

No. 45
STATE OF MICHIGAN
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91st Legislature
REGULAR SESSION OF 2002

Senate Chamber, Lansing, Thursday, May 16, 2002.

10:00 a.m.

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

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

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

Senator Beverly S. Hammerstrom of the 17th District offered the following invocation:

Heavenly Father, we come before You this morning as we begin our legislative session humbly asking that You watch over us as we make critical decisions that will affect this wonderful state and the people who live within its borders. Provide us with wisdom and compassion as we make those decisions. Let us be respectful of each other, realizing that while we may disagree on specifics, we all share a common goal in doing what is best for those You have given us the privilege to represent. In Thy holy name we pray. Amen.

Senators Byrum, Cherry and Emerson entered the Senate Chamber.

Motions and Communications

Senator Emmons moved that Senators Bullard, Garcia, Goschka, Hoffman, McCotter, Schuette and Van Regenmorter be temporarily excused from today's session.

The motion prevailed.

Senator Emerson moved that Senators Scott and Leland be temporarily excused from today's session.

The motion prevailed.

Senators Van Regenmorter, Leland and Hoffman entered the Senate Chamber.

The Secretary announced the printing and placement in the members' files on Wednesday, May 15, of:

Senate Bill Nos. 1324 1325 1337

House Bill No. 6081

Senators Steil, Scott and McCotter entered the Senate Chamber.

Messages from the House

Senate Bill No. 517, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2000 PA 29.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 594

Yeas—32

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

Nays—0

Excused—5

Bullard	Goschka	Schuette	Vaughn
Garcia			

Not Voting—1

Dunaskiss

In The Chair: President

Senators Schuette, Goschka and Bullard entered the Senate Chamber.

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 full title.

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

Senate Bill No. 779, entitled

A bill to amend 1939 PA 21, entitled “Regulatory loan act of 1963,” by amending sections 1, 9, 12, and 18 (MCL 493.1, 493.9, 493.12, and 493.18), section 1 as amended by 1996 PA 184, section 12 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding sections 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 595**Yeas—36**

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

Nays—0**Excused—2**

Garcia

Vaughn

Not Voting—0

In The Chair: President

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 as amended.

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

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

Senate Bill No. 977, entitled

A bill to amend 1957 PA 185, entitled “An act to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation,” by amending sections 11, 12, and 25 (MCL 123.741, 123.742, and 123.755).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 596**Yeas—36**

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

Nays—0**Excused—2**

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

Senator Garcia entered the Senate Chamber.

Senate Bill No. 1064, entitled

A bill to amend 1990 PA 72, entitled “Local government fiscal responsibility act,” by amending sections 12, 21, and 33 (MCL 141.1212, 141.1221, and 141.1233), section 33 as amended by 1992 PA 265.

Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 597**Yeas—37**

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema

DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Murphy
North
Peters
Sanborn
Schuette

Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—1

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

Senate Bill No. 1067, entitled

A bill to amend 1971 PA 182, entitled “An act to permit a city or village owning and operating a public utility to borrow money for a term not to exceed 5 years for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending or repairing the facilities of the public utility; to issue notes or other evidences of indebtedness therefor; to repay such borrowing from the revenues of the utility; to permit the pledging or assignment of bonds or other securities or evidences of debt held as investments for said public utility to secure such borrowings; and to provide other powers, rights and duties,” by amending sections 1 and 2 (MCL 460.461 and 460.462), section 2 as amended by 1983 PA 121.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 598

Yeas—37

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—1

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

Senate Bill No. 1073, entitled

A bill to amend 1929 PA 312, entitled “The metropolitan district act,” by amending sections 4 and 5 (MCL 119.4 and 119.5).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 599**Yeas—37**

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

Nays—0**Excused—1**

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

Senate Bill No. 1076, entitled

A bill to amend 1989 PA 292, entitled “Metropolitan councils act,” by amending section 19 (MCL 124.669), as amended by 1998 PA 373.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 600**Yeas—37**

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

Nays—0**Excused—1**

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

Senate Bill No. 1078, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending sections 14 and 18 (MCL 120.114 and 120.118), as amended by 1983 PA 23.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 601**Yeas—36**

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

Nays—0

Excused—1

Vaughn

Not Voting—1

DeGrow

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 full title.

