

**No. 29**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, April 17, 2001.

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

Reverend Ira Combs of Greater Bible Way Temple of Jackson offered the following invocation:

O mighty and eternal God, we come today in the spirit of humility and approach You for Your leaders in their august body. We thank You for their impressive integrity, their civility, their camaraderie, their commitment to peace and tranquility, and their reverence for this, our great democracy.

Of recent, we pray for their strength in the constitutional posture they have taken to hold even one of their own accountable. We give them now and pray that You would give them the fortitude to stand firm and fast with unwavering commitment to the standards they have set themselves to defend. Envelop them and their families with Your grace and mercy.

Also remember the newly elected members of this great Senate body, the Honorable Martha G. Scott and the Honorable Valde Garcia. Now bless them in their disposition, and help them carry out their business to Thy glory. Amen.

Senators Leland, Murphy, Peters, Byrum, Scott and Cherry entered the Senate Chamber.

### **Recess**

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

10:11 a.m.

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

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

A quorum of the Senate was present.

### **Motions and Communications**

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Gallery and the center aisle.

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

Senator Emmons moved that rule 3.902 be suspended to allow the guests of Senators Garcia and Scott admittance to the Senate floor.

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

### **Oaths of Office**

A ceremonial swearing-in was conducted for Senators Garcia and Scott, who took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Dick Posthumus, and entered upon the performance of their duties as Senators.

The President of the Senate made a statement and requested that it be printed in the Journal.

The President's statement is as follows:

Let me begin by offering my congratulations to Senator Scott and Senator Garcia.

In 1982, I had the opportunity—I guess really 1983—to stand here and take the oath of office, and I know it is a wonderful feeling of accomplishment, but also a tremendous responsibility that is now placed on each of you. I wish you well in each of your endeavors here.

I also think that it is a great day for the state of Michigan, as today we not only have sworn in Martha Scott who comes from the roots of an African American and all the cultural heritage that it brings, but also in addition, the first Hispanic American to be sworn in the state of Michigan. Let's hope that together as a chamber we continue to work together to make a difference in all of our neighborhoods.

Senators DeGrow, Cherry, Scott, Garcia and Emmons asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeGrow's statement is as follows:

I also wish to congratulate Senator Garcia and Senator Scott. We welcome them to the Senate. I am sure they are going to find it a very rewarding part of their professional career and contribute greatly here. I look forward to serving with them, and I think all members do.

As the Lieutenant Governor said, it is an awesome responsibility that all of us take very seriously. We have the power to do tremendous things for the people of this state, but if we don't use it wisely, those can be things that aren't that good. I am sure you will join us in helping make the correct decisions. On behalf of my caucus, I welcome both of you to the Senate. Congratulations!

Senator Cherry's statement is as follows:

I, too, wish to join my colleague, the Senate Majority Leader, in welcoming Senators Scott and Garcia to the Senate this morning. Both are individuals who distinguished themselves in the Michigan House, and we are pleased to have them join us here in the Senate today. I know that my colleagues and the Senate Democratic Caucus join me in that welcome. We know that over time friendships are born here, much is accomplished, and I know that they will cherish those moments as we, who have served here for some time, all do. I know that it is a proud moment for them individually and for their families. It is a deserved honor, and welcome on behalf of myself and the Senate Democratic Caucus.

Senator Scott's statement is as follows:

Good morning to my colleagues in the Senate and to all of my family and friends who have come to join me. I first want to congratulate Senator Garcia. It is an honor to be able to serve in this august body.

First, I want to thank God for the opportunity to be here and that He allowed me another mission in my life. I want to thank my pastor, the Reverend Dee Dee Coleman of the Russell Street Missionary Baptist Church, for being here with me; my church family who are up the balcony; my friends; and my family. I have a lot of them as you see on the floor, but I will just introduce my immediate family: my daughter Mrs. Deborah Long, my granddaughter Cristina, my son Marion, my brother Kenneth, and my sisters-in-law, brothers-in-law, and cousins. I thank you for being here today. This is truly an honor that God has allowed me one more time to serve in the people's house. I welcome all of you. This is the people's house. We want you to come back again.

I want to thank my ancestors for paving the way for me to be here today. My mother and father, who are deceased, it is truly because of their raising that I am here today.

