

No. 86

# JOURNAL OF THE SENATE

---

Senate Chamber, Lansing, Thursday, December 9, 1999.

10:00 a.m.

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

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

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

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

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

Pastor Pat Robins of Cole United Methodist Church and Omard United Methodist Church of Yale offered the following invocation:

We thank You for this day, dear Lord Jesus, and we seek Your Holy Spirit to guide us and direct us as we do all the work of the elected officials in this great state of Michigan. Guide us as we work to overcome our differences and to do our daily tasks, no matter how difficult they may be. We ask a blessing on our Governor, our Senators, Congressmen and women, and all who hold elected office and all of their family members. May we have the courage and the desire to do what is just in Your eyes and may You, Lord Jesus, find us faithful to our tasks. We praise You, and we thank you. In the name of Jesus, the Christ, we pray. Amen.

Senator Bullard entered the Senate Chamber.

### Motions and Communications

The following communication was received:  
Department of Consumer and Industry Services

December 3, 1999

Pursuant to Section 315 of P.A. 122 of 1999, we are enclosing a copy of the Approval Study Report #CA46031 conducted on Adrian Training School. This report was performed in compliance with the requirements of P.A. 116 of 1973, as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,

John R. Suckow, C.P.A.

Director, Finance and Administrative Services

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 8:

**House Bill Nos. 4525 4526 4803**

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

**Senate Bill Nos. 907 908 909**

**House Bill Nos. 5160 5161 5162 5163 5164 5165 5166 5167 5168 5169 5170 5171 5172**

### Recess

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

11:05 a.m

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

During the recess, Senators Cherry, V. Smith, Dunaskiss, Miller, A. Smith, Byrum, Emerson, Shugars, Murphy and Jaye entered the Senate Chamber.

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

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senator Dunaskiss admittance to the Senate floor.

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

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

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

### Recess

Senator Rogers moved that the Senate recess subject to the call of the President. The motion prevailed, the time being 11:06 a.m.

11:14 a.m.

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

During the recess, Senator Dunaskiss introduced to the Senate and presented a special tribute to the Orchard Lake St. Mary's football team on winning the Division 4 state championship. The team captain responded briefly.

Senator Emerson moved that Senators V. Smith and Young be temporarily excused from the balance of today's session.

The motion prevailed.

### Messages from the House

Senator Young entered the Senate Chamber.

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

#### **Senate Bill No. 468, entitled**

A bill to amend 1968 PA 289, entitled "An act to authorize circuit court judges to grant immunity to witnesses upon application of the prosecuting attorneys; to prescribe the procedures therefor; and to prescribe penalties for refusal to testify and for giving false testimony," by amending the title and sections 1, 2, and 3 (MCL 780.701, 780.702, and 780.703) and by adding section 2a.

(For text of amendments, see Senate Journal No. 82, p. 1813.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

#### **Roll Call No. 681**

#### **Yeas—34**

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

#### **Nays—1**

Jaye

#### **Excused—2**

Hoffman

Smith, V.

**Not Voting—1**

Dunaskiss

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.

**Protest**

Senator Jaye, under his constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House amendments to Senate Bill No. 468.

Senator Jaye's statement is as follows:

Although this bill has good intentions, I voted "no" because it establishes immunity for witnesses—criminals—in all their criminal activities. Presently in Michigan, we have what's called transactional immunity, and that says in exchange for testifying against other criminals, we will give you immunity from that activity. But now what this does is it will allow for blanket immunity, so if the criminal committed any other crimes, they also could be granted that immunity from prosecution and imprisonment. I'm opposed to expanding the opportunities for criminals to get off the hook for deeds, oftentimes heinous crimes, they may have committed in order that some other criminals may be put away.

So I believe that the criminal justice system should work harder and our prosecutors should work harder on convicting these individuals as opposed to granting immunity. A lot of times, these witnesses are very dubious characters who, after they have been granted immunity and get off the hook, their testimony is tainted because of their past activities. So that's why I voted "no."

**Senate Bill No. 469, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 6 and 19b of chapter VII (MCL 767.6 and 767.19b).

(For text of amendments, see Senate Journal No. 82, p. 1813.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 682****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Hoffman

Smith, V.

**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. 470, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 125, 157, 446, 453, and 461 (MCL 750.125, 750.157, 750.446, 750.453, and 750.461); and to repeal acts and parts of acts.

(For text of amendments, see Senate Journal No. 82, p. 1813.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 683****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Hoffman                                      Smith, V.

**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 V. Smith entered the Senate Chamber.

**Senate Bill No. 745, entitled**

A bill to revise and codify the laws relating to banks, out-of-state banks, and foreign banks; to provide for their regulation and supervision; to prescribe the powers and duties of banks; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts.

(For text of amendment, see Senate Journal No. 84, p. 1910.)

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

The amendment was concurred in, 2/3 of the members serving voting therefor, as follows:

**Roll Call No. 684****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 877, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending the title and sections 5, 7, 7a, 8, 24, 25, 33, 36, 40, 41a, 42, 44, 45, 46, 47, 48, 52, 53, 55, 56, 57, 58, and 59 (MCL 24.205, 24.207, 24.207a, 24.208, 24.224, 24.225, 24.233, 24.236, 24.240, 24.241a, 24.242, 24.244, 24.245, 24.246, 24.247, 24.248, 24.252, 24.253, 24.255, 24.256, 24.257, 24.258, and 24.259), the title as amended by 1993 PA 7, sections 5, 24, 52, and 56 as amended by 1982 PA 413, section 7 as amended by 1996 PA 489, sections 7a, 40, and 53 as added by 1984 PA 273, sections 8 and 57 as amended by 1988 PA 333, sections 42, 44, 45, and 46 as amended by 1993 PA 141, sections 48, 55, and 58 as amended by 1986 PA 292, and section 59 as amended by 1995 PA 178, and by adding sections 28, 34, 39, 39a, 45a, and 54.

(For text of amendments, see Senate Journal No. 84, p. 1910.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 685****Yeas—21**

Bennett	Goschka	McManus	Shugars
Bullard	Gougeon	North	Sikkema

DeGrow  
Dunaskiss  
Emmons  
Gast

Hammerstrom  
Johnson  
McCotter

Rogers  
Schuette  
Schwarz

Steil  
Stille  
Van Regenmorter

**Nays—16**

Byrum  
Cherry  
DeBeaussaert  
Dingell

Emerson  
Hart  
Jaye  
Koivisto

Leland  
Miller  
Murphy  
Peters

Smith, A.  
Smith, V.  
Vaughn  
Young

**Excused—1**

Hoffman

**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. 878, entitled**

A bill to amend 1970 PA 193, entitled “An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe the functions of the legislative council relative thereto,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 (MCL 8.41, 8.42, 8.43, 8.44, 8.45, 8.46, 8.47, and 8.48).

(For text of amendment, see Senate Journal No. 84, p. 1911.)

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

**Roll Call No. 686****Yeas—21**

Bennett  
Bullard  
DeGrow  
Dunaskiss  
Emmons  
Gast

Goschka  
Gougeon  
Hammerstrom  
Johnson  
McCotter

McManus  
North  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Nays—16**

Byrum  
Cherry

Emerson  
Hart

Leland  
Miller

Smith, A.  
Smith, V.

