

No. 53
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, June 12, 2001.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

Gougeon—present
Hammerstrom—present
Hart—present
Hoffman—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—present

Senator Martha G. Scott of the 2nd District offered the following invocation:

“The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: he leadeth me beside the still waters.

He restoreth my soul: he leadeth me in the paths of righteousness for his name’s sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies: thou annointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever.”

I read to you the 23rd Psalm.

Heavenly Father, we come to You this morning saying thank You. Thank You for this wonderful day in which You have allowed us another chance to make things right for the people of this state. Father, I ask You to bless each and every one of us one by one. Help us as we deliberate on the budget items for this state and the people of this state. When you’ve done it to the least of these, you’ve done it unto me. Father, You are the bountiful Giver always to everyone, and we thank You, Lord—We thank You, thank You, thank You. Amen.

Senators Schwarz and Bullard 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.

10:19 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

The following communication was received:

Department of State

Administrative Rules

Notice of Filing

May 29, 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 10:20 a.m. this date, administrative rule (01-05-03) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Abrasive Blasting*,” effective 7 days hereafter.

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

The communication was referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

June 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit, Including the Provisions of the Single Audit Act, of the State-Funded Judicial Operations, October 1, 1998, through September 30, 2000.

June 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of West Michigan Community Mental Health System, an Agency Under Contract with the Department of Community Health, June 2001.

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

The communications were referred to the Secretary for record.

The Secretary announced that pursuant to rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from January 1, 2001, through March 31, 2001, and are available in the Secretary's office during business hours for public inspection:

Committee

Appropriations
Banking and Financial Institutions
Detroit Metro Airport Review
Economic Development, International Trade and Regulatory Affairs
Education
Families, Mental Health and Human Services
Farming, Agribusiness and Food Systems
Finance
Financial Services
Gaming and Casino Oversight
Government Operations
Health Policy
Human Resources, Labor, Senior Citizens and Veterans Affairs
Human Resources and Labor
Hunting, Fishing and Forestry
Judiciary
Local, Urban and State Affairs
Natural Resources and Environmental Affairs
Reapportionment
Senior Citizens and Veterans Affairs
Technology and Energy
Transportation and Tourism
Appropriations Subcommittee on Community Health
Appropriations Subcommittee on Department of Education
Appropriations Subcommittee on Higher Education
Appropriations Subcommittee on Retirement
Appropriations Subcommittee on School Aid
Appropriations Subcommittee on Transportation

Chairperson

Senator Harry Gast
Senator Glenn Steil
Senator Glenn Steil
Senator Bill Schuette

Senator Loren Bennett
Senator Beverly Hammerstrom
Senator George McManus
Senator Joanne Emmons
Senator Bill Bullard
Senator Glenn Steil
Senator Thaddeus McCotter
Senator Dale Shugars
Senator Mat Dunaskiss

Senator Glenn Steil
Senator Phil Hoffman
Senator William Van Regenmorter
Senator Thaddeus McCotter
Senator Ken Sikkema
Senator Bill Schuette
Senator Mat Dunaskiss
Senator Mat Dunaskiss
Senator Bill Bullard
Senator Joel Gougeon
Senator Leon Stille
Senator John Schwarz
Senator Joel Gougeon
Senator Leon Stille
Senator Phil Hoffman

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, June 7:
House Bill No. 4627

Mr. Kevin M. Gillette, 2558 West Glenlord Road, Stevensville, Michigan 49127, county of Berrien, as a member representing elected officials of local government, succeeding himself, for a term expiring on May 9, 2004.

Mr. Creighton J. Weber, 6340 Hollow Drive, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing financial institutions, succeeding Mr. Jeffrey Beltaire of West Bloomfield, who has resigned, for a term expiring on May 9, 2002.

June 8, 2001

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

Michigan Committee on Juvenile Justice

Mr. Larry C. Inman, 8971 Crockett Road, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing local government, succeeding himself, for a term expiring on March 15, 2003.

