, and 9312 as amended and sections 8110 and 8510 as added by 1998 PA 278, sections 9103, 9104, 9105, 9106, 9304, and 9305 as amended by 1998 PA 488, section 9307 as amended by 1985 PA 199, section 9313 as amended by 1980 PA 53, section 9401 as amended by 1990 PA 288, sections 9403 and 9404 as amended by 1992 PA 186, sections 9405 and 9407 as amended by 1988 PA 130, and section 9406 as amended by 1989 PA 216, and by adding sections 5118, 9209, 9210, 9319, 9320, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9334, 9335, 9336, 9337, 9338, 9339, 9340, 9341, 9342, 9508, 9509, 9510, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9518, 9519, 9520, 9521, 9522, 9523, 9524, 9525, 9526, 9527, 9601, 9602, 9603, 9604, 9605, 9606, 9607, 9608, 9609, 9610, 9611, 9612, 9613, 9614, 9615, 9616, 9617, 9618, 9619, 9620, 9621, 9622, 9623, 9624, 9625, 9626, 9627, 9628, 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, and 9709; and to repeal acts and parts of acts.

The House of Representatives has passed the bill.

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

Joint Convention

The Deputy Sergeant at Arms announced that a committee from the House of Representatives who, through their Chairperson, Representative DeRossett, reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Posthumus, announced that the hour had arrived for the meeting of the two Houses in Joint Convention.

Senator Rogers moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 12:16 p.m.

(For proceedings in Joint Convention, see House Journal No. 60, p. 2158.)

The Senate reconvened at the expiration of the recess at 1:27 p.m. and was called to order by the President pro tempore, Senator Schwarz.

The President pro tempore, Senator Schwarz, announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the Judiciary message of Chief Justice Elizabeth Weaver.

House Bill No. 5402, entitled

A bill to amend 1974 PA 370, entitled "Vietnam veteran era bonus act," by amending section 17 (MCL 35.1037).

The House of Representatives has passed the bill.

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

House Bill No. 5403, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," by amending section 14 (MCL 141.114).

The House of Representatives has passed the bill.

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

House Bill No. 5404, entitled

A bill to amend 1983 PA 102, entitled "Uniform federal lien registration act," by amending section 5 (MCL 211.665), as amended by 1991 PA 132.

The House of Representatives has passed the bill.

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

House Bill No. 5405, entitled

A bill to amend 1968 PA 203, entitled "State tax lien registration act," by amending section 4 (MCL 211.684), as amended by 1989 PA 47.

The House of Representatives has passed the bill.

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

House Bill No. 5406, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 58b (MCL 257.58b).

The House of Representatives has passed the bill.

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

House Bill No. 5407, entitled

A bill to amend 1978 PA 387, entitled "An act to make appropriations to the department of state; to prescribe the powers and duties of the department of state and the state treasurer; to provide for loans to persons who own certain vehicles for the cost of their alteration or replacement; and to provide an interest rate for repayment of those loans," by amending section 4 (MCL 257.934).

The House of Representatives has passed the bill.

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

House Bill No. 5408, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 7a (MCL 285.67a), as amended by 1998 PA 388.

The House of Representatives has passed the bill.

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

House Bill No. 5409, entitled

A bill to amend 1969 PA 295, entitled "Higher education facilities authority act," by amending section 11 (MCL 390.931).

The House of Representatives has passed the bill.

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

House Bill No. 5410, entitled

A bill to amend 1976 PA 289, entitled "An act to implement, clarify, and confirm the constitutional powers of the bodies corporate controlling those institutions of higher education named in sections 4, 5, and 6 of article 8 of the state constitution of 1963, or established by law as therein provided, regarding the establishment and financing of student loan programs," by amending section 5 (MCL 390.1355).

The House of Representatives has passed the bill.

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

House Bill No. 5411, entitled

A bill to amend 1984 PA 341, entitled "Farm and utility equipment act," by amending section 9 (MCL 445.1459), as amended by 1995 PA 86.

The House of Representatives has passed the bill.

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

House Bill No. 5412, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 471 (MCL 450.1471).