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

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

Senate Bill No. 1079, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 7, 12, and 17 (MCL 125.2657, 125.2662, and 125.2667), section 7 as amended by 2000 PA 145.
Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 602**Yeas—36**

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

Nays—0**Excused—2**

DeGrow

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

Senate Bill No. 1080, entitled

A bill to amend 1987 PA 204, entitled "Low-level radioactive waste authority act," by amending section 20a (MCL 333.26220a).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 603**Yeas—36**

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

Nays—0**Excused—2**

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

Senator DeGrow entered the Senate Chamber.

Senate Bill No. 1082, entitled

A bill to amend 1947 PA 235, entitled "An act to regulate the ownership, extension, improvement and operation of public water and sewage disposal systems lying within 2 or more public corporations; to authorize the acquisition, by any public corporation, of that part of a public water or sewage disposal system lying within its boundaries; and to provide for the payment and security of revenue bonds issued for the construction, acquisition, extension and improvement of such systems," by amending sections 6 and 10 (MCL 123.336 and 123.340).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 604**Yeas—36**

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

Nays—0**Excused—1**

Vaughn

Not Voting—1

Cherry

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

Senate Bill No. 1103, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

Substitute (H-2).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 605**Yeas—0****Nays—37**

Bennett	Garcia	Leland	Schwarz
Bullard	Gast	McCotter	Scott
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Hammerstrom	Murphy	Smith
DeGrow	Hart	North	Steil

Dingell
Dunaskiss
Emerson
Emmons

Hoffman
Johnson
Koivisto

Peters
Sanborn
Schuette

Stille
Van Regenmorter
Young

Excused—1

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Bill No. 1167, entitled

A bill to amend 1967 PA 266, entitled “An act to authorize and provide for the issuance of notes of the state, including refunding notes and commercial paper; to provide funds to meet obligations incurred pursuant to appropriations for fiscal years; to provide for the payment of such notes from revenues received during the same fiscal years; and to exempt certain notes and interest on those notes from taxation,” by amending section 4 (MCL 17.454).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

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

Roll Call No. 606

Yeas—37

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—1

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

Senate Bill No. 1102, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 1104, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

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

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

The House of Representatives has passed the bill as substituted (H-2) and amended the title to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 924**Senate Bill No. 925**

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Sanborn as Chairperson.

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

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.

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 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. 929, entitled

A bill to amend 1965 PA 285, entitled "Private detective license act of 1965," by amending the title and sections 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, and 31 (MCL 338.822, 338.823, 338.825, 338.826, 338.827, 338.829, 338.830, 338.831, 338.832, 338.833, 338.836, 338.837, 338.838, 338.842, 338.843, 338.844, 338.845, 338.846, 338.847, 338.848, and 338.851).

Substitute (S-2).

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

1. Amend page 9, line 10, after "application" by inserting a comma and "APPLICATION PROCESSING FEE,".
2. Amend page 10, line 1, after "DEPARTMENT" by striking out the balance of the line through "filing" on line 4 and inserting "AN APPLICATION PROCESSING FEE OF \$150.00 AND AN INITIAL LICENSE FEE OF \$600.00. THE APPLICANT SHALL EXECUTE, DELIVER, AND FILE".
3. Amend page 11, line 15, after "license" by striking out the balance of the subsection and inserting "OR APPLICATION PROCESSING FEE OR ANY PART OF THE LICENSE OR APPLICATION PROCESSING FEE.".
4. Amend page 11, following line 16, by inserting:
"(4) THE CHANGES REGARDING LICENSE AND APPLICATION FEES CONTAINED IN SUBSECTION (1) DO NOT REQUIRE A PERSON, FIRM, PARTNERSHIP, COMPANY, LIMITED LIABILITY COMPANY, OR CORPORATION HOLDING A LICENSE UNDER THIS ACT ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION TO PAY THE APPLICATION PROCESSING AND INITIAL LICENSE FEE IMPOSED BY THE AMENDATORY ACT THAT ADDED THIS SUBSECTION. A PERSON, FIRM, PARTNERSHIP, COMPANY, LIMITED LIABILITY COMPANY, OR CORPORATION HOLDING A LICENSE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION IS ONLY OBLIGATED TO PAY THE RENEWAL FEE DESCRIBED IN SECTION 26(1).".
5. Amend page 16, line 20, after "~~detective~~," by striking out "A MISDEMEANOR" and inserting "CONVICTED OF A MISDEMEANOR WITHIN THE PRECEDING 8 YEARS".
6. Amend page 20, line 20, after "~~corporation~~," by striking out "\$250.00" and inserting "\$300.00".

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

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

Senate Bill No. 924, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending the title and section 2 (MCL 28.292), the title as amended by 1997 PA 99 and section 2 as amended by 2001 PA 238.

Substitute (S-2).

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

1. Amend page 10, line 24, after "section" by striking out "310(12)" and inserting "310(16)".
2. Amend page 11, following line 2, by inserting:

"Enacting section 2. This amendatory act takes effect October 1, 2002.

Enacting section 3. This amendatory act does not take effect unless Senate Bill No. 925 of the 91st Legislature is enacted into law.".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2000 PA 456, and section 314 as amended by 2000 PA 173.

Substitute (S-2).

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

1. Amend page 8, line 21, after "MCL 28.292" by inserting a comma and "AND THAT PROVIDED FOR VERTICAL IDENTIFICATION CARDS".

2. Amend page 15, following line 19, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2002.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 924 of the 91st Legislature is enacted into law."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4994, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 1993 PA 80.

Substitute (S-1).

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

1. Amend page 2, line 12, after "MENTS" by inserting "IN CANADA OR IN THE UNITED STATES".

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Emmons moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 924

Senate Bill No. 925

House Bill No. 4994

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

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

House Bill No. 5643

Senate Bill No. 1099

House Bill No. 5645

House Bill No. 5650

House Bill No. 5651

Senate Bill No. 1275

House Bill No. 5646

Senate Bill No. 924

Senate Bill No. 925

House Bill No. 4994

The motion prevailed.

The following bill was read a third time:

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.

The question being on the passage of the bill,
 Senator Johnson offered the following amendments:

1. Amend page 22, line 3, after “department” by striking out “and the family independence agency”.
2. Amend page 22, line 11, by striking out “will not conflict and”.

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

Senator Scott offered the following amendment:

1. Amend page 46, following line 18, by inserting:

“Sec. 421. None of the funds appropriated in part 1 shall be expended unless the fund provides a \$5,000,000.00 community assistance grant to the city of Highland Park from the strategic fund revenue generated from Indian gaming revenues.”.

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

Senator Scott requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 607

Yeas—16

Byrum	Emerson	Leland	Schwarz
Cherry	Hammerstrom	Miller	Scott
DeBeaussaert	Hart	Murphy	Smith
Dingell	Koivisto	Peters	Young

Nays—21

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

Excused—1

Vaughn

Not Voting—0

In The Chair: Schwarz

Senator Smith offered the following amendment:

1. Amend page 23, following line 25, by inserting:

“(15) Notwithstanding the limitations imposed by subsections (11) through (14), if a participant has cooperated with work first and is currently enrolled in a 2- or 4-year degree program and enrolled in said degree program prior to April 1, 2002, the participant may not be required to participate in employment or work first activities in excess of federal work activity requirements.”.

The amendment was not adopted, a majority of the members serving not 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. 608**Yeas—37**

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

Nays—0**Excused—1**

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 not concurred in, 2/3 of the members serving not voting therefor.

Senator Emmons requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 609**Yeas—23**

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

Nays—12

Byrum	Hart	Miller	Scott
DeBeaussaert	Koivisto	Murphy	Smith
Dingell	Leland	Peters	Young

Excused—1

Vaughn

Not Voting—2

Cherry

Emerson

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1099, entitled

A bill to make appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2003; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of 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. 610**Yeas—36**

Bennett
Bullard
Byrum
Cherry
DeBeaussiaert
DeGrow
Dunaskiss
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—1

Dingell

Excused—1

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. 5645, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services 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 provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The question being on the passage of the bill,

Senator Goschka offered the following amendments:

1. Amend page 8, line 26, by striking out “47,355,101” and inserting “47,355,201”.

2. Amend page 9, line 11, by striking out “484,477,701” and inserting “484,477,801” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 41, line 17, by striking out “\$1,311.00” and inserting “\$1,311.01”.