The Honorable John P. Steketee, 1525 Breton SE, Grand Rapids, Michigan 49506, county of Kent, as a member representing the general public, succeeding The Honorable Donald S. Owens of Williamston, whose term has expired, for a term expiring on March 15, 2003.

The Honorable Elizabeth A. Weaver, 10850 Traverse Highway, Suite 3300, Traverse City, Michigan 49684, county of Grand Traverse, as a member representing the general public, succeeding herself, for a term expiring on March 15, 2003.

The Honorable Pamela A. Moskwa, 1876 Riviera Drive, Monroe, Michigan 48161, county of Monroe, as a member representing probate judges, succeeding herself, for a term expiring on March 15, 2003.

Mr. Frederick G. Gibbs, P.O. Box 185, St. Johns, Michigan 48879, county of Clinton, as a member representing public providers, succeeding himself, for a term expiring on March 15, 2003.

Mr. Rick M. Muniz, 68 E. 22nd Street, Holland, Michigan 49423, county of Ottawa, as a member representing the general public, succeeding himself, for a term expiring on March 15, 2003.

Dr. Carl S. Taylor, 5753 E. Saginaw Highway, Grand Ledge, Michigan 48837, county of Eaton, as a member representing the general public, succeeding himself, for a term expiring on March 15, 2003.

Judge Mark A. Randon, 1511 Brooklyn, Detroit, Michigan 48826, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on March 15, 2003.

Sheriff Michael F. Oltersdorf, Leelanau County Sheriff's Department, 201 Chandler Street, Leland, Michigan 49654-0437, county of Leelanau, as a member representing law enforcement, succeeding himself, for a term expiring on March 15, 2003.

Mr. Bruce Sullivan Feaster, 3487 Harvard, Detroit, Michigan 48224, county of Wayne, as a member representing private providers, succeeding himself, for a term expiring on March 15, 2003.

Mr. Vaughn K. Stecker, 58 Miller Drive, Quincy, Michigan 49082, county of Branch, as a member representing the general public, succeeding Mr. Elwood L. Brown of North Street, whose term has expired, for a term expiring on March 15, 2003.

The Honorable Patricia D. Gardner, 1501 Cedar Street NE, Grand Rapids, Michigan 49503, county of Kent, as a member representing probate judges, succeeding herself, for a term expiring on March 15, 2003.

Ms. Patricia M. VerDuin, 15653 Lake Avenue, Grand Haven, Michigan 49417, county of Ottawa, as a member representing public providers, succeeding Mr. Douglas McNeil Paterson of East Lansing, whose term has expired, for a term expiring on March 15, 2003.

Chief Robert W. Metzger Jr., 35742 Birchwood Court, New Boston, Michigan 48164, county of Wayne, as a member representing law enforcement, succeeding himself, for a term expiring on March 15, 2003.

Mr. Larry J. Carlson, 3780 Perrine Road, Rives Junction, Michigan 49277, county of Jackson, as a member representing private providers, succeeding Mr. David E. Ballenberger of Holly, whose term has expired, for a term expiring on March 15, 2003.

Mr. Keith L. Kent, 321 S. Eighth Street, Lansing, Michigan 48912, county of Ingham, as a member representing juvenile youth, succeeding Mr. William T. Paschall of Pontiac, whose term has expired, for a term expiring on March 15, 2003.

Mr. Kenneth D. Mault, 6201 Woodpark Drive, Midland, Michigan 48640, county of Midland, as a member representing the general public, succeeding Ms. Margaret-Mary Chiara of Lansing, whose term has expired, for a term expiring on March 15, 2003.

Chief William G. Hegarty, 2938 Meadow Bluff Drive NW, Grand Rapids, Michigan 49504, county of Kent, as a member representing the general public, succeeding The Honorable Y. Gladys Barsamian of Plymouth, whose term has expired, for a term expiring on March 15, 2003.