DeBeaussaert  
Dingell

Jaye  
Koivisto

Murphy  
Peters

Vaughn  
Young

**Excused—1**

Hoffman

**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. 879, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending sections 201, 202, and 203 (MCL 4.1201, 4.1202, and 4.1203), section 203 as amended by 1999 PA 101.

(For text of amendment, see Senate Journal No. 84, p. 1911.)

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

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

**Roll Call No. 687**

**Yeas—21**

Bennett  
Bullard  
DeGrow  
Dunaskiss  
Emmons  
Gast

Goschka  
Gougeon  
Hammerstrom  
Johnson  
McCotter

McManus  
North  
Rogers  
Schuette  
Schwarz

Shugars  
Sikkema  
Steil  
Stille  
Van Regenmorter

**Nays—16**

Byrum  
Cherry  
DeBeaussaert  
Dingell

Emerson  
Hart  
Jaye  
Koivisto

Leland  
Miller  
Murphy  
Peters

Smith, A.  
Smith, V.  
Vaughn  
Young

**Excused—1**

Hoffman

**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. 315, entitled**

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

Substitute (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. 688**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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.

Senators Jaye, Gougeon, McCotter, North, Peters, Bennett, Goschka, DeBeaussaert, Rogers, Hammerstrom, Johnson, Steil, McManus, Byrum, Shugars and Schwarz moved that they be named co-sponsors of the following bill:

**Senate Bill No. 315**

The motion prevailed.

**House Bill No. 4618, entitled**

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 2441 (MCL 600.2441).

(For text of amendments, see Senate Journal No. 85, p. 1989.)

The question being on concurring in the House amendments made to the Senate amendments,  
The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 689****Yeas—36**

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

**Nays—1**

Jaye

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**Senate Bill No. 523, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Otsego county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance. 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. 690****Yeas—36**

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

**Nays—1**

Johnson

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

Senator Rogers moved that the bill be given immediate effect.  
 The motion prevailed, 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.

Senator Vaughn moved that he be named co-sponsor of the following bill:  
**Senate Bill No. 523**  
 The motion prevailed.

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

The motion prevailed.

Senator Jaye’s statement is as follows:

Mr. President, Senate colleagues, and guests, American superstar Jimmy Hendrix was named guitarist of the century in the poll of fellow musicians, which was published in Britain’s *Guitar Magazine* this week. Hendrix beat out Eric Clapton and Led Zeppelin’s Jimmy Page as the best of the century guitarist.

We have a recent new member to the State Senate who I wanted to recognize today. His exploits have become more and more recognized at the Nuthouse and at different areas where he is regaling the Senate, our guests, and our staff with his abilities as a guitar player.

So as we are here on what is probably the last day of the last year of the last session of 1999 in this millennium, I am delighted to present to Senator Thaddeus McCotter a special portrait of John Lennon given to him with great affection, admiration, and appreciation by his fans and colleagues. So will you join me in recognizing this great musician who is here in our presence.

**Senate Bill No. 246, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 904.

Substitute (H-4).

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. 691**

**Yeas—36**

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

**Nays—1**

DeGrow

**Excused—1**

Hoffman

**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. 888, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 39c (MCL 208.39c), as added by 1998 PA 534.

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

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

Pending the order that, under rule 3.202, the bill be laid over one day,  
 Senator Rogers moved that the rule be suspended.

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

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. 692****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 889, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 266 (MCL 206.266), as added by 1998 PA 535.

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

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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. 693**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 198, entitled**

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

(For Conference Report, see Senate Journal No. 85, p. 1970.)

The House of Representatives has adopted the report of the Committee of Conference.

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

**Senate Bill No. 668, entitled**

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, and 19 (MCL 487.2052, 487.2053, 487.2054, 487.2055, 487.2056, 487.2057, 487.2058, 487.2059, 487.2060, 487.2061, 487.2062, 487.2064, 487.2065, 487.2066, 487.2067, and 487.2069), sections 5, 7, 8, 11, 12, and 15 as amended by 1992 PA 76, and by adding sections 10a, 10b, 10c, 10d, 10e, 16a, and 16b; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 31, line 23, by inserting:

"(a) The business of a real estate broker or real estate salesperson licensed under article 25 of the occupational code, ~~Act No. 299 of the Public Acts of 1980, being sections 339.2501 to 339.2515 of the Michigan Compiled Laws 1980 PA 299, MCL 339.2501 TO 339.2515.~~" and relettering the remaining subdivisions.

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 694****Yeas—36**

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

**Nays—0****Excused—1**

Hoffman

**Not Voting—1**

Leland

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. 605, entitled**

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

(For Conference Report, see Senate Journal No. 85, p. 1981.)

The House of Representatives has adopted the report of the Committee of Conference.

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

**House Bill No. 5054, entitled**

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 2, 42, 73, 74, 283, 284, 393, 394, 509n, 544b, 662, 686, 686a, 759a, and 879 (MCL 168.2, 168.42, 168.73, 168.74, 168.283, 168.284, 168.393, 168.394, 168.509n, 168.544b, 168.662, 168.686, 168.686a, 168.759a, and 168.879), section 284 as amended by 1990 PA 7, section 509n as added by 1994 PA 441, sections 662 and 759a as amended by 1996 PA 207, section 686a as amended by 1988 PA 116, and section 879 as amended by 1995 PA 261, and by adding sections 30 and 613c; and to repeal acts and parts of acts.

The House of Representatives has amended the Senate amendment as follows:

1. Amend the Senate Amendment, page 7, following line 3, section 613C, after the first “IF” by striking out the balance of the section and inserting “2 CITIES AND A VILLAGE ARE TO BE CONSOLIDATED AS A NEW CITY IN 2000 AND THE NEW CITY IS SCHEDULED TO ELECT OFFICERS ON MARCH 7, 2000, THE GOVERNING BODY OF ANY OF THE LOCAL UNITS THAT ARE TO BE CONSOLIDATED MAY, BY RESOLUTION ADOPTED BEFORE JANUARY 14, 2000, CANCEL AN ELECTION OF OFFICERS OF THAT LOCAL UNIT. IF THE ELECTION IS CANCELED, TERMS OF OFFICE THAT WOULD HAVE EXPIRED AFTER THAT ELECTION ARE EXTENDED UNTIL THE EFFECTIVE DATE OF THE CONSOLIDATION.”.

The House of Representatives has concurred in the Senate amendment as amended, ordered that the bill be given immediate effect, and agreed to the title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

The question being on concurring in the House amendment made to the Senate amendment,

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

**Roll Call No. 695**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—1**

Dunaskiss

In The Chair: Schwarz

**Senate Bill No. 205, entitled**

A bill to amend 1981 PA 93, entitled "Michigan right to farm act," by amending section 4 (MCL 286.474), as amended by 1995 PA 94.

The House of Representatives has substituted (H-7) the bill.

