

No. 42
STATE OF MICHIGAN
Journal of the Senate
91st Legislature
REGULAR SESSION OF 2002

Senate Chamber, Lansing, Thursday, May 9, 2002.

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
Garcia—present
Gast—present
Goschka—present

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

Sanborn—present
Schuette—present
Schwarz—present
Scott—present
Shugars—present
Sikkema—present
Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—excused
Young—present

Senator Joanne G. Emmons of the 23rd District offered the following invocation:

Lord, we come to You because we don't always look on the good things in life, and we tend to see a deficit and say it's impossible. We tend to look at troubles in the world and we say this is impossible.

Today let's look at what the Lord says to us: "Rejoice in the Lord alway: and again I say, Rejoice." Not just once, twice.

"Let your moderation be known unto all men. The Lord is at hand." He's right here.

"Be careful for nothing; but in every thing by prayer and supplication with thanksgiving let your requests be made known unto God.

And the peace of God, which passeth all understanding, shall keep Your hearts and minds through Christ Jesus.

Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things."

Lord, let us obey Your commandment and follow You in all ways. Amen.

Motions and Communications

Senator Emmons moved that Senators Gougeon, Hammerstrom, Schwarz and Shugars be temporarily excused from today's session.

The motion prevailed.

Senator Gougeon entered the Senate Chamber.

Senator Emerson moved that Senator Murphy be excused from today's session.

The motion prevailed.

Senator Emmons moved that rule 3.902 be suspended to allow the guests of Senator DeBeaussaert admittance to the Senate floor, including the center aisle.

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

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:05 a.m.

10:15 a.m.

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

During the recess, Senator DeBeaussaert introduced to the Senate members of the National Letter Carriers Association in honor of its 10th Annual Food Drive and presented them with Senate Resolution No. 220.

Senator DeBeaussaert introduced to the Senate Frank Taylor, director of the Macomb County Community Service Agency, and Pat Carroll, president of the South Macomb Letter Carriers Association.

Messrs. Taylor and Carroll responded briefly.

During the recess, Senators Schwarz and Shugars entered the Senate Chamber.

The following communications were received and read:

Office of the Auditor General

May 7, 2002

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of State Activities Related to Nonprofit Organizations, Department of Attorney General and Department of Consumer and Industry Services, May 2002.

May 7, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of North Central Michigan College, May 2002.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, May 8, for his approval the following bills:

Enrolled Senate Bill No. 856 at 2:40 p.m.
Enrolled Senate Bill No. 452 at 2:42 p.m.
Enrolled Senate Bill No. 934 at 2:44 p.m.
Enrolled Senate Bill No. 1068 at 2:46 p.m.
Enrolled Senate Bill No. 451 at 2:48 p.m.
Enrolled Senate Bill No. 1072 at 2:50 p.m.
Enrolled Senate Bill No. 1070 at 2:52 p.m.
Enrolled Senate Bill No. 1071 at 2:54 p.m.
Enrolled Senate Bill No. 1069 at 2:56 p.m.
Enrolled Senate Bill No. 685 at 2:58 p.m.
Enrolled Senate Bill No. 1081 at 3:00 p.m.
Enrolled Senate Bill No. 1083 at 3:02 p.m.
Enrolled Senate Bill No. 1075 at 3:04 p.m.

The Secretary announced the printing and placement in the members' files on Wednesday, May 8, of:

Senate Bill Nos. 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283
1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297
1298 1299

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Emmons moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the Assistant President pro tempore, Senator Hoffman, designated Senator Peters 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. 5845, entitled

A bill to repeal 1931 PA 235, entitled "An act authorizing cities to borrow money and to issue bonds for the purpose of defraying part or all of the city's share of the cost and expense of separating grades for railroads and public highways and streets where such railroads intersect such highways and streets, including part or all of the city's share of the cost and expense of the elevation or depression of such railroads, highways and streets, and including the defraying of part or all of the city's share of the damages resulting to abutting property by reason of such separation of grades, or the elevation or depression of such railroads, public highways or streets," (MCL 253.91).

Senate Bill No. 1266, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within

the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18d (MCL 247.668d).

Senate Bill No. 1267, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11 (MCL 247.661), as amended by 2000 PA 188.

Senate Bill No. 1268, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment

and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18e (MCL 247.668e), as amended by 1985 PA 201.

Senate Bill No. 1269, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18f (MCL 247.668f), as amended by 1983 PA 82.