Mr. Ryan F. Wells, 4429 Aurelius, Lansing, Michigan 48910, county of Ingham, as a member representing the youth, succeeding Mr. Sean P. McCalleg of Auburn Hills, whose term has expired, for a term expiring on March 15, 2003.

Mrs. Joan M. Knorr, 717 Lakeview Drive, Fremont, Michigan 49412, county of Newaygo, as a member representing the general public, for a term expiring on March 15, 2003.

Dr. Neera Ghaziuddin, 5860 Fox Hollow Court, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing the general public, for a term expiring on March 15, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senator Emmons moved that the following joint resolution and bill be placed at the head of the Messages from the House calendar:

Senate Joint Resolution D

Senate Bill No. 56

The motion prevailed.

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.

Substitute (H-3).

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

Senator Peters offered the following amendment to the substitute:

1. Amend page 4, line 2, after "at" by striking out "a special election to be held on August 6, 2002" and inserting "the next general election".

The question being on the adoption of the amendment to the substitute,

Senator Peters requested the yeas and nays.

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

The amendment was not adopted, a majority of the members not voting therefor, as follows:

Roll Call No. 181

Yeas—15

Byrum	Emerson	Leland	Scott
Cherry	Goschka	Miller	Smith
DeBeaussaert	Hart	Murphy	Young
Dingell	Koivisto	Peters	

Nays—20

Bennett	Gast	McCotter	Shugars
DeGrow	Gugeon	McManus	Sikkema
Dunaskiss	Hammerstrom	North	Steil
Emmons	Hoffman	Schuette	Stille
Garcia	Johnson	Schwarz	Van Regenmorter

Excused—1

Vaughn

Not Voting—1

Bullard

In The Chair: President

Protest

Senator McCotter, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Peters to Senate Joint Resolution D and moved that the statements he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator McCotter’s first statement is as follows:

I rise in opposition to the amendment for two philosophical reasons. The first is the assumption that the November election necessarily will have more voters, which is not something that you can ascribe to. It is a practice perhaps, but there is nothing that prevents someone from voting in a primary election any more than there is something that prevents someone from voting in a November election. Relatedly, and the second philosophical point would be perhaps this will stimulate more interest in the primary election and bring more voters to the polls than we have seen in the past. For those two reasons, I’d like to rise in opposition.

Senator McCotter’s second statement is as follows:

Again, I would just like to clarify that in no way did I ever debate there was a higher turnout in the general than a primary. What I did was bemoan the fact that is so. But I did point out that every registered voter in the state of Michigan is free to vote either in a primary and/or a general election, and my hope would be that we could stimulate interest in primaries and bring more people to the polls. As for constitutional amendments, I’ve seen a lot of issues come up in front of the electors that deal with life, limb, and property as valid issues, and I’ve seen a lot of those come up in special elections. Now if it is philosophically true that we must have a constitutional amendment put in front of the electors at the general election in November, then I would welcome the good Senator’s support in making sure that there are no special tax increases or bond issues or any other types of elections that are not held in November general elections so that we can guarantee full voter participation.

The question being on concurring in the substitute made to the joint resolution by the House,
The substitute was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 182

Yeas—19

Bennett	Dunaskiss	Hammerstrom	Peters
Byrum	Emerson	Hart	Schuette
Cherry	Emmons	Hoffman	Schwarz
DeGrow	Gast	Leland	Young
Dingell	Goschka	McManus	

Nays—15

Bullard	Koivisto	Scott	Steil
DeBeaussaert	McCotter	Shugars	Stille
Gougeon	Miller	Sikkema	Van Regenmorter
Johnson	North	Smith	

Excused—1

Vaughn

Not Voting—2

Garcia

Murphy

In The Chair: President

Senate Bill No. 56, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 1992 PA 78.

Substitute (H-1).

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

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

Roll Call No. 183**Yeas—36**

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

Nays—0**Excused—1**

Vaughn

Not Voting—0

In The Chair: President

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

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

The Senate agreed to the full title.