The House of Representatives has passed the bill as substituted (H-7) and amended the title to read as follows:

A bill to amend 1981 PA 93, entitled "An act to define certain farm uses, operations, practices, and products; to provide certain disclosures; to provide for circumstances under which a farm shall not be found to be a public or private nuisance; to provide for certain powers and duties for certain state agencies and departments; and to provide for certain remedies for certain persons," by amending section 4 (MCL 286.474), as amended by 1995 PA 94; and to repeal acts and parts of acts.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

Senator Jaye offered the following amendments to the substitute:

1. Amend page 4, line 8, after "(5)" by striking out "EXCEPT AS PROVIDED IN SUBSECTION (6), THIS" and inserting "This".

2. Amend page 5, following line 2, by inserting:

"(7) SUBSECTION (6) DOES NOT APPLY TO A LOCAL ORDINANCE, REGULATION, OR RESOLUTION THAT REGULATES OR PROHIBITS A FARM OR FARM OPERATION WITH 1,000 OR MORE ANIMAL UNITS, AS DEFINED IN APPENDIX B TO PART 122 OF TITLE 40 OF THE CODE OF FEDERAL REGULATIONS." and renumbering the remaining subsections.

The question being on the adoption of the amendments,

Senator Jaye requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

Senator V. Smith 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 not voting therefor, as follows:

**Roll Call No. 696**

**Yeas—15**

Byrum	Hart	Murphy	Smith, V.
Cherry	Jaye	Peters	Vaughn
DeBeaussaert	Leland	Sikkema	Young
Emerson	Miller	Smith, A.	

**Nays—22**

Bennett	Gast	McCotter	Schwarz
Bullard	Goschka	McManus	Shugars
DeGrow	Gougeon	North	Steil
Dingell	Hammerstrom	Rogers	Stille
Dunaskiss	Johnson	Schuette	Van Regenmorter
Emmons	Koivisto		

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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. 697****Yeas—27**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
DeGrow	Gougeon	Miller	Steil
Dingell	Hammerstrom	North	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emerson	Johnson	Schuette	Young
Emmons	Koivisto	Schwarz	

**Nays—10**

Byrum	Hart	Peters	Smith, V.
Cherry	Leland	Smith, A.	Vaughn
DeBeaussaert	Murphy		

**Excused—1**

Hoffman

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

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

The motion prevailed.

Senator V. Smith's statement is as follows:

I hate to stop the debate on this very important issue, but since we took a slight pause, I would like to take this opportunity to announce that my intern, Saadiq Luqman, who has served me very well over this past semester, is leaving our employ. I shouldn't call it an employ because Saadiq was an intern. He came and served without pay. He came to learn the legislative process. He came to give us an opportunity to work with him and work in our office. He's done just an exceptional job. He's been a bright, articulate student, paying fine attention to the process. He's been a valued addition to my staff; we will hate to lose him. His only drawback is the university that he is a senior at and about to graduate from. We were just thrilled that he would drive all the way from Ann Arbor to come to the Capitol and be an intern within our office. Of course, I'm kidding, we're very proud of the University of Michigan, and we're very proud of Saadiq. One of things that hopefully has rubbed off on him is he's informed us that he intends to go to law school, so I am very proud of that fact. I'd like to wish him the very best in his future endeavors.

**Senate Bill No. 810, entitled**

A bill to provide for the redistricting of congressional districts; and to establish guidelines for the decennial adoption of a redistricting plan for congressional districts.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3).

Pending the order that, under rule 3.202, the bill be laid over one day,  
Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 698****Yeas—22**

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

**Nays—14**

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

**Excused—1**

Hoffman

**Not Voting—1**

Miller

In The Chair: Schwarz

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. 699****Yeas—21**

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

**Nays—16**

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

**Excused—1**

Hoffman

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

**Senate Bill No. 811, entitled**

A bill to confer original jurisdiction on the supreme court to hear and decide cases on congressional redistricting; and to allow the supreme court to review and order congressional redistricting plans.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 2, after “decide” by striking out “any case or controversy” and inserting “all cases and controversies in Michigan’s 1 court of justice”.

2. Amend page 1, line 3, after “controversy” by inserting “in Michigan’s 1 court of justice”.

3. Amend page 1, line 4, after “commenced” by striking out “or heard in” and inserting “in or heard by”.

4. Amend page 2, line 12, after “November” by striking out “1” and inserting “2”.

5. Amend page 3, line 21, after “than” by striking out “March 31” and inserting “April 1”.

The House of Representatives has passed the bill as amended.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 700****Yeas—22**

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

**Nays—15**

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

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

**Roll Call No. 701****Yeas—22**

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

**Nays—15**

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

**Excused—1**

Hoffman

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

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

The motion prevailed.

Senator Emmons' statement is as follows:

My page who has worked so hard, Tracey Goodwin. We want to thank Tracey for all the good service that she's provided to the Senate this year and wish her well in her studies as she goes on. We thank you very much, Tracey.

**Senate Bill No. 813, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 302 (MCL 600.302), as amended by 1993 PA 190.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and amended the title to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," (MCL 600.101 to 600.9948) by adding section 216.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 702**

**Yeas—21**

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

**Nays—16**

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

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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. 703**

**Yeas—0**

**Nays—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.

Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Jaye	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**Senate Bill No. 814, entitled**

A bill to amend 1996 PA 463, entitled "An act to establish guidelines for the decennial adoption of redistricting plans for the senate and house of representatives; to provide original jurisdiction to the supreme court to review redistricting plans enacted by the legislature for compliance with those guidelines; and to provide a procedure for the supreme court to use to redistrict the senate and house of representatives under certain circumstances," by amending section 2 (MCL 4.262) and by adding section 1a.

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

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 704****Yeas—22**

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

**Nays—15**

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

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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. 705****Yeas—21**

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

**Nays—16**

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

**Excused—1**

Hoffman

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

**Senate Bill No. 831, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 23 (MCL 78.23), as amended by 1982 PA 373.

The House of Representatives has amended the bill as follows:

1. Amend page 3, line 10, after "clerk." by inserting "A VILLAGE SHALL NOT ENFORCE ANY PROVISION ADOPTED BY REFERENCE FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS GREATER THAN 93 DAYS."

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 706****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 832, entitled**

A bill to amend 1945 PA 246, entitled “An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act,” by amending sections 1, 4, and 5 (MCL 41.181, 41.184, and 41.185), section 1 as amended by 1994 PA 315, section 4 as amended by 1994 PA 14, and section 5 as added by 1989 PA 78.

The House of Representatives has amended the bill as follows:

1. Amend page 3, line 12, after “ORDINANCE.” by inserting “A TOWNSHIP SHALL NOT ENFORCE ANY PROVISION ADOPTED BY REFERENCE FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS GREATER THAN 93 DAYS.”.

2. Amend page 5, line 14, after “OBTAINED.” by inserting “A TOWNSHIP SHALL NOT ENFORCE ANY PROVISION ADOPTED BY REFERENCE FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS GREATER THAN 93 DAYS.”.

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:



**Roll Call No. 707**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 833, entitled**

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 4 of chapter VI (MCL 66.4), as amended by 1998 PA 255.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 23, after “clerk.” by inserting “A VILLAGE SHALL NOT ENFORCE ANY PROVISION ADOPTED BY REFERENCE FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS GREATER THAN 93 DAYS.”.

