

**No. 39**  
**JOURNAL OF THE SENATE**

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Senate Chamber, Lansing, Tuesday, May 2, 2000.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not 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—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Reverend Galen Grulke of Trinity Lutheran Church of Jackson offered the following invocation:

O Almighty God, Your holy Word tells us blessed is a nation whose God is the Lord. So we pledge our allegiance to You, Almighty God, for to You belongs all power and all glory.

Today we pray for those whom we the people have chosen to lead our marvelous, majestic state of Michigan. It is not easy for these Senators and leaders to govern such a diverse people whose many wants cannot all be satisfied. It's not easy to withstand the huge, personal temptations that come with power. It's not easy to bear the extraordinary pressures in this complex world of politics.

So bless these leaders with Your stamina and toughness and the integrity to fight for what is right and honorable in Your sight. Grant to them the will and character to work for the good of our whole people and the wisdom to establish policies that are neither heartless nor brainless. And help us as citizens to bear our share of the burden. Grant our state a long succession of godly Senators and faithful leaders who have learned from You how to do justice, to love mercy, and to walk humbly with You. Protect them from losing their wits, their nerve, or their souls in the stressful atmosphere of the political arena, so that they and we the people may flourish in a land blessed with liberty, peace, and justice for all. Amen.

The President, Lieutenant Governor Posthumus, assumed the Chair.

### 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.

10:22 a.m.

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

During the recess, Senators Murphy, Schuette, Gougeon, Goschka, North, Jaye, Steil, Emmons, Schwarz, Stille, Bennett, Dunaskiss, Shugars, Sikkema, McManus, Hammerstrom, Johnson, Bullard, DeGrow and Gast entered the Senate Chamber.

A quorum of the Senate was present.

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

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

### Motions and Communications

The following communication was received:  
Idaho State Senate

April 10, 2000

I have the honor of transmitting for your information SENATE JOINT MEMORIAL NO. 108 and NO. 109 as adopted by the Idaho Senate and House of Representatives during the Second Regular Session of the Fifty-fifth Idaho Legislature.

Sincerely,  
Jeannine Wood  
Secretary of the Senate

The communication was referred to the Secretary for record.

The following communication was received:  
Department of Transportation

April 11, 2000

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 1999.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of Public Acts of 1951, as amended.

Sincerely,  
James R. DeSana  
Director

The communication was referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

April 11, 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 1:50 p.m. this date, administrative rule (00-04-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 21. Powered Industrial Trucks*," effective 15 days hereafter.

April 11, 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 1:52 p.m. this date, administrative rule (00-04-02) for the Department of State, Michigan Historical Center, entitled "*Historic Preservation Certification*," effective 15 days hereafter.

April 11, 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 1:54 p.m. this date, administrative rule (00-04-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 32. Aerial Work Platforms*," effective 15 days hereafter.

April 11, 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 1:56 p.m. this date, administrative rule (00-04-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Vinyl Chloride*," effective 15 days hereafter.

April 11, 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 2:00 p.m. this date, administrative rule (00-04-05) for the Department of Environmental Quality, Land and Water Management Division, entitled "*Wetlands Protection*," effective 15 days hereafter.

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

April 18, 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 2:45 p.m. this date, administrative rule (00-04-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Chiropractic*," effective 15 days hereafter.

April 19, 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 1:30 p.m. this date, administrative rule (00-04-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 6. Fire Exits,*" effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Elena L. Beasley, Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communications were received:  
Office of the Auditor General

April 20, 2000

Enclosed is a copy of the following audit report and/or executive digest:  
Financial Related Audit of the Child Support Accrual Methodology, Family Independence Agency, For the Fiscal Year Ended September 30, 1999.

April 26, 2000

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Mackinac Island State Park Commission, Department of Natural Resources.

April 28, 2000

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of Private Colleges' and Universities' Enrollments, Michigan Higher Education Assistance Authority, Department of Treasury 1999-2000.

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

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, April 13:  
**House Bill Nos. 5272 5277**

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 18:  
**House Bill Nos. 5260 5322**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 19:  
**House Bill Nos. 5351 5568 5569**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 20:  
**House Bill Nos. 5015 5023 5066 5140 5172 5222**

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 25:  
**House Bill Nos. 5193 5421 5526**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 26:  
**House Bill Nos. 4207 4423 4784 5029 5212 5484**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 27:  
**House Bill Nos. 5139 5592 5593**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 18, for his approval the following bills:

**Enrolled Senate Bill No. 857 at 1:46 p.m.**  
**Enrolled Senate Bill No. 876 at 1:48 p.m.**  
**Enrolled Senate Bill No. 588 at 1:50 p.m.**

The Secretary announced the printing and placement in the members' files on Thursday, April 13, of:

<b>Senate Bill Nos.</b>	<b>1206</b>	<b>1207</b>	<b>1208</b>	<b>1209</b>	<b>1210</b>	<b>1211</b>	<b>1212</b>							
<b>House Bill Nos.</b>	<b>5545</b>	<b>5546</b>	<b>5547</b>	<b>5548</b>	<b>5549</b>	<b>5550</b>	<b>5551</b>	<b>5552</b>	<b>5553</b>	<b>5554</b>	<b>5555</b>	<b>5556</b>	<b>5557</b>	<b>5558</b>
	<b>5559</b>	<b>5560</b>	<b>5561</b>	<b>5562</b>	<b>5563</b>	<b>5564</b>	<b>5565</b>	<b>5566</b>	<b>5567</b>	<b>5568</b>	<b>5569</b>	<b>5570</b>	<b>5571</b>	<b>5572</b>
	<b>5573</b>	<b>5574</b>	<b>5575</b>	<b>5576</b>	<b>5577</b>	<b>5578</b>	<b>5579</b>							

The Secretary announced the printing and placement in the members' files on Friday, April 14, of:

<b>Senate Bill Nos.</b>	<b>1213</b>	<b>1214</b>	<b>1215</b>	<b>1216</b>	<b>1217</b>	<b>1218</b>	<b>1219</b>							
<b>House Bill Nos.</b>	<b>5580</b>	<b>5581</b>	<b>5582</b>	<b>5583</b>	<b>5584</b>	<b>5585</b>	<b>5586</b>	<b>5587</b>	<b>5588</b>	<b>5589</b>	<b>5590</b>	<b>5591</b>	<b>5592</b>	<b>5593</b>
	<b>5594</b>	<b>5595</b>	<b>5596</b>	<b>5597</b>	<b>5598</b>	<b>5599</b>	<b>5600</b>	<b>5601</b>	<b>5602</b>	<b>5603</b>	<b>5604</b>	<b>5605</b>	<b>5606</b>	<b>5607</b>
	<b>5608</b>	<b>5609</b>	<b>5610</b>	<b>5611</b>	<b>5612</b>	<b>5613</b>	<b>5614</b>	<b>5615</b>	<b>5616</b>	<b>5617</b>	<b>5618</b>	<b>5619</b>	<b>5620</b>	<b>5621</b>
	<b>5622</b>	<b>5623</b>	<b>5624</b>											

The Secretary announced the printing and placement in the members' files on Thursday, April 20, of:

<b>House Bill Nos.</b>	<b>5625</b>	<b>5626</b>	<b>5627</b>	<b>5628</b>	<b>5629</b>	<b>5630</b>	<b>5631</b>	<b>5632</b>	<b>5633</b>	<b>5634</b>	<b>5635</b>	<b>5636</b>	<b>5637</b>	<b>5638</b>
	<b>5639</b>	<b>5640</b>	<b>5641</b>	<b>5642</b>	<b>5643</b>	<b>5644</b>	<b>5645</b>	<b>5646</b>	<b>5647</b>	<b>5648</b>	<b>5649</b>	<b>5650</b>	<b>5651</b>	<b>5652</b>
	<b>5653</b>	<b>5654</b>	<b>5655</b>	<b>5656</b>	<b>5657</b>	<b>5658</b>	<b>5659</b>	<b>5660</b>	<b>5661</b>	<b>5662</b>	<b>5663</b>			

The Secretary announced the printing and placement in the members' files on Friday, April 21, of:

<b>House Bill Nos.</b>	<b>5664</b>	<b>5665</b>	<b>5666</b>	<b>5667</b>	<b>5668</b>	<b>5669</b>	<b>5670</b>	<b>5671</b>	<b>5672</b>	<b>5673</b>	<b>5674</b>
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The Secretary announced the printing and placement in the members' files on Wednesday, April 26, of:

<b>House Bill Nos.</b>	<b>5675</b>	<b>5676</b>	<b>5677</b>	<b>5678</b>	<b>5679</b>	<b>5680</b>	<b>5681</b>	<b>5682</b>
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The Secretary announced the printing and placement in the members' files on Thursday, April 27, of:

<b>House Bill Nos.</b>	<b>5683</b>	<b>5684</b>	<b>5685</b>
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The Secretary announced the printing and placement in the members' files on Friday, April 28, of:

<b>House Bill Nos.</b>	<b>5686</b>	<b>5687</b>	<b>5688</b>	<b>5689</b>	<b>5690</b>	<b>5691</b>	<b>5692</b>	<b>5693</b>	<b>5694</b>	<b>5695</b>	<b>5696</b>	<b>5697</b>	<b>5698</b>	<b>5699</b>
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### Messages from the Governor

The following messages from the Governor were received:

Date: April 19, 2000  
Time: 10:35 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 876 (Public Act No. 80), 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 section 8801 (MCL 600.8801), as amended by 1996 PA 211.

(Filed with the Secretary of State on April 19, 2000, at 3:00 p.m.)

Date: May 1, 2000  
Time: 8:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 857 (Public Act No. 82), being**

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for

the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 217b, 233a, 657, 660, 705, and 801 (MCL 257.217b, 257.233a, 257.657, 257.660, 257.705, and 257.801), section 233a as amended by 1988 PA 470, 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, 606a, and 658b.

(Filed with the Secretary of State on May 1, 2000, at 4:05 p.m.)

Date: May 1, 2000

Time: 10:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 588 (Public Act No. 88), being**

An act to amend 1976 PA 442, entitled "An act to provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 13 (MCL 15.243), as amended by 1996 PA 553.

(Filed with the Secretary of State on May 1, 2000, at 4:16 p.m.)

Respectfully,  
John Engler  
Governor

The following messages from the Governor were received and read:

April 14, 2000

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

**Michigan Certificate of Need Commission**

Mr. James E. Maitland, 4448 Maitland Road, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing Republicans, succeeding himself, for a term expiring on January 1, 2003.

Ms. Renee L. Turner-Bailey, 1599 Sugar Maple Way, West Bloomfield, Michigan 48324, county of Oakland, as a member representing Democrats, succeeding herself, for a term expiring on January 1, 2003.

April 14, 2000

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

**Board of Ethics**

Father Bernard J. O'Connor, K107 Cornell Courts, Ypsilanti, Michigan 48197, county of Washtenaw, as a member representing Independents, succeeding himself, for a term expiring on February 7, 2004.

Sheriff Thomas T. Kern, 1695 Quanicassee Road, Reese, Michigan 48757, county of Tuscola, as a member representing Democrats, succeeding himself, for a term expiring on February 7, 2004.

Ms. Wendy S. Anderson, 4999 Greenview, Commerce Township, Michigan 48382, county of Oakland, as a member representing Republicans, succeeding herself, for a term expiring on February 7, 2004.

April 18, 2000

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:

**Eastern Michigan University Board of Regents**

Ms. Jan A. Brandon, 660 Barton Shore Drive, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing the general public, succeeding the Honorable Carl D. Pursell of Plymouth, who has resigned, for a term expiring on December 31, 2000.

April 20, 2000

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

**State Community Corrections Commission**

Mr. John Wynbeek, 1550 Pontiac S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing existing community alternative programs, succeeding himself, for a term expiring on March 29, 2004.

Ms. Mary Kay Scullion, 325 Bartlett Street, Lansing, Michigan 48915, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on March 29, 2004.

Mr. Lawrence J. Emery, 11764 W. Andre, Grand Ledge, Michigan 48837, county of Eaton, as a member representing criminal defense attorneys, succeeding himself, for a term expiring on March 29, 2004.

April 20, 2000

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

**Michigan Strategic Fund Board of Directors**

Mr. Larry J. Moeller, 6032 Wild Rose Lane, Fort Gratiot, Michigan 48059, county of Gratiot, as a member representing the Senate Majority Leader, succeeding Mr. David A. Brandon of Ann Arbor, whose term has expired, for a term expiring on December 31, 2002.

Mrs. Margaret A. O'Riley, 9075 Blueberry Hill Court, Howell, Michigan 48843, county of Livingston, as a member representing the general public, succeeding Mr. Rick Snyder of Ann Arbor, who has resigned, for a term expiring at the pleasure of the Governor.

April 24, 2000

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

**Mackinac Island State Park Commission**

Mrs. Audrey E. Jaggi, 1244 Wenniway Avenue, P.O. Box 866, Mackinaw City, Michigan 49701, county of Cheboygan, as a member representing Mackinaw City, succeeding herself, for a term expiring on April 12, 2006.

April 25, 2000

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

**Commission on Disability Concerns**

Ms. Lenore Spagnuolo Coscarelli, 3413 Oakmont, Lansing, Michigan 48911, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2003.

Ms. Nancy A. Jachim-Johnson, 1461 Lamb, Troy, Michigan 48098, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2003.

Mrs. Barbara J. Ambrogio, 22761 Worthington, St. Clair Shores, Michigan 48081, county of Macomb, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2003.

Mr. Jose B. Zavala, 1238 Selma, Westland, Michigan 48185-4031, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2003.

Ms. Luz Maria Cebreco, 23400 Oakglen Drive, Southfield, Michigan 48034, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2003.

Mr. Joseph M. Connelly, 32148 Camborne Lane, Livonia, Michigan 48154, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2003.

Ms. Doreen M. Zamesnik, 551 South Street, Champion, Michigan 49814, county of Marquette, as a member representing the general public, succeeding Mr. Michael J. Ignat, Jr., of West Branch, whose term has expired, for a term expiring on March 5, 2002.

Ms. Jane P. MacFarlane, 6510 Lakeview Boulevard, Apt. 13210, Westland, Michigan 48185, county of Wayne, as a member representing the general public, succeeding Mr. Timothy W. Martin, of Hesperia, whose term has expired, for a term expiring on March 5, 2003.

April 25, 2000

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:

**Michigan Municipal Bond Authority Board of Trustees**

Mr. Thomas G. King, 1545 Dogwood Drive, Portage, Michigan 49024, county of Kalamazoo, as a member representing the Speaker of the House, succeeding Mr. John Donnelly of Holland, who has resigned, for a term expiring on March 31, 2002.