Senate Bill No. 1300, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," (MCL 388.981 to 388.985) by adding section 1c.

Senate Bill No. 1301, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment,

retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18b (MCL 247.668b), as amended by 1985 PA 201.

Senate Bill No. 1302, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 105, 303, 319, 517, 701, and 809 (MCL 141.2105, 141.2303, 141.2319, 141.2517, 141.2701, and 141.2809) and by adding sections 304 and 802; and to repeal acts and parts of acts.

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

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

Senate Bill No. 1265, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18c (MCL 247.668c).

Substitute (S-1).

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

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

House Bill No. 5850, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending sections 401, 406, and 412 (MCL 331.1401, 331.1406, and 331.1412), as amended by 1988 PA 502.

Substitute (S-2).

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

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

Senate Bill No. 356, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 41.801), as amended by 1998 PA 545. Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House, Senator McManus offered the following amendments to the substitute:

1. Amend page 3, line 4, after “EXCEPT” by inserting a comma and “BEGINNING IN 2002,”.
2. Amend page 3, line 26, after “EXCEPT” by inserting a comma and “BEGINNING IN 2002,”.
3. Amend page 4, line 23, after “EXCEPT” by inserting a comma and “BEGINNING IN 2002,”.
4. Amend page 5, line 7, after “EXCEPT” by inserting a comma and “BEGINNING IN 2002,”.

The amendments to the substitute were adopted.

The question being on concurring in the House substitute, as amended,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 518

Yeas—31

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema
DeBeaussaert	Gougeon	Miller	Steil
DeGrow	Hart	North	Stille
Dunaskiss	Hoffman	Peters	Van Regenmorter
Emerson	Johnson	Sanborn	Young
Emmons	Koivisto	Schuette	

Nays—4

Cherry	Dingell	Scott	Smith
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Excused—3

Hammerstrom	Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

Senator Emmons moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Senate Bill No. 1232
House Bill No. 5220
Senate Bill No. 287
Senate Bill No. 792
Senate Bill No. 793
Senate Bill No. 927
Senate Bill No. 928
Senate Bill No. 1230
House Bill No. 5648
House Bill No. 5649
Senate Bill No. 444
Senate Bill No. 1092
Senate Bill No. 1202
House Bill No. 5547
House Bill No. 5611
House Bill No. 5612
House Bill No. 5613
House Bill No. 5614
House Bill No. 5615
House Bill No. 5661
House Bill No. 5662
House Bill No. 5663
House Bill No. 5664
House Bill No. 5665
House Bill No. 5666
House Bill No. 5667
House Bill No. 5668
House Bill No. 5669
House Bill No. 5670
House Bill No. 5671
House Bill No. 5672
House Bill No. 5673
House Bill No. 5707
House Bill No. 5708
House Bill No. 5709
House Bill No. 5710
House Bill No. 5711
House Bill No. 5712
House Bill No. 5713
House Bill No. 5714
House Bill No. 5717
House Bill No. 5718
House Bill No. 5719
House Bill No. 5720
House Bill No. 5721
House Bill No. 5722
House Bill No. 5742
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1016, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 33, 657, 658, 660, 661, and 662 (MCL 257.33, 257.657, 257.658, 257.660, 257.661, and 257.662), section 33 as amended by 1997 PA 56, sections 657 and 660 as amended by 2000 PA 82, section 658 as amended by 1984 PA 328, and section 662 as amended by 2000 PA 131, and by adding section 13c.

The question being on the passage of the bill,

Senator Stille offered the following amendment:

1. Amend page 5, line 8, after "ORDINANCE," by inserting "WHICH IS BASED ON THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS;".

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

Senator Bullard moved to reconsider the vote by which the amendment was adopted.
 The question being on the motion to reconsider,
 Senator Bullard moved that further consideration of the motion be postponed temporarily.
 The motion prevailed.

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

Senator Stille offered the following amendment:

1. Amend page 5, line 10, after "CROSSWALKS." by inserting "EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A GOVERNING BODY OF A COUNTY, CITY, VILLAGE, OR TOWNSHIP MAY PROHIBIT THE OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES IN AN AREA OPEN TO PEDESTRIAN TRAFFIC ADJACENT TO A WATERFRONT."

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

Senator Emmons moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1124, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 717 and 719 (MCL 257.717 and 257.719), section 717 as amended by 2000 PA 7 and section 719 as amended by 2002 PA 78.

