

**No. 30**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, March 28, 2000.

10:00 a.m.

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

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

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

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

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

Senator Kenneth R. Sikkema of the 31st District offered the following invocation:

Lord, we acknowledge Your Lordship, and we're here to thank You for the opportunity You have given each of us to serve in the Michigan Senate. We come from all parts of Michigan with different experiences, ideas, backgrounds, political affiliations, and different thoughts as to what is important for our state. But we are united in one common purpose, and that is to do the best job we can for our constituents and for the people of the state of Michigan.

In all our deliberations today, help us to work together with this common purpose in both our minds and our hearts. This we ask in Your name. Amen.

### Motions and Communications

Senator Emerson moved that Senators Murphy and Young be temporarily excused from today's session. The motion prevailed.

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

The following communications were received:  
Department of State

#### Administrative Rules Notices of Filing

March 8, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:20 p.m. this date, administrative rule (00-03-13) for the Department of Environmental Quality, Surface Water Quality Division and Waste Management Division, entitled "*Wastewater Discharge Permits*," effective 15 days hereafter.

March 8, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:22 p.m. this date, administrative rule (00-03-14) for the Department of Environmental Quality, Environmental Assistance Division, entitled "*Clean Corporate Citizen Program*," effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
James Fackler, Acting Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 23:  
**House Bill Nos. 5276 5278 5279 5282 5284**

The Secretary announced the enrollment printing and presentation to the Governor on Friday, March 24, for his approval the following bills:

**Enrolled Senate Bill No. 57 at 11:05 a.m.**  
**Enrolled Senate Bill No. 1051 at 11:07 a.m.**

The Secretary announced the printing and placement in the members' files on Thursday, March 23, of:  
**Senate Bill Nos. 1173 1174**  
**House Bill Nos. 5536 5537 5538**

The Secretary announced the printing and placement in the members' files on Friday, March 24, of:  
**Senate Bill Nos. 1175 1176 1177 1178 1179**  
**House Bill Nos. 5539 5540 5541 5542 5543 5544**

Senator Miller entered the Senate Chamber.

### Messages from the Governor

The following message from the Governor was received:

Date: March 24, 2000  
Time: 12:05 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1051 (Public Act No. 38), being**

An act 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 sections 8151 and 8152 (MCL 600.8151 and 600.8152), section 8152 as amended by 1990 PA 54.

(Filed with the Secretary of State on March 24, 2000, at 1:22 p.m.)

Respectfully,  
John Engler  
Governor

The following message from the Governor was received and read:

March 24, 2000

There are herewith presented for consideration and confirmation by the Senate, the following appointments and reappointment to office:

**Michigan Board of Physical Therapy**

Ms. Linda S. Riel, 1613 S. DeWitt Road, DeWitt, Michigan 48220, county of Clinton, as a member representing professionals, succeeding herself, for a term expiring on December 31, 2003.

Mr. David W. Perry, 2065 Van Antwerp Avenue, Grosse Pointe Woods, Michigan 48236, county of Wayne, as a member representing professionals, succeeding Mr. Herman T. Shelton of Detroit, whose term has expired, for a term expiring on December 31, 2003.

Mrs. Terry G. Bennett, 3226 Denton Road, Canton, Michigan 48188, county of Wayne, as a member representing the general public, succeeding Mr. Anthony Spearman-Leach of Detroit, whose term has expired, for a term expiring on December 31, 2003.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

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 their immediate passage:

**Senate Bill No. 1081**  
**Senate Bill No. 1082**  
**Senate Bill No. 1083**  
**Senate Bill No. 1084**  
**Senate Bill No. 1085**  
**Senate Bill No. 1088**  
**Senate Bill No. 1089**  
**Senate Bill No. 1090**  
**Senate Bill No. 1092**  
**Senate Bill No. 1095**  
**Senate Bill No. 1096**  
**Senate Bill No. 1097**

- Senate Bill No. 1098
- Senate Bill No. 1099
- Senate Bill No. 1100
- Senate Bill No. 1101
- Senate Bill No. 1102
- Senate Bill No. 1103
- Senate Bill No. 1104
- Senate Bill No. 1105
- Senate Bill No. 1106

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

Senators Young and Murphy entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

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

**House Bill No. 5233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306. The above bill was read a third time.

The question being on the passage of the bill,

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

**Roll Call No. 151**

**Yeas—35**

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

**Nays—2**

Emerson	Leland
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**Excused—1**

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.