I am honored to be here, and I look forward to continuing the work that I started in the House of Representatives. I know now that it's just a continuation. I will continue working for those who cannot work for themselves—the downtrodden, the ones that the Bible says is the least of these that you've done it unto me. So I'm here to serve those in my district, the 2nd District—Highland Park, Hamtramck, portions of Detroit—but also this whole state because when I vote, I vote for the whole state.

I'm just honored to be here today. I thank God for the opportunity.

Senator Garcia's statement is as follows:

It is a pleasure to be back here once again. I served here for a number of years as a legislative aide, administrative assistant, and chief of staff for Senator Harmon Cropsey, who I believe is here, the late Senator Doug Carl, and of course, now Congressman Mike Rogers. It feels kind of funny to be back but in a different capacity. It is an honor, and quite honestly, humbling to be able to serve here with all of you.

Let me also congratulate Senator Martha Scott, whom it was my pleasure to work with over in the House. I look forward to working with you again.

There are a lot of emotions going through me right about now, but I'll be very brief and just say that I want to thank the people of the 26th District for the opportunity to serve them. It is a big responsibility, and it is a privilege to serve here. I take that responsibility very, very seriously, and I look forward to working not only for the people of the 26th District, but for all the people of the state of Michigan. I especially feel a sense of accomplishment not for me, but for all Hispanics in this state because it is an honor and a privilege to be the first-ever Hispanic to be elected to the State Senate. I take that privilege and responsibility very seriously.

I look forward to working with all you, both my Republican colleagues and my colleagues over on the Democratic side. I'm looking forward to good times together. Let me just say, first of all, that as I said the magic words, "I do," it brought back to me some memories because 19 years ago today, I said those very same words to my wife Karla Garcia. We will be celebrating our anniversary tonight by going to a Livingston County veterans dinner. She is looking forward to it.

But let me also say that I would like to recognize the friends and family and supporters who have come with me. First of all, on the Senate floor are my wife, my daughter Kristy, my son Brian, and my mom and dad. For those of you over on the Democratic side, my father said he was a Democrat for the longest time. I don't know if he still is or not, but I'm sure he doesn't have a problem with me being a Republican now. I also have here many, many cousins, aunts and uncles, brothers and sisters, and of course, friends—many of my Hispanic friends from around the state not only up in the Gallery, but also in an overflow room. I'm very honored and very happy and very humbled that you are here to celebrate this time with me.

Lastly, there's a group from Mexico that is here, some exchange students from Oakland Community College, that actually Congressman Mike Rogers was able to arrange to have here. I'm glad to have them here as well. Then we have a very special guest on the Senate floor, the Consul of Mexico, Mr. Eleazar Ruiz. I'm glad to have him here as well.

Thank you very much, and I look forward to serving with all of you once again.

Senator Emmons' statement is as follows:

I have to add my congratulations to my good friend, Senator Garcia—and I'll have to get used to that too—for his accomplishment of coming back and being in the Senate. I'm looking forward to serving with him.

I cannot let Senator Scott come to the floor without a recognition that we now have parity on both sides of the aisle. We have three Democratic women Senators and three Republican women Senators, so we have a grand total of six—six!

I look forward to a very productive session with all of this company now fully back up to 38 members. I believe that we will have a very productive session and do much good for the state of Michigan and its people.

The Secretary announced that the Majority Leader has made the appointment of the following standing and statutory standing committees:

**Banking and Financial Institutions** - Senator Garcia (C) replacing Senator Steil as Chair and Senator Van Regenmorter as a member.

**Economic Development, International Trade and Regulatory Affairs** - Senator Jaye removed.

**Families, Mental Health and Human Services** - Senator Jaye removed.

**Finance** - Senator Garcia replacing Senator Hammerstrom.

**Financial Services** - Senator Garcia replacing Senator Stille; Senator Jaye removed.

**Hunting, Fishing and Forestry** - Senator Jaye removed.

**Senior Citizens and Veterans Affairs** - Senator Garcia replacing Senator North.

**Joint Committee on Administrative Rules** - Senator Garcia replacing Senator Steil.

The standing committee appointments were approved, a majority of the members serving voting therefor.

The following communications were received:

Department of State

Administrative Rules  
Notices of Filing

March 14, 2001

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 10:45 a.m. this date, administrative rule (01-03-05) for the Department of Consumer and Industry Services, Public Service Commission, entitled "*Gas Safety*," effective 7 days hereafter.

March 26, 2001

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 10:30 a.m. this date, administrative rule (01-03-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Benzene*," effective 7 days hereafter.