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

Senate Bill No. 195, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 6 (MCL 29.6).

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 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.

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

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

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 143**House Bill No. 4384**

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 143, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 951, 954, 955, and 971 (MCL 380.951, 380.954, 380.955, and 380.971), section 951 as amended by 1990 PA 147 and section 971 as amended by 1995 PA 289, and by adding section 957.

The question being on the passage of the bill,

Senator Bennett offered the following amendment:

1. Amend page 6, following line 3, by inserting:

"Sec. 1282a. In order to comply with section 1282(2), if a pupil in grade 3 fails by the end of that school year to meet standards for basic literacy skills or for basic mathematics skills, as established and published by the superintendent of public instruction, the board of the pupil's school district ~~shall~~ IS ENCOURAGED TO provide the pupil with the opportunity to attend summer school in language arts or mathematics, as applicable, before grade 4. For the purposes of this section, a pupil's literacy skills and mathematics skills shall be measured by either the Michigan literacy progress profile or another assessment adopted by the school district for this purpose and approved by the superintendent of public instruction."

The question being on the adoption of the amendment,

Point of Order

Senator Emerson raised the Point of Order that the amendment was not germane because it dealt with a different subject matter than the original bill.

The President, Lieutenant Governor Posthumus, ruled that the amendment was germane because it was a multi-section bill that dealt with the school code and relates to the same subject as the bill.

The question being on the adoption of the amendment,

Senator Bennett moved that further consideration of the bill be postponed today.

The motion prevailed.

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

The bill before us amends the school code and deals with the issue of property transfers. It's a multi-section school code bill. My amendment would deal with the issue of special education rules. In light of the question of the point of order that was raised last week and the decision of the majority here that on a bill that amended the school code to deal with the question of school accountability, amendments dealing with special education were not germane—in light of that ruling last Thursday, I will withdraw the amendment.

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 Steil as Chairperson.

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

Senate Bill No. 513, entitled

A bill to designate the overpass located at the intersection of highway I-75 and highway M-57 as the "Bernie Borden Memorial Overpass"; and to prescribe the duties of the state transportation department.

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

Resolutions

Senators Stille, Schwarz, North, Miller and Steil offered the following resolution:

Senate Resolution No. 77.

A resolution to urge the National Collegiate Athletic Association to rescind its actions permitting college football games to be played on Friday nights.

Whereas, The National Collegiate Athletic Association (NCAA) has recently lifted a ban against member schools playing games on Friday nights. Taking this action has raised the concern of high school athletics administrators across the country. Locally, the Michigan High School Athletic Association is working hard to marshal support for efforts to encourage the NCAA to reverse its decision; and

Whereas, The possibility of major college games on Friday nights threatens traditions of Friday night high school sports. In great urban centers and small towns, families gather to watch local teams play throughout the fall. A cherished component of community life throughout our state and others, Friday night high school football reflects a genuine interest in our young people and their healthy activities. This is in stark contrast to the commercial forces that dominate so much of the sports world; and

Whereas, In addition to the football teams and marching bands of high school games, Friday nights in the fall are also often filled with high school teams competing in girls basketball, boys soccer, and boys and girls cross-country; and

Whereas, Broadcasting big-time college football games on Friday nights would create numerous unnecessary conflicts. In addition to threatening attendance, broadcasting college football on Friday nights will significantly reduce press coverage of prep sports and contribute to an erosion of this aspect of life in many communities, especially in small towns. Moreover, promoting college sports in competition with and at the expense of high school sports and all that it represents seems short-sighted; now, therefore, be it

Resolved by the Senate, That we urge the National Collegiate Athletic Association to rescind its actions permitting college football games to be played on Friday nights; and be it further

Resolved, That a copy of this resolution be transmitted to the National Collegiate Athletic Association.