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

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 708**

**Yeas—37**

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

Dingell  
Dunaskiss  
Emerson  
Emmons

Johnson  
Koivisto  
Leland

Rogers  
Schuette  
Schwarz

Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Hoffman

**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. 834, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 3 (MCL 117.3), as amended by 1993 PA 207.

The House of Representatives has amended the bill as follows:

1. Amend page 6, line 2, after “public.” by inserting “A CITY SHALL NOT ENFORCE ANY PROVISION ADOPTED BY REFERENCE FOR WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS GREATER THAN 93 DAYS.”.

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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

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

**Roll Call No. 709**

**Yeas—37**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

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

**Nays—0**

**Excused—1**

Hoffman

**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. 855, entitled**

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending section 3 (MCL 28.243), as amended by 1999 PA 77.

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

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Rogers moved that the rule be suspended.

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

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. 710****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 856, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 222, 233, 240, 319, 605, and 904d (MCL 257.219, 257.222, 257.233, 257.240, 257.319, 257.605, and 257.904d), sections 219, 233, and 605 as amended by 1999 PA 73, section 222 as amended by 1993 PA 300, section 319 as amended by 1999 PA 118, and section 904d as amended by 1999 PA 51.

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

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.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Rogers moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the Third Reading of Bills calendar for consideration today:

**House Bill No. 5053**  
**House Bill No. 5008**  
**House Bill No. 5009**  
**House Bill No. 5010**  
**House Bill No. 5016**

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

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

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

**House Bill No. 5053**  
**House Bill No. 5008**  
**House Bill No. 5009**  
**House Bill No. 5010**  
**House Bill No. 5016**  
**Senate Bill No. 747**  
**Senate Bill No. 746**  
**Senate Bill No. 748**  
**Senate Bill No. 749**  
**Senate Bill No. 750**  
**Senate Bill No. 751**  
**Senate Bill No. 752**  
**Senate Bill No. 753**  
**Senate Bill No. 808**  
**Senate Bill No. 876**  
**Senate Bill No. 742**  
**Senate Bill No. 803**  
**Senate Bill No. 538**  
**House Bill No. 4863**  
**House Bill No. 4280**  
**House Bill No. 4281**  
**House Bill No. 4814**  
**Senate Bill No. 882**  
**House Bill No. 4709**

**House Bill No. 4710**  
**House Bill No. 4712**  
**House Bill No. 4713**  
**House Bill No. 4714**  
**House Bill No. 4718**  
**Senate Bill No. 737**  
**Senate Bill No. 456**  
 The motion prevailed.

The following bill was read a third time:

**House Bill No. 5053, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43534 (MCL 324.43534), as added by 1995 PA 57.

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. 711**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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.

The following bill was read a third time:

**House Bill No. 5008, entitled**

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending sections 1, 4, and 5 (MCL 41.181, 41.184, and 41.185), section 1 as amended by 1994 PA 315, section 4 as amended by 1994 PA 14, and section 5 as added by 1989 PA 78.

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

Substitute (S-1).

The substitute 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. 712**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—1**

Dunaskiss

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.

Senator Dunaskiss entered the Senate Chamber.

The following bill was read a third time:

**House Bill No. 5009, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 23 (MCL 78.23), as amended by 1982 PA 373.

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

Substitute (S-1).

The substitute 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. 713**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows: "An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; 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. 5010, entitled** A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 4 of chapter VI (MCL 66.4), as amended by 1998 PA 255. The question being on the adoption of the following committee substitute: Substitute (S-1). The substitute 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. 714**

**Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.

Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Jaye	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

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 government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; 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. 5016, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 3 (MCL 117.3), as amended by 1993 PA 207.

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

Substitute (S-1).

The substitute 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. 715**

**Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil



DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Jaye  
Johnson  
Koivisto  
Leland

Peters  
Rogers  
Schuette  
Schwarz

Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

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

“An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Schwarz’s statement is as follows:

I would like to join some of my colleagues who are wishing bon voyage to some of their interns and pages in asking that you join me in wishing the very best to Jason Menard, who has been an intern in my office this semester. Jason is a political science major at that school in Ann Arbor recently referred to by my good friend, Senator Virgil Smith. He’s also a member of the University of Michigan marching band. He’s been a superb intern, and I would like all of you to join me in wishing him the very best.

Senator Peters’ statement is as follows:

Joining me at my desk is Dawn Cova, who is from the other school here in Michigan, Michigan State University. I had the good fortune of meeting Dawn with the college Democrats at Michigan State University. She showed her enthusiasm for the issues of the day, particularly the environment and education. Dawn came to work in my office and has done an absolutely outstanding job as an intern, and today is her last day.

She is an education major and hopes to pursue a very honorable career as a teacher in the public school system here in Michigan.

We wish her the best of luck in the future and hope my colleagues will join me in thanking Dawn for the wonderful work she has done.

The following bill was read a third time:

**Senate Bill No. 747, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 4 (MCL 445.904), as amended by 1993 PA 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. 716****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator A. Smith's statement is as follows:

I would like to join the long line of "lasts" for today. My intern is from the University of Michigan, that wonderful campus in Ann Arbor, my home district. Merkys Gomez is here on the floor for her last day as an intern in my office. Merkys is finishing up her degree in political science and will be going on to law school either at the University of Michigan or here in East Lansing. We certainly hope it's at the University of Michigan because she has been an outstanding student there out on that campus.

Merkys has done a tremendous amount of work in the office on a varied number of projects, and she has been indispensable. We will miss her. She will be an asset wherever she ends up.

The following bill was read a third time:

**Senate Bill No. 746, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20101b (MCL 324.20101b), as added by 1995 PA 71.

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. 717****Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema

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

**Nays—0**

**Excused—1**

Hoffman

**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. 748, entitled**

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 2 (MCL 447.152), as amended by 1990 PA 304.

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. 718**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 749, entitled**

A bill to amend 1960 PA 136, entitled "Sale of checks act," by amending section 4 (MCL 487.904), as amended by 1990 PA 81.

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. 719****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 750, entitled**

A bill to amend 1986 PA 89, entitled "Michigan BIDCO act," by amending section 717 (MCL 487.1717).

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. 720****Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.

Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto  
Leland

Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—1**

Hoffman

**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. 751, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 102 (MCL 487.3102).

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. 721**

**Yeas—36**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson

Emmons  
Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto

Leland  
McCotter  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

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

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—1**

McManus

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 752, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending sections 107, 700, and 800 (MCL 491.107, 491.700, and 491.800), section 107 as added and sections 700 and 800 as amended by 1987 PA 106.

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. 722**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 753, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1214 (MCL 700.1214).

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. 723**

**Yeas—37**

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

Dunaskiss  
Emerson  
Emmons

Koivisto  
Leland

Schuette  
Schwarz

Vaughn  
Young

**Nays—0**

**Excused—1**

Hoffman

**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. 808, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5400, 5402, 5800, 5901, 5905, 5911, 5913, and 5915 (MCL 500.5400, 500.5402, 500.5800, 500.5901, 500.5905, 500.5911, 500.5913, and 500.5915), section 5800 as amended by 1998 PA 457, sections 5901 and 5915 as amended by 1998 PA 121, and sections 5905, 5911, and 5913 as added by 1995 PA 215, and by adding sections 5403 and 5803 and chapter 60.