April 4, 2001

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 10:30 a.m. this date, administrative rule (01-04-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Child Day Care Licensing - Child Care Centers*," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The following communication was received:  
 Office of Drug Control Policy

March 29, 2001

I am pleased to transmit the FY2001 Residential Substance Abuse Treatment for State Prisoners Formula Grant application from the Office of Drug Control Policy to the U.S. Department of Justice, Corrections Program Office for the Department of Corrections and Family Independence Agency grant programs.

This application was filed electronically with the Corrections Program Office on March 29, 2001, under my authorization and is being forwarded to your office for information and review pursuant to Section 1304(a)(2) of the federal act. The application requests \$1,933,349.

Should you have questions, please contact Ardith J. DaFoe, Drug Law Enforcement Grants, at (517) 373-2952.

Very truly yours,  
 Peter L. Trezise  
 Interim Director

The communication was referred to the Secretary for record.

The following communication was received:  
 Department of State

April 4, 2001

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.1 et seq., (the "Act"), the various dollar figures specified in section 46 have been reviewed in light of the changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

The Consumer Price Index for August 2000 was 170.1, which represents an increase in prices of 5.98% since August of 1998. Since October of 1998 there has been a 0.81% decrease in the number of registered voters in the state from 6,915,613 to 6,859,332.

The first column of figures (Current) is the dollar amounts included in current law. The second column (CPI) reflects the current amounts as adjusted by the Consumer Price Index. The third column (CPI and Voters) is adjusted to show the change in the number of registered voters as well as the change in the CPI.

Sincerely,  
 Candice S. Miller  
 Secretary of State

The communication was referred to the Secretary for record.

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

April 5, 2001

Pursuant to Section 314 of P.A. 293 of 2000, we are enclosing copies of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation	Adrian Training School	2000C0207008	CS460200931
Special Investigation	Green Oak Center	2001C0208002	CS470201159
Special Investigation	Maxey - Olympic Center	2001C0201002	CS470201339
Special Investigation	Olympic Center	2000C0201028	CS470201339

Special Investigation	Green Oak Center	2001C0208001	CS470201159
Special Investigation	Arbor Heights Center	2000C0207010	C1810200952
Special Investigation	Maxey - Summit Center	2001C0201005	CS470201446
Special Investigation	Green Oak Center	2001C0208012	CS470201159
Special Investigation	Green Oak Center	2001C0208016	CS470201159
Special Investigation	Huron Oaks Center	2001C0207006	C1810201185

These reports were performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: [http://www.cis.state.mi.us/fast/leg\\_rep.htm](http://www.cis.state.mi.us/fast/leg_rep.htm).

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

Sincerely,

John R. Suckow, C.P.A.

Director, Finance and Administrative Services

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, March 29:  
**House Bill No. 4257**

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

**Senate Bill Nos. 362 363 364 365**  
**House Bill Nos. 4538 4539 4540 4541 4542 4543 4544 4545 4546**

The Secretary announced the printing and placement in the members' files on Friday, March 30, of:

**Senate Bill Nos. 366 367 368 369 370 371 372 373 374 375**  
**Senate Joint Resolution R**  
**House Bill Nos. 4547 4548 4549 4550**

### Messages from the Governor

The following messages from the Governor were received:

Date: March 29, 2001

Time: 2:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 71 (Public Act No. 1), being**

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 90a, 90b, 90c, 90d, and 90e (MCL 750.90a, 750.90b, 750.90c, 750.90d, and 750.90e), as added by 1998 PA 238.

(Filed with the Secretary of State on March 29, 2001, at 3:30 p.m.)

Date: March 29, 2001

Time: 2:38 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 70 (Public Act No. 2), being**

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal

offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2000 PA 279. (Filed with the Secretary of State on March 29, 2001, at 3:32 p.m.)

Date: March 29, 2001  
Time: 2:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 199 (Public Act No. 3), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

(Filed with the Secretary of State on March 29, 2001, at 3:34 p.m.)

Respectfully,  
John Engler  
Governor

The following messages from the Governor were received and read:

March 29, 2001

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

**Board of Professional Engineers**

Mr. Ronald V. Quackenbush, 213 Sage Lake Road, Rose City, Michigan 48654, county of Ogemaw, as a member representing the general public, succeeding himself, for a term expiring on March 31, 2005.

Mr. David E. Mester, 117 Park Hills Drive SE, Grand Rapids, Michigan 49506, county of Kent, as a member representing professional engineers, succeeding himself, for a term expiring on March 31, 2005.