The House of Representatives has passed the bill.

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

House Bill No. 5413, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 471 (MCL 450.2471).

The House of Representatives has passed the bill.

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

House Bill No. 5414, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 501 (MCL 487.3501).

The House of Representatives has passed the bill.

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

House Bill No. 5415, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 420 (MCL 491.420).

The House of Representatives has passed the bill.

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

House Bill No. 5416, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 14 (MCL 492.114).

The House of Representatives has passed the bill.

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

House Bill No. 5417, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending section 8 (MCL 566.38).

The House of Representatives has passed the bill.

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

House Bill No. 5758, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 279.

The House of Representatives has passed the bill.

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

Committee Reports

The Committee on Health Policy reported

House Bill No. 5063, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 1999 PA 241.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz, Byrum and Murphy

Nays: None

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

The Committee on Health Policy reported

House Bill No. 5803, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20175 (MCL 333.20175), as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz, Byrum and Murphy

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Tuesday, September 26, 2000, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Transportation and Tourism reported

Senate Bill No. 1324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 244 (MCL 257.244), as amended by 1992 PA 306.

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, Steil, North, Leland and Hart

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. 1364, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).

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, Steil, North, Leland and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 4392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 682b.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 1, line 1, after "SECTION," by striking out the balance of the subsection and inserting "AN OWNER OR OPERATOR SHALL NOT PERMIT A PERSON TO RIDE IN THE OPEN BED OF A PICKUP TRUCK ON A HIGHWAY, ROAD, OR STREET IN A CITY, VILLAGE, OR TOWNSHIP AT A SPEED GREATER THAN 15 MILES PER HOUR."

2. Amend page 1, line 5, after "OWNER" by striking out the balance of the line through "PASSENGER" on line 6 and inserting "OR OPERATOR".

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

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, Leland and Hart

Nays: Senator North

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

The Committee on Transportation and Tourism reported

House Bill No. 5549, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653a.

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, Steil, North and Hart

Nays: Senator Leland

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 Tuesday, September 26, 2000, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Bullard (C), Steil, North, Leland and Hart

The Committee on Appropriations reported

Senate Bill No. 342, entitled

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending section 4 (MCL 38.1104), as amended by 1990 PA 274.

With the recommendation that the bill pass.

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

Harry Gast

Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Hoffman, North, Gougeon, Stille, Goschka, A. Smith, Koivisto, Young, Murphy, DeBeaussaert and Emerson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 5754, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending sections 12b, 12c, 12d, 13, 13a, 14, 16, 17, 19, 20a, 20c, 20d, and 20e (MCL 38.1132b, 38.1132c, 38.1132d, 38.1133, 38.1133a, 38.1134, 38.1136, 38.1137, 38.1139, 38.1140a, 38.1140c, 38.1140d, and 38.1140e), sections 12b, 12c, and 12d as added and sections 13, 14, 16, 17, 19, 20a, 20d, and 20e as amended by 1996 PA 485, section 13a as added by 1998 PA 343, and section 20c as amended by 1997 PA 42; 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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Hoffman, North, Gougeon, Stille, Goschka, A. Smith, Koivisto, Young, Murphy, DeBeaussaert and Emerson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, September 27, 2000, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Hoffman, North, Gougeon, Stille, Goschka, A. Smith, Koivisto, Young, Murphy, DeBeaussaert and Emerson

Excused: Senators Johnson and Bennett

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submits the following:

Meeting held on Tuesday, September 26, 2000, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gougeon (C), McManus and DeBeaussaert

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submits the following:

Meeting held on Wednesday, September 27, 2000, at 9:00 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Hoffman (C) and North

Excused: Senator Murphy

Scheduled Meetings

Education - Wednesday, October 4, 3:00 p.m., Room 110, Farnum Building (373-7350)

Finance - Tuesday, October 3, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-3760)

Gaming and Casino Oversight - Tuesday, October 3, 1:00 p.m., Room 100, Farnum Building (373-1801)

Michigan Capitol Committee - Tuesday, October 3, 12:00 noon, Room 405, Capitol Building (373-0289)

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 1:31 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, October 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.