The question being on the passage of the bill,

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

**Roll Call No. 724**

**Yeas—37**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

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

**Nays—0**

**Excused—1**

Hoffman

**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. 876, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8801 (MCL 600.8801), as amended by 1996 PA 211.

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. 725**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 742, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 516.

The question being on the passage of the bill,

Senator Bennett offered the following amendment:

1. Amend page 1, line 4, after "PUBLIC:" by inserting "THE LICENSE MAY BE ISSUED SOLELY TO THE COUNTY, CITY, VILLAGE, OR TOWNSHIP."

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. 726**

**Yeas—32**

Bennett	Emmons	Koivisto	Rogers
Bullard	Gast	Leland	Schuette



Byrum  
Cherry  
DeBeaussaert  
Dingell  
Dunaskiss  
Emerson

Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson

McCotter  
McManus  
Miller  
Murphy  
North  
Peters

Schwarz  
Smith, A.  
Steil  
Stille  
Vaughn  
Young

**Nays—5**

DeGrow  
Shugars

Sikkema

Smith, V.

Van Regenmorter

**Excused—1**

Hoffman

**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. 803, entitled**

A bill to amend 1970 PA 74, entitled "Corner recordation act," by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; 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. 727****Yeas—37**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz

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

**Nays—0****Excused—1**

Hoffman

**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. 538, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24f (MCL 211.24f), as amended by 1994 PA 189.

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. 728****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**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. 4863, entitled**

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

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. 729****Yeas—37**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.

Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Jaye	Peters	Stille
Dingell	Johnson	Rogers	Van Regenmorter
Dunaskiss	Koivisto	Schuette	Vaughn
Emerson	Leland	Schwarz	Young
Emmons			

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

“An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Bennett’s statement is as follows:

I just would like to announce that I have an intern who’s going to be leaving the office after this week, Matt Classens. Matt, if you’d rise, please. He has been an absolutely fantastic intern, and we were actually able to steal him out from underneath Senator George McManus. He’s from the Traverse City area; he’s been a great addition to the office. We are going to miss him. Thank you for your hard work, Matt.

The following bill was read a third time:

**House Bill No. 4280, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61503c.

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. 730**

**Yeas—37**

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

Dunaskiss  
Emerson  
Emmons

Koivisto  
Leland

Schuetter  
Schwarz

Vaughn  
Young

**Nays—0**

**Excused—1**

Hoffman

**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.

The following bill was read a third time:

**House Bill No. 4281, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61503b; 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. 731**

**Yeas—37**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Jaye  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuetter  
Schwarz

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

**Nays—0**

**Excused—1**

Hoffman

**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.

The following bill was read a third time:

**House Bill No. 4814, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by repealing section 5534 (MCL 324.5534).

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. 732****Yeas—36**

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

**Nays—1**

Jaye

**Excused—1**

Hoffman

**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.

The following bill was read a third time:

**Senate Bill No. 882, entitled**

A bill to create certain funds; to provide for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials.

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. 733**

**Yeas—36**

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

**Nays—1**

Dingell

**Excused—1**

Hoffman

**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. 4709, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 15, 15a, 15b, 15c, and 15e of chapter IV (MCL 764.15, 764.15a, 764.15b, 764.15c, and 764.15e), section 15 as amended by 1996 PA 490, section 15a as amended by 1996 PA 138, sections 15b and 15c as amended by 1998 PA 475, and section 15e as added by 1993 PA 52.

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. 734****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

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

The Senate agreed to the full title.

Senator Rogers moved that consideration of the following bill be postponed for today:

**House Bill No. 4710**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4712, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 916 and 2950b (MCL 600.916 and 600.2950b), section 2950b as amended by 1994 PA 403, and by adding section 2950c.

The question being on the passage of the bill,

Senator McCotter offered the following amendments:

1. Amend page 2, following line 9, by inserting:

“Sec. 934. (1) A person is qualified for admission to the bar of this state who proves to the satisfaction of the board of law examiners that he or she is a person of good moral character, is 18 years of age or older, is a resident of 1 of the states or territories or the District of Columbia, has the required general education, learning in the law, and fitness and ability to enable him or her to practice law in the courts of record of this state, and that he or she intends in good faith to practice or teach law in this state. Additional requirements concerning the qualifications for admission are contained in subsequent sections of this chapter.

(2) As used in this section: ~~“good~~

(A) “GOOD moral character” means good moral character as defined and determined under ~~Act No. 381 of the Public Acts of 1974, as amended, being sections 338.41 to 338.47 of the Michigan Compiled Laws 1974 PA 381, MCL 338.41 TO 338.47.~~

(B) UNTIL DECEMBER 31, 2000, “RESIDENT” INCLUDES, BUT IS NOT LIMITED TO, AN ALIEN WHO IS A MEMBER OF THE MILITARY SERVICE OF ANOTHER COUNTRY AND WHO HOLDS A TEMPORARY VISA OR PERMANENT RESIDENT VISA ISSUED BY THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE.

(3) A person may elect to use the multi-state bar examination scaled score ~~which~~ THAT the person achieved on a multi-state bar examination administered in another state or territory when applying for admission to the bar of this state, but only if all of the following occur:

(a) The score ~~which~~ THAT the person elects to use was achieved on a multi-state examination administered within the 3 years immediately preceding the multi-state bar examination in this state for which the person would otherwise sit.

(b) The person achieved a passing grade on the bar examination of which the multi-state examination the score of which the person elects to use was a part.

(c) The multi-state examination the score of which the person elects to use was administered in a state or territory ~~which~~ THAT accords the reciprocal right to elect to use the score achieved on the multi-state examination administered in this state to Michigan residents seeking admission to the bar of that state or territory.

(d) The person earns a grade on the essay portion of the bar examination ~~which~~ THAT when combined with the transferred multi-state scaled score constitutes a passing grade for that bar examination.

(e) The person otherwise meets all requirements for admission to the bar of this state.

(4) The state board of law examiners shall disclose to a person electing under subsection (3) to transfer the multi-state bar examination scaled score achieved on an examination administered in another state or territory the score the person achieved as soon as that score is received by the board regardless of whether the person could have obtained that score in the jurisdiction in which the examination was administered. This subsection does not require disclosure by the board of the score achieved on a multi-state bar examination administered in another state or territory until the scores achieved on that examination administered in Michigan are released.”.

2. Amend page 4, line 11, by striking out all of enacting section 1 and inserting:

“Enacting section 1. (1) Section 934 of the revised judicature act, 1961 PA 236, MCL 600.934, as amended by this amendatory act, takes effect the date it is enacted.

(2) Except as otherwise provided in subsection (1), this amendatory act takes effect July 1, 2000.”.