Mr. Victor J. Lukasavitz, Jr., 809 East Rolston Road, Linden, Michigan 48451, county of Genesee, as a member representing the Board of Land Surveyors, succeeding Mr. Paul B. Lapham of Clare, whose term has expired, for a term expiring on March 31, 2004.

Mr. Gregory C. Bovid, 204 Heathermoor Drive, Midland, Michigan 48642, county of Midland, as a member representing professional engineers, succeeding Mr. Martin L. Straub of Chelsea, whose term has expired, for a term expiring on March 31, 2005.

Mr. Larry Lee Rizer, 2407 Gethings Road, Battle Creek, Michigan 49015, county of Calhoun, as a member representing the Board of Architects, succeeding Mr. James W. Bauer of Battle Creek, whose term has expired, for a term expiring on March 31, 2005.

April 2, 2001

Please be advised of the following correction. The letter dated March 28, 2001 should read as follows:

**Commission on Disability Concerns**

Ms. Lydia M. Graber, 21700 Meri Drive, Belleville, Michigan 48111, county of Wayne, as Chair representing the general public, succeeding herself, for a term expiring on March 5, 2004.

Mr. Alphonso Swain, 1639 West Lake Drive, Apt. 83, Haslett, Michigan 48840, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2004.

Ms. Heidi L. Van Arnem, 6139 Dakota Circle, Bloomfield Hills, Michigan 48301, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2004.

Mr. William Joseph Axtell, 813 West Drayton, Ferndale, Michigan 48220, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2004.

Mr. John L. Tuitel, 1517 Van Auken SE, Grand Rapids, Michigan 49508, county of Kent, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2004.

Ms. Claudia Lee, 6837 Chesterfield Road, Waterford, Michigan 48327, county of Oakland, as a member representing the general public, succeeding Ms. Micki A. Berg of Huntington Woods, whose term has expired, for a term expiring on March 5, 2004.

Ms. Catherine E. Smith, 5400 Mall Drive West, Apt. 3117, Lansing, Michigan 48917, county of Ingham, as a member representing the general public, succeeding Mr. Clark B. Shuler of Ann Arbor, who has resigned, for a term expiring on March 5, 2004.

April 4, 2001

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

**Athletic Board of Control**

Mr. Daniel C. Devine Jr., 4511 Lakeview Court, Bloomfield Hills, Michigan 48301, county of Oakland, as a member representing professionals, succeeding Mr. Jerome P. Barney of Detroit, whose term has expired, for a term expiring on March 31, 2005.

Ms. Elizabeth Louise LaVallee, 806 Broadway, Davisburg, Michigan 48350, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on March 31, 2005.

Mr. Peter J. Wadel, 3882 Raleigh Drive, Okemos, Michigan 48864, county of Ingham, as a member representing professionals, succeeding Mr. Ronald D. Moore of Bloomfield Hills, whose term has expired, for a term expiring on March 31, 2005.

April 12, 2001

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

**Michigan Public School Employees' Retirement Board**

Ms. Diana Rae Osborn, 134 Starling Drive, Muskegon, Michigan 49442, county of Muskegon, as a member representing nonteaching school employees, succeeding herself, for a term expiring on March 30, 2005.

Ms. Marsha C. Smith, 119 West Jefferson Street, Grand Ledge, Michigan 48837, county of Eaton, as a member representing teachers, succeeding herself, for a term expiring on March 30, 2005.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.



### Messages from the House

#### **Senate Joint Resolution D, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session and for the amendment of those determinations.

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

The House of Representatives has adopted the joint resolution by a 2/3 vote as substituted (H-3) and amended the title to read as follows:

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to modify how the state officers compensation commission's determination of certain salaries and expense allowances are made and how they become effective, for approval of certain determinations by the legislature for the following legislative session, and to expand who those determinations apply to.

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

By unanimous consent the Senate proceeded to the order of

#### **General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Dunaskiss as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

#### **Senate Bill No. 216, entitled**

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 13 (MCL 450.233), as amended by 1990 PA 166.