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

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senators Hart, Peters, DeBeaussiaert, North and Emerson introduced

Senate Bill No. 529, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20196. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Shugars, McCotter, Garcia, Hammerstrom and Goschka introduced

Senate Bill No. 530, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 143a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Shugars, McCotter, Hammerstrom and Goschka introduced

Senate Bill No. 531, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539j. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Shugars, McCotter, Hammerstrom and Goschka introduced

Senate Bill No. 532, entitled

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

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

Senator Shugars introduced

Senate Bill No. 533, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 21 (MCL 280.21), as amended by 1989 PA 134.

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

Senator Stille introduced

Senate Bill No. 534, entitled

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," by amending section 9 (MCL 456.529), as amended by 1982 PA 132.

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

Senator Stille introduced

Senate Bill No. 535, entitled

A bill to amend 1927 PA 10, entitled "An act to authorize cemetery corporations to sell or convey property rights, franchises and liabilities to a municipal corporation," by amending the title and sections 1, 2, 3, and 4 (MCL 456.181, 456.182, 456.183, and 456.184).

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

House Bill No. 4627, entitled

A bill to define the rights and responsibilities of hotels and bed and breakfasts with respect to renting or leasing hotel or bed and breakfast rooms to minors.

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

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

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 291, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 462, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 1997 PA 143, and by adding section 92.

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

1. Amend page 5, line 6, after "SYSTEM" by striking out "SHALL" and inserting "MAY".
2. Amend page 5, line 14, after "SYSTEM" by striking out "SHALL" and inserting "MAY".

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, DeBeaussaert and Dingell

Nays: None

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

The Committee on Appropriations reported

House Bill No. 4789, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 1999 PA 68.

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

1. Amend page 2, line 13, by striking out "the lessor of".
2. Amend page 2, line 15, after "620" by striking out the balance of the subdivision.
3. Amend page 3, line 17, after "principal," by inserting "STATIONARY ENGINEER,".

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young and Dingell

Nays: None

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

The Committee on Appropriations reported

Senate Concurrent Resolution No. 25.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Secondary Complex Warehouse.

(For text of resolution, see Senate Journal No. 50, p. 658.)

With the recommendation that the concurrent resolution be adopted.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, DeBeaussaert and Dingell

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, June 6, 2001, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, Smith, Koivisto, Young, DeBeaussaert and Dingell

Excused: Senator Murphy

The Committee on Judiciary reported

House Bill No. 4610, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 1996 PA 508 and section 6 as amended by 2000 PA 30, and by adding section 3a.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4611, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18k of chapter XIIA (MCL 712A.18k), as amended by 1998 PA 478.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4613, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520m (MCL 750.520m), as amended by 1996 PA 510.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, Dingell and Scott

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4633, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending section 7a (MCL 803.307a), as amended by 1998 PA 517.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, Dingell and Scott

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 Judiciary submits the following:

Meeting held on Wednesday, June 6, 2001, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Peters, Dingell and Scott

Excused: Senator Schuette

The Committee on Economic Development, International Trade and Regulatory Affairs reported
House Bill No. 4698, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2000 PA 145.

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, McCotter, Steil, Leland 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 Thursday, June 7, 2001, at 1:08 p.m., Room 110, Farnum Building

Present: Senators Schuette (C), McCotter, Steil, Leland and Peters

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Wednesday, June 6, 2001, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Gougeon, Johnson, Koivisto, Smith and Young

Scheduled Meetings

Appropriations - Wednesday, June 13, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

Capital Outlay, Joint - Wednesday, June 13, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Detroit Metro Airport Review - Wednesday, June 13, 2:00 p.m. or later immediately following session, Room 810, Farnum Building (373-1801)

Education, Joint Senate and House - Thursday, June 14, 1:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-7350)

Senator Emmons moved that the Senate adjourn.

The motion prevailed, the time being 10:58 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, June 13, at 10:00 a.m.

CAROL MOREY VIVENTI
 Secretary of the Senate.