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. 520

Yeas—36

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1232, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 6, 7a, 212, 306, 307, 309, 312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 668, 669, 670, 732, 904, and 907 (MCL 257.6, 257.7a, 257.212,

DeBeaussaert	Gougeon	Miller	Smith
DeGrow	Hammerstrom	North	Steil
Dingell	Hart	Peters	Stille
Dunaskiss	Hoffman	Sanborn	Van Regenmorter
Emerson	Johnson	Schuette	Young

Nays—0

Excused—2

Murphy Vaughn

Not Voting—0

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

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

The following bill was read a third time:

Senate Bill No. 287, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to authorize certain land transfers; and to provide for the expenditure of appropriations.

The question being on the passage of the bill,

Senator Scott offered the following amendment:

1. Amend page 32, following line 13, by inserting:

“STATE POLICE

Sec. 552. The department of state police, in keeping with its role as the general law enforcement agency of the state and the law enforcement agency of last resort for communities that are either without or seriously under served by local law enforcement resources, shall provide general law enforcement assistance, including patrol service services, to the city of Highland Park until such time that adequate law enforcement services can be provided to the city by other means.”.

The question being on the adoption of the amendment,

Senator Scott moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

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

The following bill was read a third time:

Senate Bill No. 792, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending section 5 (MCL 390.1455).

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. 523**Yeas—35**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—1

Johnson

In The Chair: Miller

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

Senate Bill No. 793, entitled

A bill to establish an educational scholarship program for eligible resident students enrolled in certain nursing programs; to prescribe conditions for repayment of the scholarships; to provide for the administration of the Michigan nursing scholarship program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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. 524**Yeas—35**

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

Nays—0

Excused—3

Johnson

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

Senate Bill No. 927, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1 (MCL 780.621), as amended by 1996 PA 573.

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. 525

Yeas—35

Bennett

Emmons

Leland

Scott

Bullard

Garcia

McCotter

Shugars

Byrum

Gast

McManus

Sikkema

Cherry

Goschka

Miller

Smith

DeBeaussaert

Gougeon

North

Steil

DeGrow

Hammerstrom

Peters

Stille

Dingell

Hart

Sanborn

Van Regenmorter

Dunaskiss

Hoffman

Schuette

Young

Emerson

Koivisto

Schwarz

Nays—0

Excused—3

Johnson

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 928, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as added by 1985 PA 175.

The question being on the passage of the bill,

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

Roll Call No. 526

Yeas—16

Bennett	Dingell	Hammerstrom	North
Bullard	Emmons	Hoffman	Schwarz
Byrum	Gast	Johnson	Steil
DeGrow	Gougeon	McManus	Van Regenmorter

Nays—20

Cherry	Goschka	Miller	Shugars
DeBeaussaert	Hart	Peters	Sikkema
Dunaskiss	Koivisto	Sanborn	Smith
Emerson	Leland	Schuette	Stille
Garcia	McCotter	Scott	Young

Excused—2

Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

Senator Emmons moved to reconsider the vote by which the bill was defeated.

The question being on the motion to reconsider,

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

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1230, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 12 (MCL 432.12), as amended by 1998 PA 393.

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. 527

Yeas—36

Bennett	Emmons	Koivisto	Schwarz
Bullard	Garcia	Leland	Scott

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5649, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The question being on the passage of the bill,

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

Roll Call No. 529**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

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

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

Senate Bill No. 287, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to authorize certain land transfers; and to provide for the expenditure of appropriations.

(The bill was read a third time earlier today, amendment offered and consideration postponed. See p. 1186.)

The question being on the adoption of the amendment offered by Senator Scott, Senator Scott withdrew the amendment.

Senator Scott offered the following amendment:

1. Amend page 32, following line 13, by inserting:

“STATE POLICE

Sec. 552. The department of state police, in keeping with its role as the general law enforcement agency of the state and the law enforcement agency of last resort for communities that are either without or seriously under served by local law enforcement resources, shall provide general law enforcement assistance to the city of Highland Park until such time that adequate law enforcement services can be provided to the city by other means.”.