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

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

#### **Senate Bill No. 206, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 106, 122, 123, 131, 133, 141, 143, 151, 338, 342a, 344, 404, 405, 407, 413, 488, 489, 521, 525, 563, 564b, 703a, 753, 754, 901, and 1060 (MCL 450.1106, 450.1122, 450.1123, 450.1131, 450.1133, 450.1141, 450.1143, 450.1151, 450.1338, 450.1342a, 450.1344, 450.1404, 450.1405, 450.1407, 450.1413, 450.1488, 450.1489, 450.1521, 450.1525, 450.1563, 450.1564b, 450.1703a, 450.1753, 450.1754, 450.1901, and 450.2060), sections 106, 122, 133, 141, 405, 521, 525, and 563 as amended and sections 342a and 754 as added by 1989 PA 121, section 123 as amended by 1993 PA 357, sections 131, 338, 407, and 1060 as amended by 1993 PA 91, and sections 151, 344, 404, 489, 564b, 703a, and 753 as amended and section 488 as added by 1997 PA 118, and by adding section 406a.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Murphy moved that Senators Emerson, Vaughn and Young be excused from today's session.

The motion prevailed.

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

#### **Resolutions**

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

#### **Senate Resolution No. 33**

The resolution consent calendar was adopted.

Senators Hammerstrom, McCotter, Goschka and Jaye offered the following resolution:

**Senate Resolution No. 33.**

A resolution to commemorate April 2001 as the Month of the Young Child, focusing on early childhood issues and highlighting the needs of young children.

Whereas, The Michigan Association for the Education of Young Children (MiAEYC) is committed to improving the welfare of children through the promotion of quality education and professional development; and

Whereas, By calling attention to the need for high-quality early childhood services, groups such as MiAEYC hope to improve the quality and availability of such services for all children and families within our communities and state; and

Whereas, The future of our communities and state depends on the quality of the early childhood experiences provided to young children today; and

Whereas, High-quality early childhood services represent a worthy commitment to our children's future; and

Whereas, Since 1971, April has been celebrated nationally as the Month of the Young Child, bringing attention to the needs of young children and their families, while connecting programs and services that help meet their specific needs; now, therefore, be it

Resolved by the Senate, That we hereby commemorate April 2001 as the Month of the Young Child and express our support for efforts to promote quality education and the well-being of young children; and be it further

Resolved, That copies of this resolution be transmitted to Governor Engler, the Department of Community Health, Department of Consumer Industry and Services, Department of Education, Family Independence Agency, and Women's Commission.

Senator Emmons 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 Smith offered the following concurrent resolution:

**Senate Concurrent Resolution No. 13.**

A concurrent resolution to urge the Michigan Department of Education to provide more time for public input on the new administrative rules on special education.

Whereas, While the process of promulgating administrative rules involves many steps, perhaps the most important part of the procedure is the study of the proposed rules after they are drafted in what often is the final form. At this stage, interested individuals and groups review and consider the details of the rules, which often are the result of considerable debate from experts and the people who may soon live under the specifications of the new rules; and

Whereas, The Michigan Department of Education recently published proposed new rules on the delivery of special education services. These rules would make major changes to many elements of special education. They are the result of several years of work and are 146 pages in length. However, the time for public hearings and review of the proposed rules is slated to be over in a period of approximately one month; and

Whereas, With the serious issues at stake in special education and the large number of details spelled out in the new regulations, the comment period is clearly insufficient for meaningful public participation and understanding. The brevity of the review period has drawn strong reactions from the families and educators directly affected by the new rules; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Michigan Department of Education to provide more time for public input on the new administrative rules on special education; and be it further

Resolved, That copies of this resolution be transmitted to the Office of Regulatory Reform, the Superintendent of Public Instruction, and the members of the Michigan Board of Education.

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

Senator Emmons 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 Emmons moved that the concurrent resolution be referred to the Committee on Education.

The motion prevailed.

Senator Peters offered the following resolution:

**Senate Resolution No. 32.**

A resolution to urge the Michigan Department of Education to extend the period for public comment and response on proposed new administrative rules on special education services.

Whereas, On March 5, 2001, the Michigan Department of Education published proposed new administrative rules on special education programs and services. These rules encompass nearly 150 pages on matters that are of great importance to Michigan families with students in need of some special education services. In spite of the complexity and length of the new regulations, the public comment period is scheduled to close on April 16, 2001; and

Whereas, The brief window for public comment on the proposed rules is far too short for people to gain a grasp of the new special education rules. Educators, advocacy groups, and individual families with children receiving these services have expressed frustration with the inadequate time to understand the changes of the new regulations in an area of services that is by nature quite complex and challenging; and

Whereas, The development of the new rules has taken several years and represents sweeping changes in the delivery of services. The changes also may involve major shifts in the administration of special education programs. To hasten this part of a complex process at the critical juncture of gaining public understanding and comment is poor public policy. It will surely not foster the public support that is essential to making any law or regulation as effective as it can be; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Department of Education to extend the period for public comment and response on proposed new administrative rules on special education services; and be it further

Resolved, That copies of this resolution be transmitted to the Office of Regulatory Reform, the Superintendent of Public Instruction, and the members of the Michigan Board of Education.