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. 735

### Yeas—37

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

### Nays—0



**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

Senator Rogers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending sections 916, 934, and 2950b (MCL 600.916, 600.934, and 600.2950b), section 934 as amended by 1980 PA 271 and section 2950b as amended by 1994 PA 403, and by adding section 2950c.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 4713, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 1994 PA 64 and section 81a as amended by 1994 PA 65.

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. 736****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4714, entitled**

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 36 (MCL 791.236), as amended by 1998 PA 315.

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. 737**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**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. 4718, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1137a.

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. 738****Yeas—37**

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

**Nays—0****Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 737, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 217d (MCL 257.217d), as added by 1980 PA 124.

The question being on the passage of the bill,

Senator Gougeon offered the following amendments:

1. Amend page 2, line 3, after “REQUIRE.” by striking out the balance of the subsection and inserting “THE SECRETARY OF STATE SHALL WAIVE THE \$5.00 SERVICE FEE REQUIRED UNDER SECTION 804.”

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

“(7) THE SECRETARY OF STATE SHALL DELIVER OR CAUSE TO BE DELIVERED 1 OR MORE SPECIAL REGISTRATION PLATES ISSUED UNDER THIS SECTION TO THE HOME ADDRESS OF THE APPLICANT AT NO ADDITIONAL COST TO THE APPLICANT.”

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

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 456, entitled**

A bill to amend 1970 PA 207, entitled "An act to exempt certain dogs from license fees," by amending section 1 (MCL 287.291), as amended by 1984 PA 112.

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. 739**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Hoffman

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Rogers moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 857**

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

The following bill was read a third time:

**Senate Bill No. 857, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 660 (MCL 257.660), as amended by 1994 PA 348, and by adding section 25b.

The question being on the passage of the bill,

Senator McManus offered the following substitute:

Substitute (S-1).

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

Senator Cherry moved that Senator Dingell be excused from the balance of today's session.

The motion prevailed.

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. 740****Yeas—35**

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

**Nays—0****Excused—2**

Dingell Hoffman

**Not Voting—1**

Young

In The Chair: Schwarz

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

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 33, 79, 216, 217b, 233a, 301, 657, 660, 705, and 801 (MCL 257.33, 257.79, 257.216, 257.217b, 257.233a, 257.301, 257.657, 257.660, 257.705, and 257.801), section 33 as amended by 1997 PA 56, section 79 as amended by 1992 PA 134, section 216 as amended by 1996 PA 141, section 233a as amended by 1988 PA 470, section 301 as amended by 1988 PA 346, section 660 as amended by 1994 PA 348, section 705 as amended by 1995 PA 91, and section 801 as amended by 1998 PA 384, and by adding sections 25b and 658b.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

**Senate Bill No. 857**

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

The motion prevailed.

Senator Shugars’ statement is as follows:

I’d like to share with my colleagues and staff an employee who has worked with us this year. Carmen Williams is going to be departing from our employ. She served two years in AmeriCorps, and she graduated from Spring Arbor College. Now she’s going to leave the State Senate and go on to be a city team missionary in the city of Oakland in California to help recovering individuals and homeless and a number of other issues. So she’s moving up from the State Senate to help out people who really need it. So if you can give Carmen a warm welcome and a good departure. Good luck, Carmen, in your future endeavors in Oakland, California. Thank you for working with us.

**House Concurrent Resolution No. 53.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Michigan State Police Crime Lab.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 741**

**Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 54.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Baraga Maximum Correctional Facility Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 742**

**Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 55.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Ojibway Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 743****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 56.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Pugsley Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 744****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 57.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Florence Crane Women's Facility Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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



**Roll Call No. 745****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 58.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Macomb Correctional Facility Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 746****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 59.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Saginaw Correctional Facility Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 747****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 60.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Secure Level I Correctional Facility at St. Louis.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 748**

**Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 61.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Thumb Correctional Facility Additional Housing Units.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 749****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 65.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Eastern Michigan University relative to the Eastern Michigan University Health and Human Services Building.

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 750****Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 66.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Northern Michigan University relative to the Northern Michigan University West Science Building Remodeling (Phase I).

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 751****Yeas—35**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussiaert  
DeGrow  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Johnson  
Koivisto  
Leland  
McCotter

McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette  
Schwarz  
Shugars

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 67.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Library Addition and Renovation (Phase I).

The Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 752**

**Yeas—35**

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

**Nays—1**

Jaye

**Excused—2**

Dingell

Hoffman

**Not Voting—0**

In The Chair: Schwarz

**House Concurrent Resolution No. 70.**

A concurrent resolution to change the scope of the Multipurpose Educational Facility and General Campus Renovations project at North Central Michigan College.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

**Senate Resolution No. 115**

**Senate Resolution No. 116**

The resolution consent calendar was adopted.

Senator Schwarz offered the following resolution:

**Senate Resolution No. 115.**

A resolution commemorating the 200th Anniversary of the death of President George Washington.

Whereas, December 14, 1999, is the bicentennial of the death of George Washington, who has been described as "first in war, first in peace, and first in the hearts of men." On this occasion, there should be a remembrance for the life and contributions of George Washington; and

Whereas, George Washington was born in Virginia on February 22, 1732, and worked as a surveyor when he was a young man; and

Whereas, George Washington began his military career in 1753 leading a Virginia expedition challenging French land claims. Appointed as a volunteer aide-de-camp to a British general in 1755, he fought against the French and received recognition for his bravery under fire. He was given the rank of colonel and command of the reorganized Virginia colonial forces that were responsible for defending 350 miles of frontier. In 1758, Washington, in command of 700 men from four colonies, was part of the force that defeated the French and captured Fort Duquesne; and

Whereas, In 1758, George Washington resigned his commission and returned to his family and business pursuits at his home in Mount Vernon. In 1759, he began a 15-year term of service in the Virginia House of Burgesses. In 1774, Washington co-authored the Fairfax County Resolves, which protested the punitive "Intolerable Acts" passed by the British to punish the colonists after the Boston Tea Party. When the First Continental Congress convened in Philadelphia, Washington served as a delegate from Virginia; and

Whereas, In 1775, while serving as a delegate from Virginia in the Second Continental Congress, George Washington was selected as Commander-in-Chief of the Continental Army, serving in that post through the Revolutionary War until December 1783, when he officially resigned his military commission and returned to private life; and

Whereas, Washington's time away from public service was short, and in 1786, he and others began work which ultimately culminated in the Constitutional Convention of 1787, where Washington presided. In April 1789, George Washington was elected to the presidency and was inaugurated in New York City on April 30, 1789. In February 1793, Washington was re-elected to the presidency, offering the shortest inaugural address ever given, and served until 1797 when he retired to his Mount Vernon, Virginia, home. On December 14, 1799, George Washington died after contracting a throat infection; and

Whereas, George Washington was known for his integrity and his role in shaping our nation's representative and democratic government; now, therefore, be it

Resolved by the Senate, That we pause to reflect on the life of George Washington and his singular contributions to America and its history on the bicentennial anniversary of his death.

Senators Goschka and Shugars were named co-sponsors of the resolution.

Senators Jaye, DeBeaussiaert, Byrum, A. Smith and Miller offered the following resolution:

**Senate Resolution No. 116.**

A resolution to congratulate the Utica High School Girls' Basketball Team on their Class A state championship title.