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

Senator Young offered the following amendments:

1. Amend page 22, line 2, by striking out all of line 2 through “\$6,000,000” on line 3.
2. Amend page 22, line 4, by striking out “18,000,000” and inserting “24,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Young 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. 530

Yeas—21

Byrum	Hammerstrom	Miller	Shugars
Cherry	Hart	North	Sikkema
DeBeaussaert	Koivisto	Peters	Smith
Dingell	Leland	Sanborn	Van Regenmorter
Emerson	McCotter	Scott	Young
Goschka			

Nays—15

Bennett	Emmons	Hoffman	Schwarz
Bullard	Garcia	Johnson	Steil
DeGrow	Gast	McManus	Stille
Dunaskiss	Gougeon	Schuette	

Excused—2

Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

Senator Emmons moved to reconsider the vote by which the amendment was adopted. The question being on the motion to reconsider, Senator Emmons moved that further consideration of the bill be postponed for today. The motion prevailed.

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

Senate Bill No. 1016, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 33, 657, 658, 660, 661, and 662 (MCL 257.33, 257.657, 257.658, 257.660, 257.661, and 257.662), section 33 as amended by 1997 PA 56, sections 657 and 660 as amended by 2000 PA 82, section 658 as amended by 1984 PA 328, and section 662 as amended by 2000 PA 131, and by adding section 13c.

(The bill was read a third time earlier today, amendments adopted and the motion to reconsider the vote postponed. See p. 1183.)

The question being on the motion to reconsider the vote by which the amendment offered by Senator Stille was adopted,

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

The question being on the adoption of the amendment,

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

The question being on the passage of the bill,

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

Roll Call No. 531

Yeas—21

Bennett	Emerson	Hart	Miller
Bullard	Emmons	Hoffman	Sanborn
Cherry	Garcia	Johnson	Schuette
DeGrow	Gougeon	Leland	Schwarz
Dingell	Hammerstrom	McCotter	Steil
Dunaskiss			

Nays—15

Byrum	Koivisto	Scott	Stille
DeBeaussaert	McManus	Shugars	Van Regenmorter
Gast	North	Sikkema	Young
Goschka	Peters	Smith	

Excused—2

Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senators North, McManus, Smith, Byrum, DeBeaussaert and Stille, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1016.

Senator North's statement is as follows:

I voted "no" on this bill because this device is rather recent. It only came into being about four or five months ago, and I don't think there's been adequate research into the fact of trying to mix motorized and foot traffic on sidewalks. Therefore, I voted against the bill.

Senator McManus' statement is as follows:

Moving into this Flash Gordon technology—for those of you who remember Flash Gordon—we're going to have a space-age deal jetting around our cities and so on. I believe we need further research before we move into something like this. I think we should start the research maybe on a college campus where we provide all the students with these little scooters. Then we kind of see how it works out in terms of traffic jams and where to park it and all the little things that are involved. Then if we found out there were no problems on college campuses, then maybe we ought to go into shopping centers. We ought to do some research with the scooters in shopping centers, and see how much fun our teenagers have. If that all works out, then eventually we can let people run up and down the sidewalks with them. But I just think we're moving way too fast on this new Flash Gordon technology. We ought to take it easy.

Senator Smith's statement, in which Senator DeBeaussaert concurred, is as follows:

I have no problem with the technology. I have a problem with the fact that once again we have taken away the opportunity for local units of government to regulate their streets and their sidewalks. I think the local units have a better understanding of the needs of their communities than the Legislature does. And this does eliminate a degree of local control in deciding how to manage the Segway vehicle.

Senator Byrum's statement, in which Senators DeBeaussaert and Stille concurred, is as follows:

It's not the technology that I have a concern or a problem with. It's once again the Legislature taking away the local control. Local communities invest a great deal of time and resources in making their communities liveable and walkable. I think that the Legislature should allow these communities to decide what is best for their own citizens and we should stay out of the element of local control.

The following bill was read a third time:

Senate Bill No. 444, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; 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. 532

Yeas—24

Bennett	Garcia	Johnson	Schwarz
Bullard	Gast	Leland	Shugars
DeGrow	Goschka	McManus	Sikkema
Dingell	Gougeon	North	Steil
Dunaskiss	Hammerstrom	Sanborn	Stille
Emmons	Hoffman	Schuette	Van Regenmorter

Nays—12

Byrum	Emerson	McCotter	Scott
Cherry	Hart	Miller	Smith
DeBeaussaert	Koivisto	Peters	Young

Excused—2

Murphy	Vaughn
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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. 1092, entitled

A bill to amend 1989 PA 292, entitled “Metropolitan councils act,” by amending section 27 (MCL 124.677), as amended by 1998 PA 373.