April 26, 2000

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

**Controlled Substances Advisory Commission**

Mr. Thomas F. Gahan, 7224 Peachtree Court, Canton, Michigan 48187, county of Wayne, as a member representing the Board of Pharmacy, succeeding himself, for a term expiring on August 30, 2001.

Dr. Tammy Lynn Geurkink-Born, 4580 Second Street, Caledonia, Michigan 49316, county of Kent, as a member representing the Board of Osteopathic Medicine, succeeding herself, for a term expiring on August 30, 2001.

Dr. Patricia W. Underwood, 6435 Rothbury Street, Portage, Michigan 49024, county of Kalamazoo, as a member representing the Board of Nursing, succeeding Mr. Jerald S. De Weerd of Byron Center, whose term has expired, for a term expiring on August 30, 2001.

Dr. Terrence J. Emiley, 1852 Sherman S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing the Board of Podiatry, succeeding himself, for a term expiring on August 30, 2001.

Dr. Patricia O'Handley, 1523 Roseland Avenue, East Lansing, Michigan 48823, county of Ingham, as a member representing the Board of Veterinary Medicine, succeeding Dr. Donald R. Watson of Bancroft, whose term has expired, for a term expiring on August 30, 2001.

Dr. Linda S. Hotchkiss, 1003 Three Mile Drive, Grosse Pointe Park, Michigan 48230, county of Wayne, as a member representing the Board of Medicine, succeeding Dr. Harold J. Sauer of Okemos, whose term has expired, for a term expiring on August 30, 2001.

Dr. Martin J. Tuck, 361 Southlawn, East Lansing, Michigan 48823, county of Ingham, as a member representing the Board of Dentistry, succeeding Dr. Joseph B. Harris of Detroit, whose term has expired, for a term expiring on August 30, 2001.

Dr. Norman S. Miller, 716 North Lawn Avenue, East Lansing, MI 48823, county of Ingham, as a member of the Controlled Substances Advisory Commission, representing pharmacology, succeeding Dr. William D. Ensminger of Ann Arbor, whose term has expired, for a term expiring on August 30, 2001.

Dr. Edward L. Ervin, 7480 East ML Avenue, Kalamazoo, MI 49001, county of Kalamazoo, as a member of the Controlled Substances Advisory Commission, representing pharmaceutical manufacturers, succeeding Ms. Mary Summers Ianni of Ann Arbor, whose term has expired, for a term expiring on August 30, 2001.

Mr. Jeffrey T. Rogg, 225 S. First Avenue, Alpena, MI 49707, county of Alpena, as Chair of the Controlled Substances Advisory Commission, representing the general public, succeeding Mr. James M. Mullendore, Jr., of Gowen, whose term has expired, for a term expiring on August 30, 2001.

Dr. Holly A. Perkins, 6900 Oakbrook S.E., Grand Rapids, MI 49546, county of Kent, as a member of the Controlled Substances Advisory Commission, representing health care professionals and the field of psychiatry, succeeding Dr. Ghulam Qadir of Bloomfield Hills, whose term has expired, for a term expiring on August 30, 2001.

Reverend William F. Renfrew, 2101 Wellesley Drive, Lansing, MI 48917, county of Ingham, as a member of the Controlled Substances Advisory Commission, representing the general public, succeeding Mr. Jan A. Koens of North Muskegon, whose term has expired, for a term expiring on August 30, 2001.

Dr. James Wesley Collins, 1441 Balmoral Drive, Detroit, MI 48203, county of Wayne, as you a member of the Controlled Substances Advisory Commission, representing the general public, succeeding Mr. Jose G. Benavides of Sterling Heights, whose term has expired, for a term expiring on August 30, 2001.

April 27, 2000

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

**Michigan Historical Commission**

Mr. Samuel Logan, Jr., Publisher, Michigan Front Page, P.O. Box 32704, Detroit, Michigan 48232, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on May 21, 2006.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

Senators Van Regenmorter and Young entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senate Hart 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 10:28 a.m.

10:32 a.m.

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

#### **Recess**

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:33 a.m.

10:36 a.m.

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

#### **Recess**

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:37 a.m.

10:45 a.m.

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

During the recess, Senator Hart introduced to the Senate Salah Jawad Salameh, Mayor of Quana, Lebanon, and a delegation of council members and presented them with a special tribute commemorating the sister-city relationship with the city of Dearborn.

Mayor Salameh responded briefly.

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

**Senate Bill No. 599**

**Senate Bill No. 600**

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

#### **Messages from the House**

Senator Rogers moved that rule 3.202 be suspended to permit immediate consideration of the following bills:

**Senate Bill No. 269**

**House Bill No. 4400**

**House Bill No. 5443**

**House Bill No. 5444**

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

**House Bill No. 5058, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

The House of Representatives has nonconcurred in the Senate substitute (S-4) and appointed Reps. Bishop, Patterson and Brater as conferees.

The message was referred to the Secretary for record.

**Senate Bill No. 1063, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8707 and 8715 (MCL 324.8707 and 324.8715), section 8715 as amended by 1995 PA 61; and to repeal acts and parts of acts.

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.

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

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

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

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

**Senate Bill No. 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 House of Representatives has passed the bill and ordered that the bill be given immediate effect.

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

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

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

**Senate Bill No. 269, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

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

The House of Representatives has passed the bill as substituted (H-2)\* and pursuant to Joint Rule 20, inserted the full title.

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. 242****Yeas—15**

Bullard  
Byrum  
Cherry  
DeBeaussaert

Dingell  
Emerson  
Koivisto  
Leland

Miller  
Murphy  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Nays—22**

Bennett  
DeGrow

Gougeon  
Hammerstrom

McManus  
North

Shugars  
Sikkema

Dunaskiss  
Emmons  
Gast  
Goschka

Hoffman  
Jaye  
Johnson  
McCotter

Rogers  
Schuette  
Schwarz

Steil  
Stille  
Van Regenmorter

**Excused—0**

**Not Voting—1**

Hart

In The Chair: President

**Senate Bill No. 392, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 12, after “force” by striking out “30 minutes” and inserting “NOT LESS THAN 30 minutes BUT NOT MORE THAN 1 HOUR”.

2. Amend page 2, line 14, after “until” by striking out “30 minutes” and inserting “NOT LESS THAN 30 minutes BUT NOT MORE THAN 1 HOUR”.

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

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

**Senate Bill No. 956, entitled**

A bill to amend 1877 PA 164, entitled “An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies,” by amending section 2 (MCL 397.202).

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.

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

**House Bill No. 4400, entitled**

A bill to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones; to promote the revitalization of environmentally distressed areas; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,” by amending sections 2, 3, 4, 5, 7, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2657, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

The House of Representatives has amended the Senate substitute (S-3) as follows:

1. Amend page 2, line 21, after “STATE.” by inserting “THE SALE, LEASE, OR TRANSFER OF TAX REVERTED PROPERTY BY A QUALIFIED LOCAL GOVERNMENTAL UNIT OR THIS STATE AFTER THE PROPERTY’S INCLUSION IN A BROWNFIELD PLAN SHALL NOT RESULT IN THE LOSS TO THE PROPERTY OF THE STATUS AS BLIGHTED PROPERTY FOR PURPOSES OF THIS ACT.”.

