

No. 7
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Thursday, January 30, 2003.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

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

Allen—present
Barcia—present
Basham—present
Bernero—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Emerson—present
Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—present
Hardiman—present
Jacobs—present
Jelinek—present
Johnson—present
Kuipers—present
Leland—present
McManus—present

Olshove—present
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—excused
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Pastor Brian Poole of Sturgis Wesleyan Church of Sturgis offered the following invocation:

Heavenly Father, we are thankful for another day that You have granted us. We are thankful for the blessings in life that we enjoy. Help us, Lord, not to take those for granted. We're grateful for Your love and that You are a God who desires to have a personal relationship with us. We're thankful, Lord, that You desire to know us intimately. We're thankful for our families that You have blessed us with. We're thankful for the privilege to live in a free country where we don't have to be afraid or ashamed to speak Your name. You are an awesome God, and we love You.

Father, I am thankful for these men and women in this room here today and the calling that You have placed upon their lives. They are Your chosen instruments to accomplish Your purposes in this place. Thank You that You have called them to serve men, women, boys, and girls of this state; that You have made them Your watchmen over the freedom that we enjoy in this country. I ask, Lord, that You would grant them wisdom and insight as they lead us and make important decisions that will affect the welfare and the well-being of the people of this state. May You give them courage to live as men and women of integrity. Help them to make choices that would reflect Your character. Lord, we know that You are faithful and that You will be there to help them to accomplish this.

Lord, I pray for the pace of their lives and the stress that is placed upon their lives because they serve in this capacity. I pray that You would grant them rest and peace. I pray that You would place a hedge of protection around them and their families and keep them from harm's way. Lord, bless them with health so they can serve to the best of their ability.

Father, I pray that we may continue to seek and know the abundant life that You have for us through Your Son Jesus Christ. We humbly bow before You today asking for Your strength to carry out the calling that You have placed upon our lives, for we are Your servants. In Jesus' name we pray. Amen.

The President, Lieutenant Governor Cherry, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator George entered the Senate Chamber.

Senator Hammerstrom moved that the rules be suspended and that the following appointments, now on Committee Reports, be placed on the order of Messages from the Governor for consideration today:

Director, Michigan Department of Military and Veterans Affairs

Thomas George Cutler, DeWitt, Michigan 48820, county of Clinton, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director, Michigan Department of State Police

Tadarial Joshua Sturdivant, Plymouth, Michigan 48170, county of Wayne, for a term commencing on February 1, 2003, and expiring at the pleasure of the Governor.

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

The Secretary announced the printing and placement in the members' files on Wednesday, January 29, of:

House Bill Nos.	4009	4010	4011	4012	4013	4014	4015	4016	4017	4018	4019	4020	4021	4022
	4023	4024	4025	4026	4027	4028	4029	4030	4031	4032	4033	4034	4035	4036
	4037	4038	4039	4040	4041	4042	4043	4044	4045	4046	4047	4048	4049	4050
	4051	4052	4053	4054	4055	4056	4057	4058	4059	4060	4061	4062	4063	4064
	4065	4066	4067	4068	4069	4070	4071	4072	4073	4074	4075	4076	4077	4078

House Joint Resolution A

Messages from the Governor

Director, Michigan Department of Military and Veterans Affairs

Thomas George Cutler, DeWitt, Michigan 48820, county of Clinton, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 7**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry			

Nays—0**Excused—1**

Scott

Not Voting—0

In The Chair: President

Senators Barcia, Sikkema and Emerson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Barcia's statement is as follows:

I rise today to add my support for the appointment of Brigadier General Thomas Cutler as Director of the Department of Military and Veterans Affairs. As it's been mentioned, during this time of heightened terrorism threats, we owe it to the public to seek out only the most serious and qualified individuals to oversee military affairs in our state. I believe Governor Granholm made an excellent choice in the selection in General Cutler.

General Cutler previously served as the assistant adjutant general for the Michigan Air National Guard and deputy director of the Department of Military and Veterans Affairs. Prior to that assignment, he was the commander of the 127th Air Wing at Selfridge Air National Guard Base for six years.

He began his military service over thirty years ago, receiving his commission in 1971. He graduated from flight school in 1972 and flew the O-2 and A-37 as a forward air controller. In 1987, he became the commander of the Alpena Combat Readiness Center, where he oversaw the entire renovation and modernization of that facility.