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

Senator Emmons moved that the resolution be referred to the Committee on Education.

The motion prevailed.

#### **House Concurrent Resolution No. 17.**

A concurrent resolution to urge Michigan power providers to offer to their customers a program of charitable donations by rounding bills up to the nearest dollar and accepting contributions.

Whereas, Charitable programs that are convenient and which encourage large numbers of people to make very small regular contributions hold the greatest potential to do the greatest good. One idea that is proving successful is the notion of letting people add a few cents or a few dollars to their utility bills each month for charity; and

Whereas, There are utility companies across the country, including here in Michigan, that offer their customers the opportunity to participate in an easy, inexpensive donation program that often provides help to needy families trying to pay for heat and electricity. These programs, which are sometimes known by such names as "Operation Round Up," "Pennies for Power," "Heat Bank," "PeopleCare," or "The Heat and Warmth Fund," can raise a considerable sum of money for charity by rounding up a customer's bill to the next even dollar amount or through contributions. The key to the effectiveness of such ventures is encouraging people to participate. With thousands of people contributing even minimal amounts on each bill, a great deal of help can be extended to less fortunate families; and

Whereas, With the realities of rising costs for gas and electricity, wider use of an idea that offers so much potential should be encouraged. This concept offers an excellent opportunity to provide help in a meaningful and practical way; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge Michigan power providers to offer to their customers a program of charitable donations by rounding bills up to the nearest dollar and accepting contributions; and be it further

Resolved, That power providers submit an annual report to the Public Service Commission regarding the success of such programs including information pertaining to monies received and disbursements made; and be it further

Resolved, That copies of this resolution be transmitted to Michigan utility companies.

The House of Representatives has adopted the concurrent resolution.

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

Senator Emmons 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 Emmons moved that the concurrent resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

#### **Senate Concurrent Resolution No. 12.**

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see Senate Journal No. 28, p. 309.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator Hoffman's statement is as follows:

It's with great sadness that I want to take a moment and remember a colleague of mine and a colleague of many of ours here in the Michigan Legislature. Last Sunday, on Palm Sunday, a good friend of ours, Jerry Bartnik, passed away. Jerry, as many of you recall, served in the House of Representatives from 1982 until 1991.

Jerry and I, despite our political differences, were best of friends in the House of Representatives. We forged a good bipartisan working relationship, and Jerry Bartnik had an uncanny ability to bring people together from all backgrounds and all persuasions. He was an individual who will be sorely missed. I know last week we lowered the flag to half-staff by order of the Governor. I know the House is going to do a memorial resolution for one of its members, but I wanted the Senate to take a moment to reflect on the life of Jerry Bartnik.

Many people have eulogized Jerry, but I think one of the best eulogies was the fact that Jerry was probably the biggest person in conservation of the 20th century in Michigan. His time in the House of Representatives moved the natural resources issues through the House with such grace and honor. When he left the Legislature in 1991, Governor Engler appointed him, a Democrat, to the Natural Resources Commission. Jerry's service on the Natural Resources Commission, up to the day he died, was tremendous. Jerry's time, both as a commissioner and as a legislator, could only be overshadowed by his love of our environment, our natural resources, and his love for hunting and fishing.

There probably is not a person in this chamber who ever met Jerry who doesn't have a Bartman story. I've got a couple, but I am not going to give them here. You all know what they are. The fact is that we can't replace him, but one of the last things one of his best friends asked him when he was at death's doorstep was, "If you cross over, Jerry, make sure you get us a good boat."

Jerry had a zest for life that is unmatched, and all I can say is that the fish are safer, the deer are safer, and the geese are safer not because Jerry won't be out hunting them, but because Jerry was a good shepherd and really took care of our natural resources.

It is with great sadness that I say good-bye to a great friend and wish his wife Catherine and his daughters, Rhonda and Michelle, God's comfort during this tough time and let them know that Jerry is sorely missed by his friends in the Michigan Senate.