2. Amend page 4, following line 14, following subparagraph (v), by inserting:

“(vi) REASONABLE AND ACTUAL OPERATING EXPENSES INCURRED BY AN AUTHORITY OR A MUNICIPALITY ON BEHALF OF AN AUTHORITY, NOT TO EXCEED \$75,000.00 ANNUALLY THAT ARE NOT PART OF THE REASONABLE COSTS OF PREPARING A WORK PLAN OR REMEDIAL ACTION PLAN OR THE COST OF THE REVIEW OF A WORK PLAN FOR WHICH TAXES MAY BE USED UNDER SECTION 13.”.

3. Amend page 7, line 9, after “county” by striking out the balance of the subparagraph and inserting a period.
4. Amend page 10, line 1, after “means” by inserting a comma and “FOR AN AUTHORITY ESTABLISHED BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBDIVISION (R),”.
5. Amend page 10, line 4, after “authorities.” by striking out “An” and inserting “EXCEPT AS PROVIDED IN SUBSECTION (4), AN”.
6. Amend page 10, line 6, after “ZONES.” by inserting “EXCEPT AS PROVIDED IN SUBSECTION (4),”.
7. Amend page 10, following line 22, by inserting:  
“(4) AN AUTHORITY ESTABLISHED BY A COUNTY SHALL EXERCISE ITS POWERS WITH RESPECT TO ELIGIBLE PROPERTY WITHIN A CITY, VILLAGE, OR TOWNSHIP WITHIN THE COUNTY ONLY IF THAT CITY, VILLAGE, OR TOWNSHIP HAS CONCURRED WITH THE PROVISIONS OF A BROWNFIELD PLAN THAT APPLY TO THAT ELIGIBLE PROPERTY WITHIN THE CITY, VILLAGE, OR TOWNSHIP.” and renumbering the remaining subsection.
8. Amend page 10, line 23, after the first “A” by striking out “QUALIFIED LOCAL GOVERNMENTAL UNIT” and inserting “CITY, VILLAGE, OR TOWNSHIP INCLUDING A CITY, VILLAGE, OR TOWNSHIP THAT IS A QUALIFIED LOCAL GOVERNMENTAL UNIT”.
9. Amend page 10, line 24, after “WHICH” by striking out the balance of the line through “UNIT” on line 25 and inserting “THAT CITY, VILLAGE, OR TOWNSHIP”.
10. Amend page 10, line 26, by striking out “THE QUALIFIED LOCAL GOVERNMENTAL UNIT” and inserting “THAT SPECIFIC CITY, VILLAGE, OR TOWNSHIP”.
11. Amend page 22, line 12, after “in” by striking out “SUBSECTIONS (5) AND (16)” and inserting “subsection (5)”.
12. Amend page 28, following line 12, by striking out all of subsection (16).
13. Amend page 29, line 14, after “PLAN” by striking out the balance of the subdivision and inserting a period and “THAT TAXES OTHER THAN TAXES LEVIED FOR SCHOOL OPERATING PURPOSES MAY BE USED FOR ANY OF THE FOLLOWING:
  - (i) COSTS INVOLVED IN THE PREPARATION OF A WORK PLAN OR REMEDIAL ACTION PLAN INCLUDING BASELINE ENVIRONMENTAL ASSESSMENTS.
  - (ii) DUE CARE ACTIVITIES THAT OCCURRED NOT MORE THAN 1 YEAR PRIOR TO THE ADOPTION OF A BROWNFIELD PLAN.
  - (iii) ELIGIBLE ACTIVITIES DESCRIBED IN SECTION 2(L)(vi) THAT OCCURRED NOT MORE THAN 180 DAYS PRIOR TO THE ADOPTION OF A BROWNFIELD PLAN.”.
14. Amend page 29, line 19, after “TAXES” by striking out the balance of the subdivision and inserting “LEVIED FOR SCHOOL OPERATING PURPOSES CAPTURED FROM ELIGIBLE PROPERTY TO PAY FOR ELIGIBLE ACTIVITIES DESCRIBED IN SECTION 2(L)(vi).”.
15. Amend page 38, line 10, after “THE” by striking out the balance of the line through “13(15)” on line 11 and inserting “DEPARTMENT OR THE MICHIGAN ECONOMIC GROWTH AUTHORITY AND THAT ARE NOT DEPOSITED IN A LOCAL SITE REMEDIATION REVOLVING FUND”.

The House of Representatives has concurred in the Senate substitute (S-3) as amended and agreed to the title.

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

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

### Roll Call No. 243

### Yeas—16

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

### Nays—22

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

**Excused—0**

**Not Voting—0**

In The Chair: President

**House Bill No. 4712, 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 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 House of Representatives has amended the Senate amendments as follows:

1. Amend Senate Amendment No. 1, page 2, following line 9, section 934, subsection (2), following subdivision (A), by striking out all of subdivision (B) and inserting:

“(B) “RESIDENT” INCLUDES, BUT IS NOT LIMITED TO, A MEMBER OF THE MILITARY SERVICE OF THE UNITED STATES OR ITS ALLIES WHO HOLDS A TEMPORARY VISA OR PERMANENT RESIDENT VISA ISSUED BY THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE.”.

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

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

**House Bill No. 5443, entitled**

A bill to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; and to provide qualifications for incentives for authorized businesses,” by amending the title and sections 3, 6, 8, and 9 (MCL 207.803, 207.806, 207.808, and 207.809) .

The House of Representatives has amended the Senate substitute (S-2) as follows:

1. Amend page 2, line 15, after “(G)” by striking out the balance of the subdivision and inserting “AND THAT IS NOT USED BY A PROFESSIONAL SPORTS TEAM ON THE DATE THAT AN APPLICATION RELATED TO THAT PROFESSIONAL SPORTS STADIUM IS FILED UNDER SECTION 8.”.

2. Amend page 5, line 4, after “DEVELOPMENT” by inserting “IN THE TAX YEAR IN WHICH THE BUSINESS FILES AN APPLICATION UNDER THIS ACT”.

3. Amend page 5, line 7, after “WHOSE” by striking out the balance of the line and inserting “PRIMARY BUSINESS ACTIVITY IS”.

4. Amend page 6, line 22, by striking out “38G” and inserting “38G(3)”.

5. Amend page 6, line 24, after “SECTION” by striking out “38G” and inserting “38G(3)”.

6. Amend page 6, line 25, after “LISTING OF THE” by striking out “CREDITS” and inserting “PROJECTS”.

7. Amend page 6, line 25, after “AMOUNT OF” by striking out “CREDITS APPROVED AND CREDITS CLAIMED” and inserting “ELIGIBLE INVESTMENT APPROVED”.

8. Amend page 10, following line 13, by inserting:

“(M) IF THE ELIGIBLE BUSINESS IS A QUALIFIED HIGH-TECHNOLOGY BUSINESS, THE ELIGIBLE BUSINESS AGREES THAT 25% OF THE TOTAL OPERATING EXPENSES OF THE BUSINESS WILL BE MAINTAINED FOR RESEARCH AND DEVELOPMENT FOR THE FIRST 3 YEARS OF THE WRITTEN AGREEMENT.”.

9. Amend page 14, line 8, after “AND” by striking out “38G” and inserting “38G(19) TO (24)”.

The House of Representatives has concurred in the Senate substitute (S-2) as amended, ordered that the bill be given immediate effect and agreed to the title.