I applaud Brigadier General Cutler's service to his state and country and encourage my Senate colleagues to approve his appointment.

Senator Sikkema's statement is as follows:

We have in front of the Senate today two of the Governor's appointments to head two of the departments here in Michigan, and first up is General Thomas Cutler. I just want to say that the Committee on Government Operations conducted a hearing for both appointments earlier this week. General Cutler is, in my judgment and I think the committee's judgment, an excellent choice to head up the Department of Military and Veterans Affairs. His distinguished service to Michigan and this country, I think, has earned him this appointment, and it clearly warrants the Senate's consent today.

Just very briefly about this gentleman's career, he began his military career in 1970; he was commissioned second lieutenant the following year. He earned his wings in 1972. He has served the Michigan Air National Guard with outstanding commitment and professionalism throughout his career. I should note that his service and his leadership has been recognized by his superiors throughout his long career with the Michigan Air National Guard. He holds the Air Force Legion of Merit, the Meritorious Service Medal, and the Commendation Medal, to name just a few.

Let me close by saying that General Cutler exemplifies what it means to be a dedicated public servant, and his appointment as director of military affairs is proof to our men and women in the Guard and our veterans that they will continue to be well served by this gentleman. So I rise, Mr. President, urging that the Senate confirm this appointment.

Senator Emerson's statement is as follows:

I, too, rise to support the nomination of General Cutler. Having met him for the first time at our confirmation hearing, I was extremely impressed by his record, as the Majority Leader outlined in his points. I think that this man showed himself at the hearing to be a person of integrity and caring. He spoke eloquently about caring about homeland security, ensuring that the National Guard continue to meet its obligations to national security, and also his concern especially about veterans and the veterans homes that are under the Department of Military and Veterans Affairs. He spoke about how touched he was at having visited those facilities and being impressed with the care that's being provided and his commitment to continue that high standard of care at those facilities. I think, given his 30-year record and the integrity of this gentleman, the Senate should confirm the appointment of General Thomas Cutler as the head of the Department of Military and Veterans Affairs.

Director, Michigan Department of State Police

Tadarial Joshua Sturdivant, Plymouth, Michigan 48170, county of Wayne, for a term commencing on February 1, 2003, and expiring at the pleasure of the Governor.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 8

Yeas—37

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry			

Nays—0

Excused—1

Scott

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Sikkema's statement is as follows:

I want to congratulate the Governor on this appointment of Lieutenant Colonel Sturdivant as Director of the Department of State Police. This is an excellent choice. This person is a career trooper. He's earned every rank that the department offers and has held nearly every command and administrative post there is in the department. He is clearly well qualified in terms of experience.

Also, for anyone who was at the hearing on Tuesday for the Government Operations Committee, it's clear that he also understands some of the difficult fiscal issues facing state government. He is committed to addressing and dealing with those issues without compromising the State Police's mission to protect the citizens of Michigan.

He has incredible and enormous credibility with rank and file troopers. He's wholeheartedly supported, for example, by the Michigan State Police Troopers Association.

It's with really great pleasure that I stand in front of the Senate today to support this appointment and just to say to the Senate that I think he will do an excellent job on the behalf of our constituents.

Senator Thomas' statement is as follows:

I also rise today to encourage the full Senate's approval of the appointment of Lieutenant Colonel Tadarial Sturdivant, if not just because we like saying his name.

As the Majority Leader very well mentioned, the nominee has held every position within the State Police Department. Rising up through the ranks since his entry into the position in 1978, he has an experience that cannot be underestimated. As our state and nation struggle to deal with previously unimagined threats, I believe Colonel Sturdivant will prove to be a trusted advisor to Governor Granholm and this Legislature on matters relating to homeland security and safe community initiatives.

For those of us who had the pleasure of witnessing him in the committee, his enthusiasm and his pragmatism will be a bright light for all interested in law enforcement here in this state.

On a personal note, as an African American, it is with great pride that we celebrate the first African American to hold the position of Director of the Michigan State Police Department. We look forward, with his confirmation, to a wonderful association together. I would again urge my colleagues to support Lieutenant Colonel Sturdivant.

Resolutions

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

The motion prevailed.

Senator Emerson's statement is as follows:

Today is the last day for one of our employees, Gary Shrewsbury, who has been with the Senate for over 25 years. It's amazing that he does a wonderful job because I'm a little irritated that people younger than I are retiring.