Whereas, It is with deep respect and admiration that this legislative body commends and congratulates the members of the Utica High School Girls' Basketball Team on their 27-0 season and their Class A state championship title; and

Whereas, On December 4, 1999, the Utica High School Chieftains defeated Lansing Everett High School 62-48 to take the first-ever victory for a suburban Macomb County high school; and

Whereas, The hard work and commitment to the sport of basketball has created an undefeated season and a state championship for these girls that will be remembered for the rest of our lives and will be recognized in Macomb County for its importance. Senator Dave Jaye, as a 1976 graduate of Utica Schools, takes particular pride in the academic and athletic achievements of Utica High School students; now, therefore, be it

Resolved by the Senate, That this day, December 8, 1999, be commemorated to honor the Utica High School Chieftains on their Class A state championship title; and be it further

Resolved, That a copy of this resolution be transmitted to the Utica High School Girls' Basketball Team with great respect, admiration, and congratulations.

Senators Goschka and Shugars were named co-sponsors of the resolution.

Senator Sikkema offered the following concurrent resolution:

**Senate Concurrent Resolution No. 31.**

A concurrent resolution to urge the National Governors Association, the National Association of Secretaries of State, the Republican National Committee, and the Democratic National Committee to support a series of four regional presidential primaries.

Whereas, Selection of the candidates seeking our nation's highest office is an important part of our process of self-government. For many years, this first step has been conducted in haphazard fashion, with unequal participation among the states and regions of the country. This process gives uneven weight to the results in some areas of the country at the expense of others; and

Whereas, Many states are now scheduling primaries early in an effort to have an impact on the nomination process, leading to a "front loading" of the nomination. In fact, between February 19, 2000, and March 14, 2000, thirty states will conduct primaries or caucuses. Such a concentration and front loading of primaries puts more emphasis on fund raising in the electoral process, puts lesser-known candidates at a disadvantage, forces candidates to declare their intentions too early, and hurts voter turnout; and

Whereas, Some states conduct different nomination processes for different political parties on different days, creating confusion and apathy; and

Whereas, One idea that holds promise as a much more effective selection process is to hold a series of four regional presidential primaries, in the East, South, Midwest, and West. The four regions, which would cover every state, could rotate the order of the four primary dates every four years. Under this proposal, the specific needs of a region would gain greater voice as candidates focus on these issues. With the focus of national attention eventually directed to every part of the country, every area's serious questions would have to be addressed by candidates; and

Whereas, Another significant advantage of adopting the four regional primaries is that this may encourage greater understanding of, and greater participation in, the electoral process among our citizens; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the National Governors Association, the National Association of Secretaries of State, the Republican National Committee, and the Democratic National Committee to support a series of four regional presidential primaries; and be it further

Resolved, That copies of this resolution be transmitted to the National Governors Association, the National Association of Secretaries of State, the Republican National Committee, and the Democratic National Committee.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

### **House Concurrent Resolution No. 75.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives and Senate adjourn on Friday, December 10, 1999, it stand adjourned without day.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Rogers moved that the rule be suspended.

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

The concurrent resolution was adopted.

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

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

#### **Senate Bill No. 737, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217d (MCL 257.217d), as added by 1980 PA 124.

(This bill was read a third time earlier today, amendments adopted and consideration postponed. See p. 2055.)

The question being on the passage of the bill,

Senator Gougeon offered the following amendment:

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

"(8) THE SECRETARY OF STATE SHALL DEVELOP UNDER SECTION 811E AND, UPON APPLICATION, MAY ISSUE UNDER SECTION 811F A STATE-SPONSORED MICHIGAN VETERANS MEMORIAL FUND-RAISING REGISTRATION PLATE AND A MATCHING STATE-SPONSORED MICHIGAN VETERANS MEMORIAL COLLECTOR PLATE AS PROVIDED UNDER SECTION 811G. THE PLATE SHALL BE OF A DESIGN AS DETERMINED BY THE SECRETARY OF STATE.

(9) MICHIGAN VETERANS MEMORIAL FUND-RAISING REGISTRATION PLATE DONATIONS COLLECTED UNDER SECTION 811F AND MATCHING MICHIGAN VETERANS MEMORIAL COLLECTOR PLATE FUND-RAISING DONATIONS COLLECTED UNDER SECTION 811G SHALL BE DISBURSED UNDER SECTION 811H BY THE SECRETARY OF STATE TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE VIETNAM VETERANS MEMORIAL MONUMENT FUND CREATED IN SECTION 3 OF THE MICHIGAN VIETNAM VETERANS MEMORIAL ACT, 1988 PA 234, MCL 35.1053. THESE FUNDS SHALL BE USED EXCLUSIVELY FOR THE PURPOSES DESCRIBED IN SECTIONS 5 AND 7 OF THE MICHIGAN VIETNAM VETERANS MEMORIAL ACT, 1988 PA 234, MCL 35.1055 AND 35.1057.

(10) FOR PURPOSES OF THIS CHAPTER, "MICHIGAN VETERANS MEMORIAL FUND-RAISING REGISTRATION PLATE" MEANS A REGISTRATION PLATE CONTAINING A SPECIALIZED DESIGN PERTAINING TO MICHIGAN VETERANS."

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. 753****Yeas—36**

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

**Nays—0****Excused—2**

Dingell Hoffman

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Young moved that he and Senators Shugars, Bennett, Sikkema, Dunaskiss, Goschka, Stille, Gougeon, Van Regenmorter, Rogers, Byrum, McCotter, North, Bullard, Cherry, DeBeaussaert, DeGrow, Dingell, Emerson, Emmons, Gast, Hart, Hoffman, Koivisto, Leland, McManus, Miller, Murphy, Peters, A. Smith, V. Smith and Vaughn be named co-sponsors of the following bill:

**Senate Bill No. 737**

The motion prevailed.

Senators Gougeon, Schuette and Rogers asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Gougeon's statement is as follows:

Many of you are aware that on my desk I have a POW-MIA flag, and it's been on any desk that I've sat at in this Senate since the day I've been here—nearly seven years. That flag has stood there in honor of 20 friends of mine who were my fellow flight mates, or pilots, if you will—the 497th (Night Owl) Tactical Fighter Squadron in Ubon, Thailand—who in 1970 lost their lives and paid the ultimate sacrifice for their country and, indeed, to all of those who served in Vietnam and paid the ultimate sacrifice or who never came home. To them I've dedicated that flag and also this amendment.

This amendment merely authorizes the Secretary of State to help raise money for the Vietnam War memorial for this state by selling license plates and a memorial collector plate to help the veterans of this state get a memorial up for all their friends who were lost in this war. I would urge the body to support this amendment.

Senator Schuette's statement is as follows:

The heartfelt offering of the amendment by Senator Gougeon is something that I support. I think he said it best about those whom we honor, those who served in Vietnam and other theaters, and it is consistent with the Congressional Medal of Honor. Of the legislation that is before us today, I would urge that we adopt this second Gougeon amendment and pay tribute to him, the offerer of the amendment.