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

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

**Roll Call No. 244****Yeas—0****Nays—38**

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

**Excused—0****Not Voting—0**

In The Chair: President

**House Bill No. 5444, entitled**

A bill to provide for the establishment of obsolete property rehabilitation districts in certain 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 House of Representatives has amended the Senate substitute (S-2) as follows:

1. Amend page 4, line 8, after "section" by striking out "1411(u)(ii)" and inserting "11(u)(ii) and (iii)".
2. Amend page 5, line 3, after "section" by striking out "1411(u)(ii)" and inserting "11(u)(ii)".
3. Amend page 5, line 20, after "tion" by striking out "1411(u)(ii)(B)" and inserting "11(u)(ii)(B)".
4. Amend page 5, line 22, by striking out all of subparagraph (v).
5. Amend page 19, following line 27, by inserting:

"Sec. 17. (1) Within 60 days after the granting of an obsolete property rehabilitation exemption certificate under section 6 for a rehabilitated facility, the state treasurer may, for a period not to exceed 6 years, exclude up to 1/2 of the number of mills levied for school operating purposes under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, from the specific tax calculation on the facility under section 10(2)(b) if the state treasurer determines that reducing the number of mills used to calculate the specific tax under section 10(2)(b) is necessary to reduce unemployment, promote economic growth, and increase capital investment in qualified local governmental units.

- (2) The state treasurer shall not grant more than 25 exclusions under this section each year."

The House of Representatives has concurred in the Senate substitute (S-2) as amended.

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

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

**Roll Call No. 245****Yeas—0****Nays—38**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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, Lieutenant Governor Posthumus, designated Senator Bennett 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 with a substitute therefor, the following bill:

**Senate Bill No. 599, entitled**

A bill to permit the establishment and maintenance of education savings accounts; to provide for certain tax deductions; to prescribe the requirements of and restrictions on education savings accounts; and to provide penalties and remedies.

Substitute (S-2).

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

1. Amend page 4, line 19, after “(4)” by striking out the balance of the line through “manager” on line 20 and inserting “The treasurer shall enter into a contract with the program manager which”.

2. Amend page 7, line 6, after “open” by striking out “an education savings account” and inserting “1 or more education savings accounts”.

3. Amend page 7, line 7, after “of” by striking out the balance of the subsection and inserting “1 or more designated beneficiaries.”.

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

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

**Senate Bill No. 600, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 10, line 8, after “SUBDIVISION,” by striking out the balance of the line through “TERM” on line 9 and inserting “DESIGNATED BENEFICIARY” AND “QUALIFIED WITHDRAWAL” MEANS THOSE TERMS”.

2. Amend page 10, line 11, after “ADD” by inserting a comma and “TO THE EXTENT NOT INCLUDED IN ADJUSTED GROSS INCOME,”.

3. Amend page 10, following line 15, by inserting:

“(Z) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 1999, DEDUCT, TO THE EXTENT INCLUDED IN ADJUSTED GROSS INCOME, THE AMOUNT OF A DISTRIBUTION FROM AN INDIVIDUAL RETIREMENT ACCOUNT THAT QUALIFIES UNDER SECTION 408 OF THE INTERNAL REVENUE CODE IF

THE DISTRIBUTION IS USED TO PAY QUALIFIED HIGHER EDUCATION EXPENSES AS THAT TERM IS DEFINED IN THE MICHIGAN EDUCATION SAVINGS PROGRAM PLAN ACT.”.

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

### Resolutions

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

**Senate Resolution No. 162**

**Senate Resolution No. 163**

**Senate Resolution No. 164**

**Senate Resolution No. 165**

**Senate Resolution No. 166**

**Senate Resolution No. 167**

The resolution consent calendar was adopted.

Senator Young offered the following resolution:

**Senate Resolution No. 162.**

A resolution honoring Peter Waldmeir on his induction into the Michigan Journalism Hall of Fame.

Whereas, It is a great honor and a distinct privilege to join with well-wishers throughout the great state of Michigan in saluting Peter Waldmeir on his induction into the Michigan Journalism Hall of Fame. We are proud to join with his family, friends, and colleagues as we recognize his hard work, outstanding contributions, and leadership in the field of journalism; and

Whereas, In 1999, Mr. Waldmeir observed 50 years of dedicated service with The Detroit News, where, at the age of 17, he started his career copying for the newsroom. He briefly left The Detroit News to serve in the U.S. Marine Corps and returned as a sportswriter and served as a sports columnist for eight years. In 1972, Peter became a general columnist and has held this position for 28 years. He is considered by many to be the newspaper's most popular columnist, with many loyal readers throughout the great state of Michigan; and

Whereas, Mr. Waldmeir is most certainly known for his “no nonsense” and “tell it like it is” reporting. His children have referred to his work as “outrageous,” “sometimes extreme,” “politically incorrect,” and “occasionally excessive,” but never “bland,” “predictable,” or “boring.” Regardless, Peter is respected for his honest opinions and his work in making a difference in his community; and

Whereas, Given his commitment to excellence as a journalist, Mr. Waldmeir has been the recipient of numerous honors and awards, including Sportswriter of the Year by the national sportscasters and sportswriters associations, National Headliner Club Sportswriter Award, Best in Michigan Journalism Award from the Detroit Press Club, and his work earned him the Wayne State University Journalist of the Year Award. As a community activist, Peter has supported the Old Newsboys program, raising money for disadvantaged youth during the holiday season, and was president of the Old Newsboys' Goodfellow Fund in Detroit for over ten years; and

Whereas, His successful career as a journalist demonstrates his commitment to excellence in every column he has ever written. Mr. Waldmeir can certainly take great pride in his work and his achievement in being inducted into this prestigious club. We would like to take this opportunity to thank him for his dedication and enlightening reporting; now, therefore, be it

Resolved by the Senate, That we, representing all the citizens of the great state of Michigan, honor and congratulate Peter Waldmeir for his induction into the Michigan Journalism Hall of Fame; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Waldmeir as evidence of our esteem for his many worthwhile endeavors.

Senator Rogers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senator Young offered the following resolution:

**Senate Resolution No. 163.**

A resolution honoring Jim Hough on his induction into the Michigan Journalism Hall of Fame.

Whereas, It is both a pleasure and a privilege to commend Jim Hough on his induction into the Michigan Journalism Hall of Fame. Jim's outstanding contributions to Michigan journalism most certainly justifies his entry into this prestigious club. We are proud to join with his family, friends, and colleagues in recognizing his many accomplishments; and



Whereas, Known by many as the “people’s columnist,” Mr. Hough was born in Michigan’s Upper Peninsula in 1932. He started his journalism career with the Lansing State Journal in 1958. In 1962, he began writing for the “Onlooker” column, where he wrote more than 8,000 columns. With a real compassion and concern for the community, Jim was instrumental in advocating many good causes, including Lansing’s Potter Park Zoo and the Salvation Army organization. Mr. Hough was also a crusader for the handicapped, and when an eye disease left him legally blind, Jim depended on his wife and colleagues to assist him in reading many stacks of letters from his readers; and

Whereas, For more than 25 years, Mr. Hough provided readers with advice, laughs, and entertainment. Since his retirement from the Lansing State Journal column in 1988, he has published two books which include many of his favorite columns. Jim currently writes a monthly column entitled “Right At Home,” for Michigan Country Lines; and

Whereas, His commitment to excellence as a successful journalist, editor, and columnist has been evident in every aspect of his work. Jim can certainly take great pride in all his achievements. His success in reaching this great honor has enriched countless lives, and we would like to take this opportunity to thank him; now, therefore, be it

Resolved by the Senate, That we, representing all the citizens of the great state of Michigan, honor and congratulate Jim Hough for his induction into the Michigan Journalism Hall of Fame; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Hough as evidence of our esteem for his many worthwhile endeavors.