The amendments were 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. 611

Yeas—37

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

Nays—0

Excused—1

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 not concurred in, 2/3 of the members serving not voting therefor.

Senator Emmons requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 612

Yeas—23

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

Nays—12

Byrum
DeBeaussaert
Dingell

Hart
Koivisto
Leland

Miller
Murphy
Peters

Scott
Smith
Young

Excused—1

Vaughn

Not Voting—2

Cherry

Emerson

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protest

Senator Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the recommendation for immediate effect on House Bill Nos. 5643 and 5645.

Senator Smith's statement is as follows:

I voted "no" on immediate effect on the Career Development budget because we know that these are not the final budgets that are going to be before the Legislature. We are not prepared to give immediate effect to a phantom budget. We are waiting for the real McCoy, and at that time, we will give an IE vote if we deem it appropriate.

The following bill was read a third time:

House Bill No. 5650, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The question being on the passage of the bill,

Senator Smith offered the following amendment:

1. Amend page 27, following line 3, by inserting:

"(3) The department shall reimburse any public college or university with a combined average population of faculty, students, and staff of 25,000 or more, including satellite campuses within this state, for the employment of an emergency management coordinator, the appointment of which is required under section 9 of the emergency management act, 1976 PA 390, MCL 30.409. The department may reimburse any other public college or university that appoints an emergency management coordinator in order to offset costs associated with homeland security efforts."

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

Senator DeBeaussaert offered the following amendment:

1. Amend page 16, following line 15, by inserting:

"Sec. 214. Any law enforcement entity receiving funds from this act shall not evaluate an employee or consider an employee for promotion or assignment on the basis of motor vehicle citations issued."

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

Senator Emerson requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 613**Yeas—17**

Byrum
Cherry
DeBeaussaert
Dingell
Dunaskiss

Emerson
Goschka
Hart
Koivisto

Leland
Miller
Murphy
Peters

Scott
Smith
Stille
Young

Nays—20

Bennett
Bullard
DeGrow
Emmons
Garcia

Gast
Gougeon
Hammerstrom
Hoffman
Johnson

McCotter
McManus
North
Sanborn
Schuette

Schwarz
Shugars
Sikkema
Steil
Van Regenmorter

Excused—1

Vaughn

Not Voting—0

In The Chair: Schwarz

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. 614**Yeas—36**

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson

Koivisto
Leland
McCotter
McManus
Murphy
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—1

Miller

Excused—1

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 not concurred in, 2/3 of the members serving not voting therefor.

Senator Hoffman requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 615**Yeas—23**

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

Nays—12

Byrum	Hart	Miller	Scott
DeBeaussaert	Koivisto	Murphy	Smith
Dingell	Leland	Peters	Young

Excused—1

Vaughn

Not Voting—2

Cherry	Emerson
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In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senator Miller, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5650.

Senator Miller's statement is as follows:

I voted "no" on the State Police budget because I really don't know why we call it the State Police budget. We had an opportunity to help the state police. The state police are recognized as the premier police organization of this state. This language was in in the House. It has been here for years. We have never, never put our state police troopers to the test that whoever writes the most tickets gets the biggest promotion. I think that you're giving the public a perception that is what the state police unit is turning into—a very, very politicized unit. I don't think that we should. I think we should give the men and women who protect our citizens the utmost confidence and trust. I think that when this bill comes back, I hope that good Senator DeBeaussaert offers the language again. Maybe by that time some of our troopers across the state can convince the other side that they should be more interested in putting that amendment back in than they are for voting for immediate effect.

Senator Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the recommendation for immediate effect on House Bill No. 5650.

Senator Smith's statement is as follows:

I voted "no" on immediate effect because this budget bill is a phantom. We know we are going to be making substantial changes in the bill that was before us, and we are not giving immediate effect until we have a real budget to vote on.

The following bill was read a third time:

House Bill No. 5651, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Young offered the following amendments:

1. Amend page 11, line 12, by striking out "11,000,000" and inserting "9,922,000".

2. Amend page 11, line 25, by striking out "20,577,700" and inserting "19,499,700".

3. Amend page 12, following line 14, by inserting:

"Detroit area regional transportation authority 1,078,000".