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.

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

The motion prevailed.

Senator Peters' statement is as follows:

This bill before us deals with locker searches in schools. I want to make a statement that folks need to realize even though we're passing this bill here today, this bill does absolutely nothing. This bill doesn't add anything to what currently can be done by schools. Schools can conduct searches, and they do. They all have policies. In fact, in the Education Committee they had members of the state school board association who said that this bill will not change practice or do anything different than they currently do. In fact, even from the sponsor's home district in Port Huron, the superintendent says they currently do everything that the bill says. The bill will mean absolutely nothing in that school district as well.

You have to realize that this is just a show bill. It may look good on a piece of campaign literature, but it doesn't deal with the real issue of school violence in our schools. I hope that from this point forward the Legislature will become much more responsible in dealing with this complex issue and how we can deal with early intervention in young people's lives, particularly those children who show that they may have a problem that needs early intervention. We need to have a complex set of bills that deal with the Family Independence Agency, with our schools, and all the various areas of government if we are going to deal substantively with school violence.

I'm certainly proud to be a member of a task force here on the Democratic side on school violence. We're going to be in Flint next week talking about the complexities of this issue. I hope that in the future we will deal substantively with these issues and not have these “do nothing” bills before us.

Senator Leland's statement is as follows:

I voted against this bill in committee, and I intend on voting against this bill today on the floor of the Senate. Along with what my colleague from the 14th District said, this bill does absolutely nothing. The school personnel already have the authority to do a locker search. This is an “in-your-face,” antagonistic bill. I think it's offensive. I think the students will find it offensive. It does nothing. It antagonizes the student body. For those reasons, I'm voting against it.

Senator Bennett's statement is as follows:

I certainly can't let those words go unchallenged. It is true that many schools do have policies in place, and they do have locker searches. But there's always the concern that there will be a challenge to that, some sort of lawsuit, and they do not have the state statutory right to do that at this point. This provides the foundation for schools to know that they can continue to do the things they are doing. It creates a foundation in law so that they are not having problems and making mistakes. I urge its passage.

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

**Senate Bill No. 1081, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 297e (MCL 750.297e).

The above bill was read a third time.

The question being on the passage of the bill,

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

**Roll Call No. 152****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1082, entitled**

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

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. 153****Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1083, entitled**

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

The 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. 154****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1084, entitled**

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

The 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. 155****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1085, entitled**

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

The 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. 156****Yeas—37**

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



**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1088, entitled**

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

The 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. 157**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1089, entitled**

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

The 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. 158**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1090, entitled**

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

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. 159**

**Yeas—37**

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

Dunaskiss  
Emerson  
Emmons

Johnson  
Koivisto

Rogers  
Schuette

Vaughn  
Young

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1092, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 41 (MCL 750.41).

The 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. 160**

**Yeas—37**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson  
Emmons

Gast  
Goschka  
Gougeon  
Hammerstrom  
Hart  
Hoffman  
Jaye  
Johnson  
Koivisto

Leland  
McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Rogers  
Schuette

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1095, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 179 (MCL 750.179).

The 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. 161**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1096, entitled**

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

The 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. 162**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1097, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 266 (MCL 750.266).

The 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. 163**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1098, entitled**

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

The 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. 164**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1099, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 366 (MCL 750.366).

The 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. 165**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1100, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 513 (MCL 750.513).

The 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. 166**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1101, entitled**

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

The 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. 167**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1102, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 514 (MCL 750.514).

The 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. 168**

**Yeas—37**

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



**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1103, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 516 (MCL 750.516).

The 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. 169**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1104, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 517 (MCL 750.517).

The 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. 170**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1105, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 494 (MCL 750.494).