Senator Rogers' statement is as follows:

There are some very, very important people who we all need to say thank you to as we conclude this year. Senators and staff, we have a very professional, bipartisan group of people who work very, very hard to make sure that this ship is sailing in the right direction and doing all the right things. I can't tell you how many times they've gotten me out of trouble, Mr. President, and I know that goes the same for my friends in the minority party as well.

I just want to quickly run down this list. It is just a small token—but our token—on behalf of the Senate here. As the Majority Floor Leader, I would like to say thank you for all of your hard work. To the faces of the people who are back in the Romney Building right now transcribing all of this and making sure things go like they should, we thank you very much. On behalf of all of us, to the Secretary of Senate staff: Carol Viveni, Carol Linteau, John Beutler, Laurie Rospond, Cathy Sundeen, Kristin Rivet, Kerry Stone, Kathy Barnette, Cathy Stewart, Bettie Trice, Pete Pettis, Cindy Baker, Liz Justice, Angela James, Janet Thompson, Brent Morton, Angela Smith, Audra Sweet, and Pat Timmons.

Also to our Sergeants, Kit Askin and crew, thank you very much for keeping us safe and keeping things moving. We appreciate your great work.

And to all the Techs out there, thank you very much for doing what you do. I know they're pointing back there, but I can't turn around and talk in the microphone at the same time. I can't even chew gum and talk at the same time. Thank you very much for what you do and for keeping those machines up. For those of us who are almost computer literate, thank you for what you do in keeping this place up and humming and keeping us moving into the 21st century. Thank you!

If all of us could give a very warm, rousing support to all of those. Thank you for what you do. Thank you for your hard work. Thanks for everything to make this Senate here work.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Rogers moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the Third Reading of Bills calendar:

**House Bill No. 4523**

**House Bill No. 5058**

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

By unanimous consent the Senate proceeded to the order of

#### **Statements**

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

The motion prevailed.

Senator Jaye's statement is as follows:

Mr. President and Senate colleagues, yesterday we were not afforded an opportunity to make statements, and I had a statement prepared regarding the legislation to block school administrator unions. The statement is that school administrators block school reform. School bureaucrat unions protect incompetent principals from being fired. Bad principals can only be transferred among schools.

Unions have conflicts of interest as unionized school bureaucrats do not aggressively negotiate labor contracts in the best interests of the taxpayers, students, or management. That is because the salaries and benefits of school administrators are dependent on what administrators give to teachers. Detroit school principals were refusing to submit teacher attendance forms, thereby sabotaging efforts to fine fellow union members for days teachers were illegally on strike. Many unionized school principals joined unionized teachers on the strike line! School administrator unions helped create a top-heavy school bureaucracy where only 45.2 percent of all personnel who work for Michigan schools are teachers, the lowest percentage of 50 states. In contrast, 63.3 percent of Rhode Island school personnel are teachers.

Detroit school unions prevent CEO, David Adamany, from firing incompetent principals responsible for schools having a 70 percent drop-out rate and 90 percent of the students in some of the schools flunking basic academic performance tests. Legislation that we approved yesterday Senate Bill No. 663, prohibiting administrative unions, does not reduce salaries and benefits. It continues school administrative protections under the school code and all the wrongful discharge laws enjoyed by every other working man and woman. Approximately 100 of Michigan's 545 school districts have unionized school administrators.

The teachers' union control over approximately seven State House Republicans forced a watered-down version of the bill which now will only ban unions for school administrators in Detroit. However, I will continue to push for laws to protect all of Michigan's schoolchildren by banning all school administrative unions in Michigan.

By unanimous consent the Senate returned to the order of

**Introduction and Referral of Bills**

Senators Emerson and Cherry introduced

**Senate Bill No. 910, entitled**

A bill to designate the Bristol road overpass that spans the railroad tracks located on Michigan highway M-121 in Genesee county as the "Preston Schmidt Overpass"; and to prescribe the duties of the state transportation department. The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

Senators McManus, Gast, Koivisto, Young and Stille introduced

**Senate Bill No. 911, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 20 (MCL 431.320), as amended by 1997 PA 73.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senator Byrum introduced

**Senate Bill No. 912, entitled**

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Jaye introduced

**Senate Bill No. 913, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12604b.

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

Senators Schuette, Young, Schwarz and Sikkema introduced

**Senate Bill No. 914, entitled**

A bill to provide for the establishment of obsolete property rehabilitation districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

**House Bill No. 4525, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520a, 520d, and 520e (MCL 750.520a, 750.520d, and 750.520e), section 520a as amended by 1983 PA 158 and sections 520d and 520e as amended by 1996 PA 155, and by adding section 520n.

The House of Representatives has passed the bill.

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

**House Bill No. 4526, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 1987 PA 255.

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

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

**House Bill No. 4684, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67.

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

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

**House Bill No. 4803, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 622, 626, and 627 (MCL 280.1, 280.2, 280.3, 280.6, 280.8, 280.10, 280.12, 280.21, 280.23, 280.24, 280.25, 280.26, 280.27, 280.28, 280.29, 280.30, 280.31, 280.32, 280.33, 280.51, 280.52, 280.53, 280.54, 280.101, 280.102, 280.103, 280.104, 280.105, 280.106, 280.151, 280.152, 280.153, 280.154, 280.155, 280.156, 280.157, 280.158, 280.161, 280.191, 280.192, 280.199, 280.200, 280.221, 280.222, 280.223, 280.241, 280.242, 280.243, 280.244, 280.245, 280.247, 280.261, 280.262, 280.263, 280.265, 280.266, 280.267, 280.269, 280.270, 280.273, 280.274, 280.275, 280.276, 280.277, 280.278, 280.279, 280.280, 280.282, 280.283, 280.301, 280.302, 280.303, 280.304, 280.306, 280.307, 280.322, 280.322b, 280.323, 280.324, 280.326, 280.327, 280.328, 280.391, 280.392, 280.393, 280.395, 280.421, 280.422, 280.423, 280.425, 280.429, 280.430, 280.431, 280.433, 280.463, 280.464, 280.465, 280.466, 280.467, 280.468, 280.469, 280.472, 280.473, 280.474, 280.476, 280.478, 280.483, 280.490, 280.491, 280.499, 280.513, 280.515, 280.517, 280.518, 280.519, 280.520, 280.521, 280.524, 280.525, 280.532, 280.540, 280.541, 280.622, 280.626, and 280.627), sections 21 and 464 as amended by 1989 PA 134, section 33 as amended by 1982 PA 356, section 223 as amended by 1989 PA 61, section 280 as amended by 1983 PA 176, section 282 as amended by 1984 PA 80, sections 283 and 499 as amended by 1989 PA 149, section 423 as amended by 1996 PA 552, and section 433 as amended by 1982 PA 449, and by adding sections 7, 7a, 7b, 7c, 13, 14, 34, 35, 36, 53a, 55, 56, 57, 58, 59, 60, 61, 62, 63, 103a, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 615, 616, and 617; and to repeal acts and parts of acts.

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

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senator Rogers moved that when the Senate adjourns today, it stand adjourned until Friday, December 10, at 11:45 a.m.

The motion prevailed.

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 3:19 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Friday, December 10, at 11:45 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