4. Amend page 12, line 22, by striking out "26,699,700" and inserting "27,777,700".

5. Amend page 14, following line 5, by inserting:

"Detroit area regional transportation authority 1,078,000"

and adjusting the subtotals, totals, and section 201 accordingly.

6. Amend page 42, following line 3, by striking out all of section 725 and inserting:

"Sec. 726. The funds appropriated in part 1 to the Detroit area regional transportation authority shall not be spent until House Bill No. 5467 of the 91st Legislature is enacted. Following the enactment of House Bill No. 5467 of the 91st Legislature, the funds shall only be spent for the start-up costs of the authority.".

The question being on the adoption of the amendments,

Senator Young requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 616

Yeas—15

Byrum
Cherry
DeBeaussiaert
Dingell

Emerson
Hart
Hoffman
Koivisto

Leland
Miller
Murphy
Peters

Scott
Smith
Young

Nays—22

Bennett
Bullard
DeGrow
Dunaskiss
Emmons
Garcia

Gast
Goschka
Gougeon
Hammerstrom
Johnson
McCotter

McManus
North
Sanborn
Schuette
Schwarz

Shugars
Sikkema
Steil
Stille
Van Regenmorter

Excused—1

Vaughn

Not Voting—0

In The Chair: Schwarz

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

Roll Call No. 617**Yeas—37**

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

Nays—0**Excused—1**

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 not concurred in, 2/3 of the members serving not voting therefor.
Senator Emmons requested the yeas and nays.
The yeas and nays were ordered, 1/5 of the members present voting therefor.
The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 618**Yeas—23**

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

Nays—12

Byrum	Hart	Miller	Scott
DeBeaussaert	Koivisto	Murphy	Smith
Dingell	Leland	Peters	Young

Excused—1

Vaughn

Not Voting—2

Cherry

Emerson

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

Protest

Senator Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the recommendation for immediate effect on House Bill No. 5651.

Senator Smith's statement is as follows:

I voted "no" on a bogus budget. We aren't giving immediate effect to a bogus bill.

The following bill was read a third time:

Senate Bill No. 1275, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 5, 5a, 7, 8, 9, and 10 (MCL 28.722, 28.725, 28.725a, 28.727, 28.728, 28.729, and 28.730), sections 2, 5, 7, 8, 9, and 10 as amended and section 5a as added by 1999 PA 85, and by adding section 4a.

The question being on the passage of the bill,

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

Roll Call No. 619**Yeas—37**

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Sanborn
Schuette

Schwarz
Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0**Excused—1**

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:

House Bill No. 5646, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 85, following line 19, by inserting:

“Sec. 983. The funds appropriated in part 1 to the bureau of state lottery shall not be used to conduct a lottery drawing on Sunday.

Sec. 984. The funds appropriated in part 1 to the bureau of state lottery shall not be used for the purchase or operation of instant lottery ticket vending machines or a changeplay lottery game.”.

Senator Schwarz moved that the question be divided and that a separate vote be taken on sections 983 and 984.

The motion prevailed.

The question being on the adoption of the amendment for section 983,

Senator Young requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 620**Yeas—15**

Bennett	McCotter	Scott	Stille
Garcia	Murphy	Shugars	Van Regenmorter
Goschka	North	Sikkema	Young
Hoffman	Schuetten	Smith	

Nays—22

Bullard	Dunaskiss	Hart	Miller
Byrum	Emerson	Johnson	Peters
Cherry	Emmons	Koivisto	Sanborn
DeBeaussaert	Gast	Leland	Schwarz
DeGrow	Gougeon	McManus	Steil
Dingell	Hammerstrom		

Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

Protest

Senator Emmons, under her constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Young to House Bill No. 5646.

Senator Emmons' statement is as follows:

I voted "no" on this amendment because it takes \$30 million away from schoolchildren in Michigan. If the good Senator wanted to have an initiative to get all gambling out of Michigan, I'd happily support it. But taking money out from our children is wrong.