The 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. 171**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1106, entitled**

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

The 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. 172**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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 their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1120**  
**Senate Bill No. 1121**  
**Senate Bill No. 1124**  
**Senate Bill No. 1125**  
**Senate Bill No. 1126**  
**Senate Bill No. 1127**  
**Senate Bill No. 1128**  
**Senate Bill No. 1129**  
**Senate Bill No. 1131**  
**Senate Bill No. 1135**  
**Senate Bill No. 1136**  
**Senate Bill No. 1137**  
**Senate Bill No. 1138**  
**Senate Bill No. 1140**  
**Senate Bill No. 1141**  
**Senate Bill No. 1142**  
**Senate Bill No. 1143**  
**Senate Bill No. 1145**  
**Senate Bill No. 1146**  
**Senate Bill No. 1158**  
**Senate Bill No. 1159**  
**Senate Bill No. 1160**

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

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 1120, entitled**

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

The 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. 173**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1121, entitled**

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

The 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. 174****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1124, entitled**

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

The 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. 175****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1125, entitled**

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

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. 176****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1126, entitled**

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

The 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. 177****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1127, entitled**

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

The 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. 178****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1128, entitled**

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

The 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. 179****Yeas—36**

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

**Nays—1**

Hoffman



**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1129, entitled**

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

The 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. 180****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1131, entitled**

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

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. 181****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1135, entitled**

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

The 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. 182****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1136, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing section 304 (MCL 257.304).

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. 183****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1138, entitled**

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

The above bill was read a third time.

The question being on the passage of the bill,

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

**Roll Call No. 184****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

**Senate Bill No. 1137, entitled**

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

The above bill was read a third time.

The question being on the passage of the bill,

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

**Roll Call No. 185****Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1140, entitled**

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

The 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. 186****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1141, entitled**

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

The 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. 187****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1142, entitled**

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

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. 188****Yeas—37**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1143, entitled**

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

The 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. 189****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1145, entitled**

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

The 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. 190****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1146, entitled**

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

The 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. 191****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.



**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1158, entitled**

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

The 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. 192****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1159, entitled**

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

The 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. 193****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1160, entitled**

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

The 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. 194****Yeas—37**

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

**Nays—0****Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

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

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

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

**House Bill No. 4995, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252d and 674 (MCL 257.252d and 257.674), as amended by 1998 PA 68.

The bill was placed on the order of Third Reading of Bills.

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

**House Bill No. 5050, entitled**

A bill to regulate the erection of certain signs or markers by the state transportation department for certain purposes. Substitute (S-1).

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

**Resolutions**

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

**Senate Resolution No. 149****Senate Resolution No. 150**

The resolution consent calendar was adopted.

Senator Van Regenmorter offered the following resolution:

**Senate Resolution No. 149.**

A resolution to commemorate April 9-15, 2000, as Crime Victim's Rights Week and reaffirm our commitment to the Candlelight Vigil on April 11, 2000.

Whereas, As the state of Michigan continues its efforts to fight crime at every level, we must never lose sight of the toll crime takes on victims. Those who have suffered a violation of their person, property, or trust deserve to be treated with dignity and respect by our criminal and juvenile justice systems and by society at-large; and

Whereas, We recognize that crime victims play an indispensable role in bringing offenders to justice. In return, we owe crime victims fair and respectful treatment during the criminal justice process. Moreover, it is right that we help them rebuild their lives; and

Whereas, With the implementation of the Crime Victim's Rights Act in 1985 and the passage of the constitutional amendment in 1988, the state of Michigan has adopted some of the nation's most comprehensive laws to protect the rights of victims of crime and provide them certain essential services. All of us—policymakers, the criminal justice system, counselors, clergy members, and members of the general public—must do what we can to adhere not only to the letter of victim's rights laws but to the spirit of those laws as well. Let us dare to dream that in the year 2000 and beyond, respect and dignity will be basic rights for everyone victimized by crime; and