Senator Rogers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Sikkema, Bullard, Stille, McCotter, Bennett, Emmons, Gast, Hoffman, Hammerstrom, Rogers, Gougeon, North, Jaye, Steil, Van Regenmorter, McManus, Johnson, Schuette, Dunaskiss, Shugars, Goschka and Schwarz offered the following resolution:

**Senate Resolution No. 164.**

A resolution observing September 18-24, 2000, as Pollution Prevention Week.

Whereas, Pollution prevention is being promoted as a priority in achieving environmental quality in the state of Michigan in a week of observance, education, and outreach; and

Whereas, The people of Michigan are proud of our state’s beauty, natural resources, and environment; and

Whereas, The presence of pollutants may pose a threat to our environment, public health, and safety; and

Whereas, Pollution prevention is a fundamental approach to protect the environment and maintain the health and safety of workers in the workplace by stopping pollution before it occurs; and

Whereas, Pollution prevention can benefit businesses by increasing industrial efficiency through process and material waste reduction, thereby saving businesses time and money; and

Whereas, With a proactive approach to pollution prevention, Michigan can meet the challenges of having both a sustainable environment and healthy economy for its citizens and businesses; and

Whereas, The passage of the Clean Michigan Initiative bond fund has provided valuable new funding for pollution prevention activities and will result in a greater citizen awareness and support for pollution prevention throughout the state; and

Whereas, Pollution Prevention Week is an opportunity for the people of Michigan to join together for a clean and vibrant Michigan by taking action in promoting the reduction of waste at its source of generation and identifying where this is not feasible on reuse and recycling; now, therefore, be it

Resolved by the Senate, That we observe September 18-24, 2000, as Pollution Prevention Week in Michigan, and we encourage all businesses and community members to participate in local and regional celebratory and educational activities; and be it further

Resolved, That a copy of this resolution be transmitted to the organizers of this event as evidenced of our respect and esteem.

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

Senator Sikkema offered the following resolution:

**Senate Resolution No. 165.**

A resolution commemorating the 30th Anniversary of the Michigan Association of District Court Probation Officers, Inc.

Whereas, On May 24-26, 2000, at the Mission Pointe Resort, the members of the Michigan Association of District Court Probation Officers, Inc. (MADCPO) will gather for their 13th annual conference. It is a pleasure and a privilege to commemorate this special anniversary and this important conference. We also take this opportunity to commend the hardworking district court probation officers for their effective contributions; and

Whereas, District court probation officers are dedicated individuals who work diligently to help protect Michigan’s citizens and to hold offenders accountable for their actions. These highly trained professionals supervise offenders and

ensure that they are fulfilling the demands of their probation. In doing so, these officers fulfill a crucial role in the criminal justice system and often have a positive and life-changing influence on these lawbreakers; and

Whereas, The MADCPO is an outstanding organization that greatly assists its members by providing training, support, and education. Members also serve on various committees throughout the state to assist in the judicial system and follow legislation that directly influences probation work. The loyal members are obviously committed to making it a strong and helpful organization; and

Whereas, Clearly, crime is an issue that concerns every citizen. The members of MADCPO are doing their part to keep our streets safe, and they merit our praise for the leadership, concern, and commitment they demonstrate every day—sometimes in life-threatening situations. Too often, their effective efforts go unnoticed, so we are proud to extend to them the recognition and gratitude they deserve; now, therefore, be it

Resolved by the Senate, That we commemorate the 30th Anniversary of the Michigan Association of District Court Probation Officers, Inc. We also commend the members for their valuable contributions to the people of the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to MADCPO, Inc., and its members as a reflection of our gratitude and esteem.

Senator Young was named co-sponsor of the resolution.

Senators Emerson, Cherry and DeGrow offered the following resolution:

**Senate Resolution No. 166.**

A resolution to memorialize and honor the life and service of Officer Leslie D. Keely.

Whereas, Each May for the last seven years, members of the law enforcement community have gathered, along with grateful members of the Legislature and the general public, to remember and commemorate those officers who have made the ultimate sacrifice in service to their communities. The candlelight memorial service held on the steps of the Capitol Building is an opportunity for giving thanks, comforting the grief of relatives, and remembering the courage, dedication, and fortitude of those who serve daily with the knowledge that they, too, may be called to make the ultimate sacrifice; and

Whereas, Leslie D. Keely is one of three officers from across Michigan who has given his life over the past year. Officer Keely, a veteran of the Flint Police Department for more than 14 years, perished in the line of duty on September 24, 1999, at the age of 49. We gather to praise his service, integrity, and compassion and to remember the lessons he taught us all in the way he lived his life. His loss will forever leave a void in the hearts of those closest to him, but his life has forever changed the souls of all who knew this good-natured man as a father, husband, brother, and son; and

Whereas, Leslie was a veteran of the armed forces, serving combat missions in Vietnam with the 82nd Airborne Division. His gift of service on behalf of our community began prior to his time with the Flint Police Department. After completing service in the military, he worked at General Motors. Subsequent to joining the city of Flint Police Department, he also served his fellow officers as secretary of the Flint Police Union. Leslie's upbeat manner and positive outlook constantly refreshed the spirit of co-workers who daily faced the most frustrating of jobs; and

Whereas, Undoubtedly, Officer Keely's most important roles were as a husband and father. It is hardest to understand that a loving and responsible man has been removed as partner, cheerleader, and teacher for his wife and children. As offered by his son Brandon, the lessons that Leslie Keely taught were designed to help his family overcome difficult times. It is with deepest regret that we acknowledge learning the value of a lesson never imagined to be illustrated by a tragedy so close to home; and

Whereas, Leslie D. Keely has been taken from this life. We celebrate his good work, legacy, respect, courage, and commitment. May the memory of Leslie lead us all toward a better life; now, therefore, be it

Resolved by the Senate, That we dedicate this occasion in memory and honor of Officer Leslie D. Keely; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Officer Leslie D. Keely, city of Flint Police Department, and Flint Police Union as a token of our sincerest gratitude and deepest respect for the sacrifice of this great man.

Senator Rogers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Byrum, Dingell and Koivisto offered the following resolution:

**Senate Resolution No. 167.**

A resolution to recognize WLNS-TV on the occasion of its 50th Anniversary.

Whereas, For the past 50 years, WLNS-TV has provided distinguished service to the Lansing and mid-Michigan area; and

Whereas, WLNS-TV, which originally operated as WJIM-TV, went on the air on May 1, 1950. Over the years, they have consistently provided a high quality, unique, and comprehensive variety of programs. As a result of “The Copper Kettle,” hosted by Martha Dixon, many mid-Michigan households have a copy of the cookbook of recipes showcased on that show. Before the news-magazine and talk show became trends at the national level, Len Stuttman’s innovative program, “Many Worlds of Len Stuttman,” was providing informative and diverse opinions and events to the public. Additionally, many children who grew up in the 1970s will remember “Alley Cat and the Mayor,” hosted by Howard Lancour. This type of independent, quality programming has been a tradition for WLNS-TV, and we commend them for it; and

Whereas, WLNS-TV has played a leadership role in televising town hall meetings, political debates, and the promotion of events and activities for numerous nonprofit, community-based organizations. WLNS-TV has also consistently publicized important information such as severe weather warnings and school closings in a timely manner to allow viewers to adjust their plans to best meet those changing weather conditions; now, therefore, be it

Resolved by the Senate, That we commend WLNS-TV for its landmark 50th Anniversary, which highlights its commitment to our mid-Michigan community. We wish them well in the next 50 years as they continue their pursuit of excellence in broadcasting; and be it further

Resolved, That a copy of this resolution be transmitted to WLNS-TV as a reflection of our esteem and gratitude. Senators DeBeaussaert and Young were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

#### **Statements**

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

The motion prevailed.

Senator Schuette’s statement is as follows:

On March 16 of this year, I was unavoidably out of the chamber during a series of votes. I returned to my district in my hometown of Midland where there was the 10th anniversary of the Michigan co-generation facility, which was a major additional energy source and huge economic development. At that time, I was away from the chamber for a series of votes on roll calls 84, 85, 86, 87, 88, 89, 90, 91, and 92. On that day, I was absent from the chamber. Had I been present, I would have voted “aye” on those variety of bills and just wanted to be very clear as to how I would have voted, but I was unavoidably out of the chamber.

By unanimous consent the Senate returned to the order of

#### **Introduction and Referral of Bills**

Senator Dingell introduced

#### **Senate Bill No. 1220, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40114 (MCL 324.40114), as added by 1995 PA 57.

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

Senators McCotter, Schuette, Bullard, Bennett, Johnson, Hammerstrom, Shugars, Sikkema, Dunaskiss, Jaye, Steil, Gougeon, Stille, Emmons, North, McManus, Schwarz, Goshka, Gast, Rogers, Hoffman, Leland, Koivisto, Dingell, V. Smith, Cherry, Hart, Murphy, Peters, Byrum, DeBeaussaert, Emerson, Young and Miller introduced

#### **Senate Bill No. 1221, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411r.

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

Senators McCotter, Schuette, Bullard, Bennett, Johnson, Hammerstrom, Shugars, Sikkema, Dunaskiss, Jaye, Steil, Gougeon, Stille, Emmons, North, McManus, Schwarz, Goshka, Gast, Rogers, Hoffman, Leland, Koivisto, Dingell, V. Smith, Cherry, Hart, Murphy, Peters, Byrum, DeBeaussaert, Emerson, Young and Miller introduced

#### **Senate Bill No. 1222, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15 of chapter IV (MCL 764.15), as amended by 1999 PA 269.

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

Senators Jaye, Goschka and Bullard introduced

**Senate Bill No. 1223, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 506b. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Schwarz introduced

**Senate Bill No. 1224, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

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

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

**Senate Bill No. 1225, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20131 (MCL 333.20131).

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

Senators Koivisto, Dingell, DeBeaussaert, Byrum, North, McManus and Hoffman introduced

**Senate Bill No. 1226, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43553 and 43555 (MCL 324.43553 and 324.43555), section 43553 as amended by 1996 PA 585 and section 43555 as amended by 1998 PA 472.

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

Senator Stille introduced

**Senate Bill No. 1227, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 35316 (MCL 324.35316), as amended by 1995 PA 262.

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

Senators Dunaskiss, Hoffman, McCotter, Bennett and Shugars introduced

**Senate Bill No. 1228, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 916 (MCL 600.916).

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

Senators Dunaskiss, Hoffman, McCotter, Bennett and Shugars introduced

**Senate Bill No. 1229, entitled**

A bill to amend 1917 PA 354, entitled "An act to prohibit the practice of law by corporations and voluntary associations and to provide penalties for violations," by amending section 1 (MCL 450.681).

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

Senators A. Smith, Peters and Cherry introduced

**Senate Bill No. 1230, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 5, 7, 9, 10, 11, 12, 51, and 52 (MCL 169.203, 169.205, 169.207, 169.209, 169.210, 169.211, 169.212, 169.251, and 169.252), sections 3 and 51 as amended by 1989 PA 95, sections 5 and 12 as amended by 1995 PA 264, section 7 as amended by 1994 PA 385, and sections 9, 11, and 52 as amended by 1996 PA 590, and by adding sections 33b, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, and 109; and to repeal acts and parts of acts.

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

Senators A. Smith, Peters, Cherry and DeBeaussaert introduced

**Senate Bill No. 1231, entitled**

A bill to establish state goals to guide policies, programs, and rules of state agencies that impact natural resource and community development; and to prescribe the powers and duties of certain state agencies and officials.

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

Senators A. Smith, DeBeaussaert, Cherry, Dingell, Emerson, Koivisto, Murphy, V. Smith, Vaughn, Peters, Hart, Young, Leland, Schwarz, McManus, Hammerstrom and Johnson introduced

**Senate Bill No. 1232, entitled**

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 24a.

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

Senators A. Smith and Peters introduced

**Senate Bill No. 1233, entitled**

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

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

Senator Peters introduced

**Senate Bill No. 1234, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 504a and 1311h (MCL 380.504a and 380.1311h), section 504a as amended by 1995 PA 289 and section 1311h as added by 1999 PA 23.

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

Senator Peters introduced

**Senate Bill No. 1235, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30301 (MCL 324.30301), as added by 1995 PA 59.

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

Senator DeBeaussaert introduced

**Senate Bill No. 1236, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1998 PA 547.

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

**House Bill No. 4207, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

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. 4423, entitled**

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees

for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

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 Local, Urban and State Affairs.

**House Bill No. 4784, 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 62b (MCL 791.262b), as amended by 1988 PA 492.

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. 5015, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102, 10102a, and 10103 (MCL 333.10102, 333.10102a, and 333.10103), section 10102a as added by 1986 PA 186.

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 Health Policy.

**House Bill No. 5023, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10102a (MCL 333.10102a), as added by 1986 PA 186.

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 Health Policy.

**House Bill No. 5029, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

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 Health Policy.

**House Bill No. 5066, entitled**

A bill to establish conditions to the transfer of structured settlement rights; to establish a procedure for approval of the transfer of structured settlement rights; and to create circuit court jurisdiction for proceedings for approval of structured settlement rights.

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 Financial Services.

**House Bill No. 5139, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 14a, 24j, 666a, 669, 805, and 871 (MCL 168.14a, 168.24j, 168.666a, 168.669, 168.805, and 168.871), sections 14a and 805 as amended by 1995 PA 261 and section 871 as amended by 1996 PA 583.

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 Government Operations.

**House Bill No. 5140, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 721 (MCL 257.721), as amended by 1999 PA 24.

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 Transportation and Tourism.

**House Bill No. 5172, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 1991 PA 100.

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 Transportation and Tourism.

**House Bill No. 5193, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

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 Natural Resources and Environmental Affairs.

**House Bill No. 5212, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159.

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 Education.

**House Bill No. 5222, entitled**

A bill to amend 1998 PA 363, entitled "An act to authorize the state administrative board to convey certain state owned property in Ingham county; to authorize the department of natural resources to convey certain parcels of state owned property in Roscommon county; to prescribe conditions for the conveyance; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to certain property; and to provide for disposition of the revenue derived from the conveyance," by amending the title and sections 2 and 3 and by adding section 15.

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 Local, Urban and State Affairs.

**House Bill No. 5260, entitled**

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 35 (MCL 205.735), as amended by 1994 PA 254.

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 Finance.

**House Bill No. 5272, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 1995 PA 289.

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 Education.

**House Bill No. 5277, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The 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. 5322, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30 (MCL 211.30), as amended by 1994 PA 415.

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 Finance.

**House Bill No. 5351, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 15 and 602.

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 Education.

**House Bill No. 5421, entitled**

A bill to designate the part of the bypass of highway US-131 that is located between highway M-115 and Boon road in Wexford county as the "Sidney Ouwinga Memorial Bypass"; and to prescribe the duties of the state transportation department.

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 Transportation and Tourism.

**House Bill No. 5484, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1103, 2402, 2403, 2404, 2517, 3805, 3807, 3987, 3988, 7503, and 7508 (MCL 700.1103, 700.2402, 700.2403, 700.2404, 700.2517, 700.3805, 700.3807, 700.3987, 700.3988, 700.7503, and 700.7508), sections 1103 and 3807 as amended by 2000 PA 54.

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 Families, Mental Health and Human Services.

**House Bill No. 5526, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 802; 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 Natural Resources and Environmental Affairs.

**House Bill No. 5568, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 136c.  
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. 5569, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

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. 5592, 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 4 (MCL 427.4).

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 Government Operations.

**House Bill No. 5593, 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 5 (MCL 427.5).

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 Government Operations.



**Committee Reports**

The Committee on Finance reported

**Senate Bill No. 453, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 1996 PA 57.

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

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 599, entitled**

A bill to permit the establishment and maintenance of education savings accounts; to provide for certain tax deductions; to prescribe the requirements of and restrictions on education savings accounts; and to provide penalties and remedies.

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

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 600, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 627, entitled**

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

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

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 630, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4 and 4k (MCL 205.94 and 205.94k), section 4 as amended by 1998 PA 491 and section 4k as amended by 1996 PA 477.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Joanne Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

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

The Committee on Finance reported

**Senate Bill No. 1175, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 17 (MCL 205.67), as amended by 1995 PA 254.

With the recommendation that the bill pass.

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

Joanne Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 1191, entitled**

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

With the recommendation that the bill pass.

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

Joanne Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 1194, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

With the recommendation that the bill pass.

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

Joanne Emmons  
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**Senate Bill No. 1195, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

With the recommendation that the bill pass.

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

Joanne Emmons  
Chairperson

## To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Wednesday, April, 12, 2000, at 2:00 p.m., Room 100, Farnum Building

Present: Senators Emmons (C), Bullard, Hammerstrom, Peters and Dingell

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 5044, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XI (MCL 711.1), as amended by 1996 PA 495, and by adding section 3 to chapter XI.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Jaye, Hart and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Wednesday, April 12, 2000, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hammerstrom (C), Gougeon, Jaye, Johnson, Hart and Vaughn

Excused: Senator Goschka

The Committee on Judiciary reported

**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.

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

1. Amend page 4, line 8, by striking out all of enacting section 1.

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

William Van Regenmorter  
Chairperson

## To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard and Schuette

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Wednesday, April 12, 2000, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Schuette, Peters, V. Smith and Dingell

The Committee on Appropriations reported

**Senate Bill No. 1169, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 794; and to make an appropriation.

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

1. Amend page 4, line 10, after "DEPARTMENT" by inserting a comma and "INCLUDING EVIDENCE THAT THE RECIPIENT HAS RECEIVED ALL NECESSARY PERMITS TO CONDUCT THE DREDGING PROJECT".

2. Amend page 4, line 12, after "FOR" by striking out "DREDGING COSTS" and inserting "ONLY THOSE DREDGING COSTS SPECIFIED IN THE LOAN AGREEMENT".

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, North, Gougeon, Bennett, Stille, Koivisto, Young, Vaughn, DeBeaussaert and Emerson

Nays: Senator A. Smith

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, April 12, 2000, at 2:00 p.m., Senate Appropriations Room, Capitol Building

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

Excused: Senator Hoffman

The Committee on Hunting, Fishing and Forestry reported

#### **Senate Bill No. 388, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113 (MCL 324.40113), as added by 1995 PA 57.

With the recommendation that the bill and the substitute (S-2) be referred to the Committee of the whole.

Dave Jaye  
Chairperson

To Report Out:

Yeas: Senators Jaye, Bullard and Dingell

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Thursday, April 13, 2000, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Jaye (C), Bullard and Dingell

Excused: Senators Hoffman and Byrum

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Thursday, March 30, 2000, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Goschka (C), Gougeon and Emerson

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Thursday, April 6, 2000, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Goschka (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:  
Meeting held on Tuesday, April 11, 2000, at 1:00 p.m., Room 100, Farnum Building  
Present: Senators Goschka (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary submits the following:  
Meeting held on Wednesday, April 12, 2000, at 1:05 p.m., Room 210, Farnum Building  
Present: Senators North (C) and Vaughn  
Excused: Senator Goschka

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submits the following:  
Meeting held on Wednesday, April 12, 2000, at 3:15 p.m., Senate Appropriations Room, Capitol Building  
Present: Senator McManus (C), Gast and Koivisto

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:  
Meeting held on Thursday, April 13, 2000, at 8:30 a.m., Senate Appropriations Room, Capitol Building  
Present: Senators Hoffman (C), Goschka and Young

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:  
Meeting held on Thursday, April 13, 2000, at 1:00 p.m., Room 100, Farnum Building  
Present: Senators Goschka (C), Gougeon and Emerson

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

**Agriculture** - Wednesday, May 10, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Consumer and Industry Services** - Wednesday, May 3 and Thursday, May 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Environmental Quality** - Thursday, May 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Family Independence Agency** - Tuesday, May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

**General Government** - Wednesday, May 3, 1:00 p.m., Room 426, 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)

**Judiciary** - Wednesdays, May 3 and May 10, 1:00 p.m., Room 210, Farnum Building (373-2413)

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

**State Police and Military Affairs** - Tuesday, May 9, 1:30 p.m., Room 405, Capitol Building (373-2426)

**Transportation** - Thursday, May 11, 8:30 a.m., and Tuesday, May 16, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

**Families, Mental Health and Human Services** - Wednesday, May 3, 3:00 p.m., Room 100, Farnum Building; Fridays, May 12, 9:00 a.m., Fetzer Center, Western Michigan University, Kalamazoo and 1:30 p.m., Eberhard Center, Grand Valley State University, Grand Rapids; May 19, 9:00 a.m., Morris Lawrence Building Auditorium, Washtenaw Community College, Ann Arbor; and Wednesday, May 24, 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-3543)

**Financial Services** - Wednesday, May 3, 9:00 a.m., Room 100, Farnum Building (373-1758)

**Judiciary** - Wednesday, May 3, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Legislative Retirement Board of Trustees** - Wednesday, May 3, 3:00 p.m., Room H65, Ground Floor, Capitol Building (373-0575)

**Local, Urban and State Affairs** - Wednesday, May 3, 3:00 p.m., Room 405, Capitol Building (373- 1707)

**Transportation and Tourism** - Tuesday, May 9, 3:00 p.m., Room 110, Farnum Building (373- 1758)

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 11:37 a.m.

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

CAROL MOREY VIVENTI  
Secretary of the Senate.