Senator Hammerstrom's statement is as follows:

I, too, rise to make a statement about my dear friend, Jerry Bartnik. Long before either Jerry or I got into the political arena—in fact, long before either one of us ever considered running—we were friends. We lived in the same neighborhood, and our kids grew up together. In fact, his daughter Rhonda was a babysitter for my children.

Over the years, Jerry's and my lives paralleled each other in so many ways that we could never have imagined when we first met 30 years ago. Jerry lost his battle last week to cancer. It was a courageous battle. Those of you who have seen him over the last four years know that he was up and down as far as his health, but his attitude was always positive.

Jerry did not believe that he was going to leave us because of cancer. He also taught me when I was going through my battle that you can have a positive attitude in the face of adversity. I consider Jerry a mentor in many ways. It has been said that the greatness of a person is reflected by the people you love, the places you go, the things you do to help others, and the memories you make along the way. Jerry Bartnik certainly exemplified the best of the best in all of these categories, and for all of us who knew him, we certainly have a host of wonderful memories of our times together.

Senator Dingell's statement is as follows:

Mr. President, it is a pleasure to have known Jerry Bartnik for some 20 years. Recently, I attended his funeral. Many of the hunters who were there at the funeral with me commented that nothing with wings was safe around Jerry Bartnik during the appropriate season. The funeral wasn't just a sad occasion. The best comment I heard about Jerry was that God does have a sense of humor; now Jerry has wings.

A moment of silence was observed in memory of former Representative Jerry Bartnik.

Senator Leland's statement is as follows:

Mr. President and my colleagues, as you all know, a couple of weeks ago I gave a statement about the city of Detroit and our Mayor Dennis Archer. I was informed this morning at nine o'clock that Mayor Dennis Archer made a comment that he would not be seeking re-election for the office of mayor of the city of Detroit. I just want to say to our mayor that I thank you for serving the people of Detroit for eight years.

Mr. Mayor, you had the hardest job in urban America, being the mayor of the great city of Detroit. It was a tremendous responsibility with tremendous problems, and you are an honest man. You worked hard. You gave it your best shot. You are a good person, and Mr. Mayor, whatever you do in the future, I wish you Godspeed, a lot of success for you and your family, and happiness in the years ahead.

By unanimous consent the Senate returned to the order of

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

Senators Bennett, Goschka, Hammerstrom and Shugars introduced

#### **Senate Bill No. 376, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 544c (MCL 168.544c), as amended by 1999 PA 219.

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

Senators Young and Murphy introduced

#### **Senate Bill No. 377, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2000 PA 279.

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

Senators Hart, Koivisto, Young, DeBeaussaert, Murphy, Miller and Leland introduced

#### **Senate Bill No. 378, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 6q.

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

Senator Jaye introduced

#### **Senate Bill No. 379, entitled**

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 1998 PA 532.

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

Senator Bullard introduced

#### **Senate Bill No. 380, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 2972 and 2973.

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

Senator Peters introduced

#### **Senate Bill No. 381, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, and 302 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, and 37.2302), the title as amended by 1992 PA 258, 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 Government Operations.

Senators Bennett, Young, Goschka, McManus, Bullard, McCotter, Johnson, Schuette, Hammerstrom and Dunaskiss introduced

**Senate Bill No. 382, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 1251a.

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

Senators Bennett, Young, Goschka, McManus, Bullard, McCotter, Johnson, Schuette, Hammerstrom and Dunaskiss introduced

**Senate Bill No. 383, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding subpart 17 to part 21.

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

Senators Bennett, Young, Goschka, McManus, Bullard, McCotter, Johnson, Schuette, Hammerstrom and Dunaskiss introduced

**Senate Bill No. 384, entitled**

A bill to amend 1925 PA 352, entitled "An act to provide for the purchase and condemnation of private property for public highway purposes," (MCL 213.171 to 213.199) by adding section 194a.

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. 4257, entitled**

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

The House of Representatives has passed the bill.

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

### Committee Reports

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 360, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4o.

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

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

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars, Van Regenmorter, Miller and DeBeaussaert

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 361, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 2 (MCL 15.262).