Whereas, Through public and private efforts, great strides have been made to ensure compassionate treatment of crime victims and their families. On behalf of crime victims, let us gratefully acknowledge all those who work, often as volunteers: law enforcement officers, prosecutors, victim service providers, corrections officers, parole and

probation officers, counselors, health care professionals, and the many others whose dedication and service to crime victims help to lessen trauma and assist in personal recoveries. We particularly express our appreciation to those victims and survivors of crime who have turned personal tragedy into a motivating force not only to improve the rights and treatment of other victims of crime, but also to build a better, more just community; now, therefore, be it

Resolved by the Senate, That we hereby commemorate April 9-15, 2000, as Crime Victims Rights Week and reaffirm our commitment to respect and enforce victims rights and address their needs with a Candlelight Vigil on Tuesday, April 11, 2000, at the State Capitol; and be it further

Resolved, That a copy of this resolution be transmitted to the coordinators of this event as evidence of our respect and best wishes.

Senators Hoffman, DeBeaussaert, Goschka, Shugars, Stille and Young were named co-sponsors of the resolution.

Senators Hart, McCotter, North, Peters, Vaughn, McManus, Cherry, Jaye, Byrum, Koivisto, Emerson, A. Smith, Leland, Murphy and Young offered the following resolution:

**Senate Resolution No. 150.**

A resolution observing April 21-30, 2000, as National Dance Week.

Whereas, This year Michigan will observe April 21-30, 2000, as the first annual National Dance Week, which was developed to heighten the awareness of the art of dance; and

Whereas, It is a distinct privilege to join with dancers throughout the country, and particularly in Michigan, in celebrating National Dance Week. This special week has been set aside to recognize the essential role that the arts play in our society, including the contribution of dance to American life; and

Whereas, Communities across our nation are honoring dance for its artistic beauty and its value as a means of physical fitness, cross-cultural communication, and religious expression; and

Whereas, On April 29, 2000, Sickle's Dance Company, a caring corporate citizen of our community, will host a special program entitled "Dearborn Dance Festival." This festival will broaden and impact public knowledge, understanding, and appreciation of the art of dance. The citizens of the city of Dearborn and the entire state of Michigan can anticipate enjoying the talents of professional choreographers, instructors, performers, and students from across the state of Michigan; and

Whereas, The "Dearborn Dance Festival" will offer a rare opportunity for each one of us to experience the enjoyment of this unique form of human expression; now, therefore, be it

Resolved by the Senate, That we observe April 21-30, 2000, as the first annual National Dance Week in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Sickle's Dance Company as an expression of our support for this event.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Van Regenmorter, Rogers, Schuette, Bullard and McCotter introduced

**Senate Bill No. 1180, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 3, 5, 6, 8, 11, 13a, 14, 15, 16, 18a, 19, 21, 31, 32, 35, 36, 38, 39, 41, 41a, 42, 43, 44, 46, 46a, 48, 61, 63, 65, 66, 68, 71, 74, 75, 76, 78, and 78a (MCL 780.752, 780.753, 780.755, 780.756, 780.758, 780.761, 780.763a, 780.764, 780.765, 780.766, 780.768a, 780.769, 780.771, 780.781, 780.782, 780.785, 780.786, 780.788, 780.789, 780.791, 780.791a, 780.792, 780.793, 780.794, 780.796, 780.796a, 780.798, 780.811, 780.813, 780.815, 780.816, 780.818, 780.821, 780.824, 780.825, 780.826, 780.828, and 780.828a), sections 2, 6, 13a, 31, 36, 41a, and 48 as amended by 1998 PA 523, sections 3, 5, 18a, 32, 35, 41, 43, 46, 63, 66, and 78 as amended and section 46a as added by 1993 PA 341, sections 16 and 76 as amended by 1998 PA 232, sections 19 and 78a as amended by 1996 PA 105, sections 38, 39, and 42 as added by 1988 PA 22, section 44 as amended by 1996 PA 562, section 61 as amended by 1996 PA 82, and sections 65, 68, 71, 74, and 75 as added by 1988 PA 21, and by adding sections 16a, 36b, 44a, and 76a.

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

Senators Emmons, Dingell and Jaye introduced

**Senate Bill No. 1181, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 222a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

**House Bill No. 5276, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has passed the bill.

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

**House Bill No. 5278, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2001; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has passed the bill.