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. 533**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1202, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

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. 534**Yeas—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Garcia	Leland	Scott

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5547, 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 10 (MCL 28.10).

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. 535

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5611, entitled

A bill to amend 1895 PA 16, entitled "An act requiring the secretary of state and the deputy secretary of state and the private secretary and executive clerk of the governor to give bonds for the faithful discharge of their official duties," by amending section 1 (MCL 15.51).

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. 536**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5612, entitled

A bill to amend 1958 PA 204, entitled "An act to fix the compensation and mileage of constitutional convention delegates," by amending section 3 (MCL 2.53).

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. 537**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—0

In The Chair: Schwarz

The Assistant Associate President pro tempore, Senator Miller, resumed 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. 5613, entitled

A bill to amend 1872 PA 62, entitled "An act regulating trials of impeachment and providing for the expenses thereof," by amending section 15 (MCL 6.15).

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. 538**Yeas—36**

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5614, entitled

A bill to amend 1901 PA 6, entitled "An act to provide for the employment of clerks or assistants in the executive office of this state," by amending section 1 (MCL 10.11).

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. 539**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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.

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5662, entitled

A bill to amend 1927 PA 375, entitled “An act to provide for the collection of past due moneys and accounts belonging to the state of Michigan; to create a department therefor; to prescribe the duties of state officers, departments, commissions and institutions in relation thereto; and to make appropriations for defraying the expenses thereof,” by amending section 3 (MCL 14.133).

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. 542

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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.

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5666, 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 amending section 12a (MCL 28.12a).

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. 546**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5667, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 9 (MCL 38.9).

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. 547

Yeas—36

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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 a state employees' retirement system; to create a state employees' retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies."

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5668, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 10 (MCL 41.280).

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. 548**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—0

In The Chair: Miller

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. 5669, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 82 (MCL 51.82).

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. 549**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
--------	--------

Roll Call No. 551**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
--------	--------

Not Voting—0

In The Chair: Miller

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 incorporation of cities of the fourth class; to provide for the vacation of the incorporation thereof; to define the powers and duties of such cities and the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by cities; to define the application of this act and provide for its amendment by cities subject thereto; to validate such prior amendments and certain prior actions taken and bonds issued by such cities; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5672, entitled

A bill to amend 1949 PA 123, entitled “An act to provide for the disconnection of land from cities and villages; and to declare the effect thereof,” by amending section 4 (MCL 123.34).

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. 552**Yeas—36**

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5673, entitled

A bill to amend 1879 PA 190, entitled “An act in relation to removals from and filling vacancies in certain public offices,” by amending section 1 (MCL 201.91).

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. 553

Yeas—36

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Miller

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. 5707, entitled

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending sections 1a, 6, 11, 14, and 17 (MCL 205.201a, 205.206, 205.211, 205.214, and 205.217), section 6 as amended by 1993 PA 54.

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. 554

Yeas—36

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

Nays—0

Excused—2

Murphy	Vaughn
--------	--------

Not Voting—0

In The Chair: Miller

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 taxation of estates and generation-skipping transfers of property; to prescribe the powers and duties of certain personal representatives and state departments; to provide for the assessment and collection of the tax; and to provide for the administration and enforcement 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. 5708, entitled

A bill to amend 1889 PA 226, entitled "An act to provide for the collection of specific taxes from corporations, copartnerships, parties or persons, subject under any laws of this state to the payment of such taxes; to fix the time when such taxes become a lien upon the property of such corporations, copartnerships, parties or persons, and to define the property to which the lien shall attach; and to repeal Act No. 57 of the session laws of 1872, approved March twenty-ninth, 1872, and Acts No. 10 and 11 of the session laws of 1873, approved February fourteenth, 1873, being sections numbered 1249 to 1256, both inclusive, of Howell's annotated statutes of 1882," by amending sections 1, 2, 3, 4, and 5 (MCL 207.441, 207.442, 207.443, 207.444, and 207.445).

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. 555**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
--------	--------

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5709, entitled

A bill to amend 1931 PA 292, entitled "An act to authorize counties to extend the time of payment of certain drain taxes and highway assessments," by amending section 3 (MCL 211.393).

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. 556**Yeas—36**

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

Nays—0**Excused—2**

Murphy	Vaughn
--------	--------

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5710, entitled

A bill to amend 1933 PA 133, entitled “An act to authorize the acceptance of bonds and coupons and other obligations of municipalities and special assessment districts and bonds and coupons of the Home Owners Loan Corporation in payment of certain taxes and special assessments under certain conditions, and to prescribe the effect thereof; and to prescribe the powers and duties of certain officials and bodies with respect thereto,” by amending sections 3a, 4, and 6 (MCL 211.403a, 211.404, and 211.406).