The question being on the adoption of the amendment for section 984,

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. 621**Yeas—30**

Bennett	Goschka	McCotter	Scott
Byrum	Gougeon	Miller	Shugars
Cherry	Hammerstrom	Murphy	Sikkema
DeBeaussiaert	Hart	North	Smith
Dingell	Hoffman	Peters	Stille
Dunaskiss	Johnson	Sanborn	Van Regenmorter
Emerson	Koivisto	Schuetz	Young
Garcia	Leland		

Nays—7

Bullard	Emmons	McManus	Steil
DeGrow	Gast	Schwarz	

Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

Senator Emerson offered the following amendment:

1. Amend page 85, following line 4, section 973, after "restricted" by striking out "any aspect of the construction process" and inserting "the right to bid on the construction project".

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. 622**Yeas—35**

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

Nays—2

Dingell	Scott
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Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

The question being on concurring in the committee recommendation to give the bill immediate effect, Senator Emmons requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 623**Yeas—21**

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

Nays—13

Byrum	Hart	Miller	Scott
Cherry	Koivisto	Murphy	Smith
DeBeaussaert	Leland	Peters	Young
Dingell			

Excused—1

Vaughn

Not Voting—3

Emerson

Gast

Schuette

In The Chair: Hoffman

The Senate agreed to the title of the bill.

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

Protest

Senator Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the recommendation for immediate effect on House Bill No. 5646.

Senator Smith's statement is as follows:

I voted "no" on immediate effect on this budget because a bill without real effect should never be given immediate effect.

The following bill was read a third time:

Senate Bill No. 924, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending the title and section 2 (MCL 28.292), the title as amended by 1997 PA 99 and section 2 as amended by 2001 PA 238.

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. 624**Yeas—37**

Bennett

Garcia

Leland

Schwarz

Bullard

Gast

McCotter

Scott

Byrum

Goschka

McManus

Shugars

Cherry

Gougeon

Miller

Sikkema

DeBeaussaert

Hammerstrom

Murphy

Smith

DeGrow

Hart

North

Steil

Dingell

Hoffman

Peters

Stille

Dunaskiss

Johnson

Sanborn

Van Regenmorter

Emerson

Koivisto

Schuette

Young

Emmons

Nays—0**Excused—1**

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators North, Stille, Dunaskiss, Smith, DeBeaussaert, Miller, Peters, Murphy, Koivisto, McManus, McCotter, Schuette, Emmons, Sikkema, Steil, Van Regenmorter and Schwarz moved that they be named co-sponsors of the bill.

The motion prevailed.

Senator Emmons moved that Senator Hoffman be excused from the balance of today's session.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2000 PA 456, and section 314 as amended by 2000 PA 173.

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. 625

Yeas—35

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

Nays—0

Excused—2

Hoffman

Vaughn

Not Voting—1

Scott

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators North, McCotter, Koivisto, Peters, DeBeaussaert, Hart, Murphy, Smith, McManus, Miller, Young, Van Regenmorter, Stille, Sikkema, Steil, Dunaskiss, Scott, Emmons, Schwarz and Schuette moved that they be named co-sponsors of the bill.

The motion prevailed.

Senator Scott stated that had she been present when the vote was taken on the passage of the following bill, she would have voted "yea":

Senate Bill No. 925

The following bill was read a third time:

House Bill No. 4994, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16186 (MCL 333.16186), as amended by 1993 PA 80.

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. 626

Yeas—36

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

Nays—0

Excused—2

Hoffman

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 and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 225

Senate Resolution No. 226

The resolution consent calendar was adopted.

Senators Garcia, Shugars, Sanborn, Johnson, Steil, Sikkema, Schwarz, Hoffman, Stille, Hammerstrom, Bullard, Peters, Byrum, Hart, McManus, Gougeon, Gast and Goschka offered the following resolution:

Senate Resolution No. 225.

A resolution honoring Safari Club International.

Whereas, Safari Club International (SCI) has more than 42,000 members and over 1 million affiliated members worldwide with student and teacher programs; and

Whereas, Our bond is the love of hunting, and our unity is the protection of hunters and our renewable wildlife resources; and

Whereas, Safari Club International works to protect the rights of hunters and conservationists through governmental affairs programs. It is active at the local, state, national, and international levels. SCI provides legislative advice, financial aid, and hunter education to enable future hunting opportunities and wildlife resources for our youth; and

Whereas, Through the widely acclaimed American Wilderness Leadership School in Jackson, Wyoming, and the International Wildlife Museum and headquarters in Tucson, Arizona, SCI is teaching young and old the value of conserving wildlife and wilderness lands and the inseparable role of hunters and their historical contributions to this effort; now, therefore, be it

Resolved by the Senate, That we hereby honor Safari Club International for their contributions to the protection and preservation of our natural resources; and be it further

Resolved, That a copy of this resolution be transmitted to Safari Club International as evidence of our deepest respect and highest admiration for their efforts.