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

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

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars, Van Regenmorter, Miller and DeBeaussaert

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 Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, March 28, 2001, at 3:06 p.m., Rooms 402 and 403, Capitol Building

Present: Senators McCotter (C), Shugars, Van Regenmorter, Miller and DeBeaussaert

The Committee on Economic Development, International Trade and Regulatory Affairs reported

**Senate Bill No. 256, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1027 (MCL 436.2027).

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

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

Bill Schuette  
Chairperson

To Report Out:

Yeas: Senators Schuette, Jaye and Peters

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 Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Wednesday, March 28, 2001, at 2:47 p.m., Room 100, Farnum Building

Present: Senators Schuette (C), Jaye and Peters

Excused: Senators McCotter and Leland

The Committee on Human Resources and Labor reported

**Senate Bill No. 351, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2411 and 2412 (MCL 339.2411 and 339.2412), section 2411 as amended by 1991 PA 166 and section 2412 as amended by 1980 PA 496.

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

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

Glenn D. Steil  
Chairperson

To Report Out:

Yeas: Senators Steil, Dunaskiss, North, Cherry and Murphy

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 Human Resources and Labor submits the following:

Meeting held on Wednesday, March 28, 2001, at 2:45 p.m., Room 110, Farnum Building

Present: Senators Steil (C), Dunaskiss, North, Cherry and Murphy

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 317, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and sections 3 and 27 (MCL 552.603 and 552.627), the title as amended by 1996 PA 25, section 3 as amended by 1998 PA 334, and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, and 5b.

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.

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 318, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 1, 15, 16, 17, and 30 (MCL 552.1, 552.15, 552.16, 552.17, and 552.30), sections 15, 16, and 17 as amended by 1996 PA 9; 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.

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 319, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1999 PA 156; and to repeal acts and parts of acts.

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

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 320, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), section 7 as amended by 1996 PA 308, section 10 as amended by 1996 PA 18, and section 11 as amended by 1990 PA 244; and to repeal acts and parts of acts.

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

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 321, entitled**

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 1996 PA 17; and to repeal acts and parts of acts.

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

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

Beverly S. Hammerstrom  
Chairperson



**To Report Out:**

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 322, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1999 PA 158; and to repeal acts and parts of acts.

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

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

Beverly S. Hammerstrom  
Chairperson

**To Report Out:**

Yeas: Senators Hammerstrom, Johnson, Goschka, Hart and Emerson

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 Families, Mental Health and Human Services submits the following:

Meeting held on Wednesday, March, 28, 2001, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hammerstrom (C), Johnson, Goschka, Hart and Emerson

Excused: Senators Gougeon and Jaye

The Committee on Farming, Agribusiness and Food Systems reported

**Senate Bill No. 350, entitled**

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 26a (MCL 287.726a), as added by 2000 PA 323; 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.

George A. McManus, Jr.  
Chairperson

**To Report Out:**

Yeas: Senators McManus, Stille, Gougeon, Byrum and Hart

Nays: None

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

**COMMITTEE ATTENDANCE REPORT**

The Committee on Education submits the following:

Meeting held on Wednesday, March 28, 2001, at 3:00 p.m., Room 810, Farnum Building

Present: Senators Bennett (C), Johnson, Stille, Peters and Leland

**Scheduled Meetings**

**Administrative Rules, Joint** - Thursday, April 19, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-3543)  
(CANCELED)

**Appropriations -****Subcommittees -**

**Community Colleges** - Tuesday, April 24, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
(373-6960)

**Community Health** - Thursday, April 19, 1:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower and Tuesdays, April 24, May 1, and May 8, 1:00 p.m., Room 210, Farnum Building (373-1777)

**Corrections** - Wednesdays, April 18, April 25, May 2, and May 9, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2413)

**Higher Education** - Friday, April 20, 10:00 a.m., University of Michigan-Flint, Harding Mott University Center, corner of Kearsley Street and southbound Chavez, Flint; Monday, April 23, 10:00 a.m., Grand Valley State University, Grand Rapids Campus-DeVos Center, 401 W. Fulton Street, Grand Rapids; Friday, May 4, 10:00 a.m., Concordia College, Student Union-Riverside Rooms A, B, and C, 4090 Geddes Road, Ann Arbor; Friday, May 11, 10:00 a.m., Lake Superior State University, Cisler Center, 650 W. Easterday Avenue, Sault Ste. Marie; and Tuesday, May 15, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

**Farming, Agribusiness and Food Systems** - Wednesday, April 25, 1:00 p.m., Room 405, Capitol Building (373-1725)

Senator Emmons moved that the Senate adjourn.  
The motion prevailed, the time being 10:56 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, April 18, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.