Gary has served the Senate well for 25 years. The four years that I've worked with him, unfortunately, he has taken so many pictures that cannot be printed or revealed to the public. He has done a wonderful job for the rest of the caucus, and we truly appreciate the service that Gary has provided over the last 25 years to this Senate. I wish him well in his endeavors as he moves on and want to thank him for all of his service.

Senators Olshove, Sanborn and Switalski offered the following concurrent resolution:

Senate Concurrent Resolution No. 2.

A concurrent resolution to memorialize the Congress of the United States to designate Lake St. Clair as the sixth Great Lake.

Whereas, The state of Michigan is impacted by the quality of the Great Lakes far beyond any other political entity. In addition to deriving our identity from this magnificent network of fresh water, Michigan depends upon the resources of the Great Lakes for our economy, our health, and our recreation. All steps that could bring about increased protection of the lakes, whether at the state, national, or international levels, must be taken; and

Whereas, A key component of the Great Lakes is Lake St. Clair. This 420-square mile lake is a fundamental part of the system. Because of its size and its unique characteristics, Lake St. Clair is far different from other connecting waterways included in the Great Lakes network. To those who know it best, Lake St. Clair is clearly a Great Lake in all but name; and

Whereas, Lake St. Clair provides the drinking water for millions of people. One-third of all the fish taken from the Great Lakes come out of Lake St. Clair. It includes a remarkable degree of biodiversity; and

Whereas, In spite of its riches, Lake St. Clair is threatened by many challenges. Its environment faces difficulties ranging from the harmful effects of urban and agricultural runoff, the loss of wetlands and habitat along its coast, invasive species, pollution from many sources, and the persistent problem of beach closings from high bacteria levels. Clearly, there is a great need for Lake St. Clair to gain a more appropriate profile in order to receive more attention and a more appropriate level of funding to address these and other serious issues. The locally generated effort to have Lake St. Clair designated as the sixth Great Lake is a long overdue step that needs to be taken; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to designate Lake St. Clair as the sixth Great Lake; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Great Lakes Commission.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Schauer and Clarke were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Cropsey, Emerson, Brown, Switalski, Sikkema and Goschka asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cropsey's statement is as follows:

Back in 1994, the people of the state of Michigan voted on Proposal A, which did some very interesting things—some tremendous things—for education in this state in that we went from a system where property taxes funded education to a system where it was a question between whether it was going to be a sales tax or income tax funding education. The people of the state voted that we're going to put much more reliance on the sales tax than the property tax.

Also during that time, I was here, and under Proposal A, one of the key things that Proposal A had in it was the equalized funding between school districts. We couldn't equalize it all at once, and we haven't gained perfection yet in equalizing funding throughout the state. But we have made tremendous strides up until this last year in equalizing funding for education throughout the state of Michigan. About a week or two ago, we obviously had some budget cuts that had to come down in education, which is the first time, I believe, in 12 years that we've actually had a reduction in education.

One of the problems that I think the Governor needs to take a look at is that the budget cuts that came down on the pro rata reduction for schools actually goes against one of the principles that we had when we passed Proposal A. That principle was to equalize funding for schools. Under the pro rata reduction that the Governor gave us, it's ironic that the school districts that have the highest foundation grant actually receive less cuts than the school districts with the lowest foundation grants, which goes directly opposite what we had done under Proposal A to equalize funding. We're actually making the gap larger in this situation.

There are some things that the Governor could do, that I would suggest that the Governor do. That is, instead of coming down with just a pro rata reduction, perhaps offer to this Legislature an executive order equalizing the cuts or trying to equalize the funding better than what was done under the pro rata reduction. This certainly does go against, especially in my area, many of the rural schools.

Just to give you an idea, one of the schools I was looking at—I'm not sure if this is the highest spending school district—but I noticed one of the school districts that has almost \$12,000 in foundation grants receives only a one-third of 1 percent cut. I went and I looked at some of the schools districts that I have, and some of my school districts will be seeing almost four times that percentage cut than one of the highest school districts in this state. It's a greater dollar amount. It's certainly a much larger percentage amount.

I just want this body to understand that the pro rata reduction goes directly opposed to the purpose of Proposal A, which was to equalize or attempt to equalize funding among the school districts. This is going to cause greater inequity in funding among school districts.