Senators Young and Dunaskiss were named co-sponsors of the resolution.

Senators Cherry and Goschka offered the following resolution:

Senate Resolution No. 226.

A resolution honoring the distinguished service of Ron Pemberton of the Great Lakes Newfoundland Club.

Whereas, After 38 years of service in both Illinois and Michigan, including 35 years in the Livonia Public School District, Ron Pemberton retired as an educator; and

Whereas, Ron Pemberton, along with his wife Erma and nine others, assisted in forming a regional Newfoundland dog club. Today, the Great Lakes Newfoundland Club has well over 200 members and serves as one of the leading regional Newfoundland dog clubs in the United States; and

Whereas, On behalf of the Newfoundland Club of America and the Great Lakes Newfoundland Club, Ron Pemberton personally chaired three Independent Newfoundland Club of America National Specialty Dog Shows. On two occasions, he served as a judge at this annual event. As an exhibitor at this event, dogs that Ron has either owned or bred have won Best of Opposite Sex, Winners, and High in Trial awards. Further, his dogs have earned first place in the Bred by Exhibitor and Open Other Than Black classes; and

Whereas, To this date, his bitch Topmast's Prairie Snow is the only Newfoundland dog that has earned both the Judges' Choice and the People's Choice award at the prestigious Top Twenty Event. The Top Twenty Event is held most years in conjunction with the Independent National Specialty; and

Whereas, Ron was elected and is a past member of the board of directors for the Newfoundland Club of America. As an NCA member, he has served in various capacities, including committees regarding the breed standard, Newfoundland illustrated guide, judges education, and memorial trophies. Ron is primarily responsible for an expansion of the Orthopedic Foundation for Animals Newfoundland dog data base; and

Whereas, For eleven years, he chaired the NCA Hip Dysplasia Committee. This committee was responsible for compiling and distributing an annual booklet entitled *A Guide Book to the Orthopedic Foundation of America Certified Normal Newfoundland Dog*; and

Whereas, Most recently, in conjunction with the Tate Museum of London and the Newfoundland Club of America, Ron spearheaded a successful fund-raising campaign for the restoration of the Sir Edwin Landseer painting *A Distinguished Member of the Humane Society*. The painting had fallen into a deteriorating condition, and the restored painting is presently on display at the Philadelphia Museum of Art; and

Whereas, As a Newfoundland dog breeder under the Holiday prefix, Ron Pemberton has taken great pride in producing and/or owning an estimated 50 champions. This includes the first Newfoundland to have earned both Confirmation and Utility Dog titles in the United States and/or Canada. Coincidentally, four of the first ten dogs to have earned NCA Water Dog titles carried his Holiday prefix in their names; and

Whereas, Known for excellence in the confirmation arena, Ron has maintained a Newfoundland dog breeding program that has stressed the importance of temperament, performance, form, and function of the Newfoundland dog. Two of his Holiday-bred dogs have earned NCA Registry of Merit awards and two have been awarded Versatility titles; and

Whereas, As a judge educator and breeder judge, Ron has authored a detailed breed study entitled "A Study of the Newfoundland"; and

Whereas, In recent years, Ron has served the Detroit Kennel Club as first vice-president. Each year, the DKC is one of only a handful of all-breed kennel clubs nationwide that sponsors a benched all-breed dog show in the public's interest; and

Whereas, In 1978, Ron envisioned a dog judges' group that would enable and assist registered AKC judges and those persons aspiring to judge to learn about standards for various breeds of dogs. Since that time, he has spearheaded the highly successful Michigan Dog Show Judges' Association. He has been responsible for creating the concept of offering judges six breed seminars per year as conducted by some of the top breeders, exhibitors, and handlers of each breed presented. Many of these presenters have traveled great distances to create this hands-on learning experience for the club's membership. The quality of these seminars reflect Ron's devotion to the sport of purebred dogs and his constant drive to learn and share information about each breed; now, therefore, be it

Resolved by the Senate, That we hereby honor Ron Pemberton of the Great Lakes Newfoundland Club; and be it further

Resolved, That a copy of this resolution be transmitted to the Ron Pemberton family and the Great Lakes Newfoundland Club in recognition of his long-standing devotion and commitment.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Hammerstrom, Scott and Schwarz asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hammerstrom's statement is as follows:

Today, as we deliberated legislation before us, I had a constituent who were watching from the north Gallery. Maureen Carter was here today to job shadow me as a student with Partners in Policymaking. Partners in Policymaking is a wonderful program that teaches parents of children with disabilities, as well as people with disabilities themselves, to advocate on behalf of programs and issues that are important to them. I hope that Maureen will have had a successful day watching us debate. She also works for the city of Monroe, so I know she was very interested in the General Government budget that we did as well.

Senator Scott's statement is as follows:

Getting back to my city of Highland Park. I noticed that a number of my colleagues were in favor of the lottery and gaming. So, since they won't help me get anything else, I will accept a casino in the city of Highland Park. I can get some of those revenues there.

Senator Schwarz's statement is as follows:

Just to show you that we do some smart things around here on occasion, and they get some results. If you can recall last year, we appropriated \$2.5 million to Wayne State University Medical School to help them retain the federal perinatal research organization at the Wayne State University Medical School. This was to refurbish laboratories in the building that houses the perinatal research labs and the perinatal research operation. This is an operation that is an extramural activity of the National Institutes of Health. It is a very prestigious organization and is at Wayne State University because it is probably the best place in the country to study the prenatal, perinatal, and postnatal complications, especially in a large urban population.

I'm happy to announce this morning that Wayne State University Medical School did win the competition to continue to have the perinatal research unit at Wayne State University Medical School. I'm also happy to tell you who they beat out—Yale.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Peters, Byrum, Smith, DeBeaussaert, Cherry and Koivisto introduced

Senate Bill No. 1338, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the

manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding section 10dd.

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

Senator Schwarz introduced

Senate Bill No. 1339, entitled

A bill to amend 1964 PA 183, entitled “An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations,” by amending section 8 (MCL 830.418), as amended by 1997 PA 127.

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

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 1241, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406q.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Dale L. Shugars
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 1242, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 416c.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Dale L. Shugars
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

House Bill No. 4217, entitled

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

With the recommendation that the bill pass.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

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 14, 2002, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Transportation and Tourism reported

Senate Bill No. 924, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1999 PA 89.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 1998 PA 226, section 310e as amended by 2000 PA 456, and section 314 as amended by 2000 PA 173.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

House Bill No. 5475, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 309 (MCL 462.309).

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil and North

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5637, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 85.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5899, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2000 PA 502.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North and Hart

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submitted the following:

Meeting held on Tuesday, May 14, 2002, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Leland

The Committee on Judiciary reported

House Bill No. 5237, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 685 (MCL 168.685), as amended by 1990 PA 329.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5454, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 8 and 9 (MCL 691.1408 and 691.1409), the title as amended by 1986 PA 175.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5521, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as added by 2002 PA 34.

With the recommendation that the bill pass.

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 992, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 156.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

Senate Resolution No. 211.

A resolution to memorialize the Congress of the United States to enact the Federal Prison Industries Competition in Contracting Act.

(For text of resolution, see Senate Journal No. 38, p. 1057.)

With the recommendation that the resolution be adopted.

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Wednesday, March 15, 2002, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Schuette, Peters, Dingell and Scott

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, May 14, 2002, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Bennett (C), Stille and Peters

Excused: Senators Johnson and Leland

Scheduled Meetings

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

Education - Tuesday, May 21, 2:00 p.m., and Wednesday, May 22, 3:00 p.m., Room 210, Farnum Building (373-7350)

Legislative Retirement Board of Trustees - Wednesday, May 29, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Natural Resources and Environmental Affairs - Monday, May 20, 6:00 p.m., University of Michigan - Dearborn Campus, Environmental and Interpretive Center, 4901 Evergreen Road, Dearborn (373-0797)

Technology and Energy - Wednesday, May 22, 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-3543)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 12:40 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, May 21, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