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. 557**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

The following bill was read a third time:

House Bill No. 5711, entitled

A bill to amend 1915 PA 59, entitled “An act to provide for the construction, improvement and maintenance of highways; for the levying, spreading and collecting of taxes and of special assessments therefor; to authorize the

Dunaskiss
Emerson

Hoffman
Johnson

Sanborn
Schuette

Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

“An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state, by political subdivisions, or by public airport authorities; providing for the incorporation of public airport authorities and providing for the powers, duties, and obligations of public airport authorities; providing for the transfer of airport management to public airport authorities, including the transfer of airport liabilities, employees, and operational jurisdiction; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5713, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 271 and 323 (MCL 280.271 and 280.323).

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. 560

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

“An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5714, entitled

A bill to repeal 1915 PA 294, entitled “An act to promote the public welfare; to create a commission to be known as the agricultural fair commission; to provide for the appointment of such a commission and to fix their terms of office; to prescribe their powers and duties; and to make an appropriation to carry out the provisions of this act,” (MCL 285.122 to 285.128).

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. 561

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Roll Call No. 563**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions**House Concurrent Resolution No. 36.**

A concurrent resolution to memorialize the President and the Congress of the United States to work to implement United Nations resolutions to bring peace and security to Cyprus.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senators Sikkema, Johnson, Garcia and Goschka offered the following resolution:

Senate Resolution No. 221.

A resolution to express support for the participation of the Republic of China on Taiwan in activities of the World Health Organization.

Whereas, Good health is essential to every citizen of the world, and access to the highest standards of health information and services is necessary to improve public health; and

Whereas, The World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all people; and

Whereas, The Republic of China on Taiwan's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia; maternal and infant mortality rates comparable to those of western countries; the eradication of such infectious diseases as cholera, smallpox, and the plague; and being a leader in eradicating polio and providing children with hepatitis B vaccinations; and

Whereas, The United States Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

Whereas, In recent years the Republic of China on Taiwan has expressed a willingness to assist financially and technically in international health activities supported by the WHO; and

Whereas, Direct, unobstructed participation in international health forums and programs is critical to limiting the spread of various infectious diseases and achieving world health; now, therefore, be it

Resolved by the Senate, That we express support for the appropriate participation of the Republic of China on Taiwan in activities of the World Health Organization; and be it further

Resolved, That copies of this resolution be transmitted to the appropriate officials of the Republic of China on Taiwan and the World Health Organization.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Emmons moved that the rule be suspended.

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

The resolution was adopted.

By unanimous consent the Senate proceeded to the order of

Statements

Senator Johnson stated that had she been present when the votes were taken on the passage of the following bills, she would have voted "yea":

Senate Bill No. 792

Senate Bill No. 793

Senate Bill No. 927

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

The motion prevailed.

Senator Garcia's statement is as follows:

This week is Teacher Appreciation Week, and I just want to remind the members as they go about their districts and as they see teachers to thank them for the work that they do. I served as a teacher for a couple years; it's not easy work, and so we appreciate all the things that teachers do.

I want to just leave you with a quote that says, "The art of teaching is the art of assisting recovery." That's by Mark Van Doren.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators McCotter, Miller, Hart, Goschka, North, Bennett, DeBeaussaert, Bullard, Sanborn, Peters and Byrum introduced

Senate Bill No. 1306, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3115 (MCL 324.3115).

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

Senators Goschka, McCotter, Miller, Hart, North, Bennett, DeBeaussaert, Bullard, Sanborn, Peters and Byrum introduced

Senate Bill No. 1307, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13c of chapter XVII (MCL 777.13c), as added by 2002 PA 30.

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

Senator Steil introduced

Senate Bill No. 1308, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 853 (MCL 418.853), as amended by 1994 PA 271.

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

Senator Garcia introduced

Senate Bill No. 1309, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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

Senator Hammerstrom introduced

Senate Bill No. 1310, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

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

Senator Johnson introduced

Senate Bill No. 1311, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51a (MCL 206.51a), as amended by 1996 PA 484, and by adding section 269.

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

Senator Johnson introduced

Senate Bill No. 1312, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 545.