Senator Emerson's statement is as follows:

I don't rise to object again. What I rise to do is maybe clarify for the previous speaker what occurred. Under the law that we passed, the Legislature passed a school aid act for both 2003 and 2004 fiscal years, and in that act, there is a provision that says that when revenues do not meet the budget that we passed, the Governor is to issue a proration order notice to all school districts. After the Governor issues that proration notice to all school districts, the Legislature has 30 days to respond to that and propose something different. So rather than perceive this as being a deviation from what was passed in Proposal A or a deviation from the principles in Proposal A, I think we need to understand that this is a provision that was in the statute that we passed. It was signed by the previous Governor, it has been invoked on previous occasions, and the Legislature always came up with another option.

In essence, what the Governor did was the only thing the Governor could do under the law, and if the Legislature does not like the statute that we passed before, we can either change the statute, or we can propose something different. I think the Governor has indicated both publicly and privately that she's willing to consider alternatives to the proration and willing to discuss those at any time with the leadership of the Legislature.

Senator Brown's statement is as follows:

Truthfully, the executive has followed procedure, but the outcome, if nothing is done, is inherently counter to the equity that Proposal A originally intended to accomplish. I think it is good to remind this body that we can act, and we can honor the true spirit of Proposal A by making a more equitable distribution of those pro rata cuts, and/or encourage the executive to issue an executive order to do so.

Senator Switalski's statement is as follows:

I just wanted to respond to the remarks of my fellow colleague. I am open to any suggestions that my colleague on the committee might make. I think, as the Minority Leader said, the Governor did do what the law provides for, and put the proration out there if we want to change that, and she indicated that. We are open to any discussion on that. I also think after the proration came out, there were some objections to it.

I was impressed by the statement from the Senate Majority Leader who thought on reflection that maybe this was the best thing to do. If I could paraphrase of what I thought I read in the paper, I am still open to discussion about it.

The way I have always looked at it is there are winners and losers if you go in with any kind of different cut on the proration or a different arrangement for it. I think the law is set out to do it this way, and unless we find something better, that is what I am going to support.

Senator Sikkema's statement is as follows:

I look forward to the day that we have a lot of items on our agenda so people's desire to make statements will diminish. I do want to make a statement about the proration order from the Governor on school aid.

The law requires this, and there is no line in the school aid act that requires a Governor to act within a certain window. The school aid act simply says when the information is available that revenue from the school aid act is not going to be enough to cover expenses, there has to be a pro rata reduction. This was, in fact, done in the past. I think it was about two and one-half years ago, as I recall, where Governor Engler basically did the same thing. To the course—actually at that time, a couple of months, the Legislature and Governor decided that wasn't the best course of action and took a different course of action.

Now there is nothing in the school aid act, I want to remind my people here in the Senate and people listening to me, that precludes a Governor from issuing an E.O. to make the reduction of 1 percent or 1.1 percent or .9 percent across the board. The Governor doesn't have to wait for the Legislature to act. The Governor doesn't have to wait for the Legislators to ask the Governor to act, but that is an option the Governor has right now in lieu of the pro rata order. The Governor has options available to her that she can utilize. The Legislature can weigh in if it so chooses. The school aid act clearly requires, whether you did it yesterday or tomorrow, that absent an alternative course of action by the Governor or the Legislature, the school aid act requires that this pro rata order be done, and that is what has been done.

I would encourage the Governor to look at another option which could be accomplished through an executive order. The other options—I would agree with people whose contention is that an across-the-board percentage for every district is fair. The reason is we are in the middle of their budget. We are talking about requiring school districts to make immediate adjustments in their current expenses. I would argue that because of that situation, it is far more fair for every district to take the same percentage cut of the money they have available to meet expenses this year.

I will tell the members that I called Mary Lennoye, the budget director, on Monday morning and simply requested that they take a look at doing that through an executive order. In an executive order there is room for legislative response because an executive order like that can only be accomplished if the Appropriations Committee of both the House and the Senate approve it. There is a role for the Legislature to work with the Governor on that, but the easiest, simplest, and the cleanest way to accomplish a fairer approach to a school aid reduction in the budget year of the school is for the Governor to issue an E.O. to be responded to by the Appropriations Committees.