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

**House Bill No. 5279, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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 Appropriations.

**House Bill No. 5282, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The House of Representatives has passed the bill.

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

**House Bill No. 5284, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2001; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The 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 Appropriations.

**Committee Reports**

The Committee on Government Operations reported

**Senate Bill No. 1078, entitled**

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

With the recommendation that the bill pass.

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

Thaddeus G. McCotter  
Chairperson

**To Report Out:**

Yeas: Senators McCotter, Hammerstrom, Sikkema, V. Smith and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

**Senate Bill No. 1172, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by repealing section 421 (MCL 32.821).

With the recommendation that the bill pass.

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

Thaddeus G. McCotter

Chairperson

**To Report Out:**

Yeas: Senators McCotter, Hammerstrom, Sikkema, V. Smith and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

**House Concurrent Resolution No. 88.**

A concurrent resolution to waive the legislative prior notice requirement for increases in rates of compensation for certain employees in the state classified service.

(For text of resolution, see Senate Journal No. 26, p. 350.)

With the recommendation that the concurrent resolution be adopted.

Thaddeus G. McCotter

Chairperson

**To Report Out:**

Yeas: Senators McCotter, Hammerstrom, Sikkema, V. Smith and Miller

Nays: None

The concurrent resolution was placed on the order of Resolutions.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Government Operations submits the following:

Meeting held on Thursday, March 23, 2000, at 1:00 p.m., Room 110, Farnum Building

Present: Senators McCotter (C), Hammerstrom, Sikkema, V. Smith and Miller

**COMMITTEE ATTENDANCE REPORT**

The Committee on Natural Resources and Environmental Affairs submits the following:

Meeting held on Thursday, March 23, 2000, at 6:00 p.m., Northwestern Michigan College, Traverse City

Present: Senator Sikkema (C)

Excused: Senators Dunaskiss, Gast, Peters and Young

**Scheduled Meetings****Appropriations -****Subcommittees -**

**Agriculture** - Wednesdays, March 29, April 5 (CANCELED), April 12, and May 10, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Career Development Strategic Fund Agency** - Tuesday, April 11, 1:00 p.m., and Tuesday, May 2, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Consumer and Industry Services** - Wednesdays, March 29, April 5, and April 12, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Environmental Quality** - Thursdays, March 30, April 6, and May 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Family Independence Agency** - Thursday, March 30, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 4, 1:00 p.m., Room 210, Farnum Building; Thursday, April 6, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 11, 1:00 p.m., Room 210, Farnum Building; Thursday, April 13, 3:00 p.m., Room 100, Farnum Building; Tuesday, May 2, 1:00 p.m., Room 210, Farnum Building; and Tuesday, May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

**General Government** - Tuesday, May 2, 1:00 p.m., Room 404, Capitol Building; Tuesday, May 9, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and Wednesday, May 10, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

**Natural Resources** - Tuesday, April 4 and May 9, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Transportation** - Thursdays, April 6, April 13, and May 11, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

**Farming, Agribusiness and Food Systems** - Wednesday, March 29, 1:30 p.m., Room 405, Capitol Building (373-1725)

**Human Resources, Labor, Senior Citizens and Veterans Affairs** - Thursday, March 30, 12:00 p.m., Rooms 402 and 403, Capitol Building (373-2417)

**Judiciary** - Wednesday, March 29, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Law Revision Commission** - Friday, April 7, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Michigan National Tower (373-5613)

**Natural Resources and Environmental Affairs** - Thursday, April 6, 6:00 p.m., Lake Superior State University, Cisler Student and Conference Center - Ontario-Michigan Room, 650 Easterday Avenue, Sault Ste. Marie; and Monday, April 10, 6:00 p.m., Monroe City Hall, Council Chamber, 120 East First Street, Monroe (373-0797)

**Senate Fiscal Agency Governing Board** - Wednesday, March 29, 2:00 p.m., Room S-324, Capitol Building (373-6960)

**Technology and Energy** - Wednesday, March 29, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2417)

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 11:16 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, March 29, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