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 Emmons introduced

Senate Bill No. 1313, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," (MCL 388.951 to 388.963) by adding section 3a.

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

Senator Emmons introduced

Senate Bill No. 1314, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 317, 403, 611, and 701 (MCL 141.2317, 141.2403, 141.2611, and 141.2701).

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

Senators Koivisto, Hammerstrom, Stille and Steil introduced

Senate Bill No. 1315, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2000 PA 259.

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

Senators Hammerstrom, Stille and Steil introduced

Senate Bill No. 1316, entitled

A bill to create and provide for the operation of the Michigan next energy authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to authorize the conveyance of state land and to confer authority and jurisdiction over state land to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property; to promote alternative energy technology and economic growth; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to provide for the conveyance of land transferred to the authority; to allow for the creation of a center to manage the authority's land; to convey state land; and to exempt property, income, and operations of an authority from tax.

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

Senators Garcia, Stille, Steil and Hammerstrom introduced

Senate Bill No. 1317, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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

Senators Steil, Stille and Hammerstrom introduced

Senate Bill No. 1318, entitled

A bill to promote investment in certain businesses to promote economic development in this state; to establish the Michigan early stage venture capital investment authority and provide for the powers and responsibilities of that authority; to establish the Michigan early stage venture capital investment fund; to provide for tax credits and incentives; to authorize certain investments; to provide for an appropriation; and to provide penalties and remedies.

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

Senators Emmons, Stille, Steil and Hammerstrom introduced

Senate Bill No. 1319, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3, 4, and 8 (MCL 207.803, 207.804, and 207.808), section 3 as amended by 2000 PA 428 and section 8 as amended by 2000 PA 144.

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

Senators Stille, Steil and Hammerstrom introduced

Senate Bill No. 1320, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9i.

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

Senators Sanborn, Stille, Steil and Hammerstrom introduced

Senate Bill No. 1321, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

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

Senators Emmons, Stille, Steil and Hammerstrom introduced

Senate Bill No. 1322, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39e.

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

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 1119, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621), as amended by 2000 PA 160.

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, Byrum and Emerson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

House Bill No. 5103, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16105, 16106, 16108, 16128, 16163, 16174, 16186, 16261, 16323, and 16608 (MCL 333.16105, 333.16106, 333.16108, 333.16128, 333.16163, 333.16174, 333.16186, 333.16261, 333.16323, and 333.16608), section 16106 as amended by 1997 PA 153, sections 16108 and 16186 as amended and section 16323 as added by 1993 PA 80, section 16174 as amended by 1998 PA 227, and section 16608 as amended by 1990 PA 216.

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, Byrum and Emerson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, May 7, 2002, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Appropriations reported

House Bill No. 5642, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported

House Bill No. 5643, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to repeal acts and parts of acts.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported
House Bill No. 5644, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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.

Harry Gast
 Chairperson

To Report Out:

Yeas: Senators Gast, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported
House Bill No. 5647, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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.

Harry Gast
 Chairperson

To Report Out:

Yeas: Senators Gast, McManus, Johnson, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young and DeBeaussaert

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 Appropriations submitted the following:

Meeting held on Tuesday, May 7, 2002, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Excused: Senator Schwarz

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submitted the following:

Meeting held on Tuesday, May 7, 2002, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Hoffman (C), Goschka and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, May 7, 2002, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Schwarz (C), Johnson and Young

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, International Trade and Regulatory Affairs submitted the following:

Meeting held on Tuesday, May 7, 2002, at 1:09 p.m., Room 110, Farnum Building

Present: Senators Schuette (C), McCotter, Sanborn, Leland and Peters

Scheduled Meetings

Appropriations -

Subcommittee -

Natural Resources - Tuesday, May 14, 1:00 p.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Banking and Financial Institutions - Thursday, May 16, 9:00 a.m., Room 210, Farnum Building (373-2420)

Economic Development, International Trade and Regulatory Affairs - Tuesdays, May 14 and May 21, 1:00 p.m., Room 110, Farnum Building (373-7946)

Education - Tuesday, May 14, 2:00 p.m., Room 210, Farnum Building (373-7350)

Natural Resources and Environmental Affairs - Tuesday, May 14, 1:30 p.m., Room 810, Farnum Building (373-0797)

Transportation and Tourism - Tuesday, May 14, 3:00 p.m., Room 110, Farnum Building (373-1758)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 12:44 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, May 14, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