Senator Goschka's statement is as follows:

To echo other members who have spoken earlier, it is indeed as it has been laid out. The Governor has simply acted in the fashion that the law lays out for her to act. It is in the preview of the authority of the Appropriations Committee as well as the Legislature to work together—again, by addressing the issue, by offering some other alternative while working with the Governor to come up with an alternative. Indeed, having talked to a number of my colleagues and in serving on the Appropriations Committee, it would not surprise me at all that ultimately there will be perhaps an E.O. I think that is what working in the Legislature is all about. It is a movement in progress, and we will ultimately, I hope, come to some form of decision in particular that is fair to everybody across the board. I think that is what we are here to do; serve our constituents in that fashion. I am confident that ultimately we will reach that end.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Cropsey, Sanborn, Schauer, Bernero, Jacobs, Birkholz, Patterson and Goschka introduced

Senate Bill No. 117, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16^l of chapter XVII (MCL 777.16^l), as amended by 2001 PA 19.

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

Senators Sanborn, Jelinek, Allen, Garcia, Toy, Bishop, Cropsey, Schauer, Bernero, Birkholz, Jacobs, Patterson and Goschka introduced

Senate Bill No. 118, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 2002 PA 672.

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

Senators Olshove, Allen, Goschka, Schauer, Scott and Switalski introduced

Senate Bill No. 119, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Senators Hammerstrom, Jacobs, Birkholz, Bishop, Cropsey, Bernero and Goschka introduced

Senate Bill No. 120, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 659.

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

Senators Cassis, Garcia, Cropsey, Birkholz, Cherry, Goschka and Hardiman introduced

Senate Bill No. 121, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 3 (MCL 205.3), as amended by 2002 PA 657.

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

Senators Hammerstrom, Garcia, Olshove, Van Woerkom, Allen, Jacobs, Cherry, Birkholz, Bishop, Cropsey and Goschka introduced

Senate Bill No. 122, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Senators Patterson, Gilbert, Van Woerkom, Sanborn, Jacobs, Cropsey, Garcia, Goschka, Jelinek, Birkholz, Prusi, Allen and Johnson introduced

Senate Bill No. 123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

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

Senators Brater, Jacobs, Basham and Clarke introduced

Senate Bill No. 124, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

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

Senators Brater, Jacobs, Basham, Clarke and Goschka introduced

Senate Bill No. 125, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 3575 and 3577.

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

Senators Patterson, Gilbert, Sanborn, Cassis, Toy, Bishop, Goschka and Johnson introduced

Senate Bill No. 126, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 2002 PA 498, and by adding section 20b.

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

Senators Bernero, Olshove, Cassis, Cherry, Brater, Jacobs, Schauer, Barcia, Cropsey, Leland, Birkholz, Toy, Goschka, Thomas and Clarke introduced

Senate Bill No. 127, entitled

A bill to amend 1980 PA 469, entitled "The whistleblowers' protection act," by amending sections 1 and 5 (MCL 15.361 and 15.365).

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

Committee Reports

The Committee on Government Operations reported the following appointments to office:

Director, Michigan Department of Military and Veterans Affairs

Thomas George Cutler, DeWitt, Michigan 48820, county of Clinton, for a term commencing on January 1, 2003, and expiring at the pleasure of the Governor.

Director, Michigan Department of State Police

Tadarial Joshua Sturdivant, Plymouth, Michigan 48170, county of Wayne, for a term commencing on February 1, 2003, and expiring at the pleasure of the Governor.

With the recommendation that the Senate advise and consent to the said appointments.

Kenneth R. Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

Nays: None

The appointments were placed on the order of Messages from the Governor.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Tuesday, January 28, 2003, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower)

Present: Senators Sikkema (C), Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, January 29, 2003, at 1:01 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), Garcia, Thomas and Brater

Excused: Senator McManus

Scheduled Meetings**Appropriations -****Subcommittee -**

Judiciary and Corrections - Tuesday, February 4, 3:00 p.m., Room 100, Farnum Building (373-3760)

Commerce and Labor - Tuesday, February 4, 3:00 p.m., Room 810, Farnum Building (373-2413)

Gaming and Casino Oversight - Wednesday, February 5, 1:00 p.m., Room 810, Farnum Building (373-2413)

Natural Resources and Environmental Affairs - Tuesday, February 4, 3:00 p.m., Room 110, Farnum Building (373-3447)

Transportation - Tuesday, February 4, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 10:45 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, February 4, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate