

No. 82
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, November 27, 2001.

10:00 a.m.

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

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

Bennett—present
Bullard—present
Byrum—excused
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—excused
Hoffman—present
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—excused
North—present
Peters—present

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

Senator Valde Garcia of the 26th District offered the following invocation:

Our Heavenly Father, we thank You for the day You have given to us. We thank You for this opportunity to serve You. Lord, we just ask that You be with us today; give us wisdom. Guide us today in all that we say and do. We ask that You help us to understand one another.

Also, Lord, we pray especially for Senator Shugars' wife, who is not feeling well and may have surgery soon. We ask that You watch over her, guide her, and heal her as well. In Jesus' name, we pray. Amen.

Recess

Senator Emmons moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:03 a.m.

11:06 a.m.

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

During the recess, Senators Emerson, Cherry, Smith, Dunaskiss, Shugars, Young, Schuette, Goschka, Johnson, McCotter, Hammerstrom, Gougeon, North, Gast, McManus, Van Regenmorter, Bullard, Stille, DeGrow, Sanborn and Bennett entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Hammerstrom moved that Senator Hoffman be temporarily excused from today's session.
The motion prevailed.

Senator Hammerstrom moved that Senator Emmons be excused from the balance of today's session.
The motion prevailed.

Senator Hammerstrom moved that Senator Steil be excused from today's session.
The motion prevailed.

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

Senator Emerson moved that Senators Byrum, Murphy and Vaughn be excused from this week's sessions.
The motion prevailed.

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

November 6, 2001

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing copies of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Renewal Approval Report	Bay Pines Center		CS210200969
Special Investigation Report	Summit Center	#2001C0201026	CS470201446

These reports were preformed 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.

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 following communications were received:
Office of the Auditor General

November 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the Michigan Legislative Retirement System, October 1, 1998 through September 30, 2000.

November 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the School Aid Fund, Department of Education, October 1, 1997 through September 30, 2000.

November 13, 2001

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

November 15, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Services Provided to Local Road Agencies, Michigan Department of Transportation, November 2001.

November 21, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Federal Cash Management Improvement Act Program, Department of Treasury, November 2001.

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

The communications were referred to the Secretary for record.

The following communication was received and read:
Department of State

November 9, 2001

Please find enclosed the certificate of election for Alan Sanborn, elected at the November 6, 2001 special election to fill the vacancy in the 12th State Senate District.

A copy of the Official County Canvassers' Statement, certified by the Macomb County Board of Canvassers, is also provided.

Please do not hesitate to contact this office if we can be of further assistance.

Sincerely,
Christopher M. Thomas
Director of Elections

United States of America

STATE OF MICHIGAN

DEPARTMENT OF STATE

I, Candice S. Miller, Secretary of the State and Custodian of the Great Seal of the State of Michigan, certify that Alan Sanborn was elected to fill the vacancy in the 12th State Senate District for a partial term expiring 1-1-2003, as shown by the November 6, 2001 special election returns certified by the Macomb County Board of Canvassers on November 8, 2001 and placed on file in this office.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State at the Capitol, in the City of Lansing.
November 9, 2001.

Candice S. Miller
Secretary of the State

State of Michigan County of MACOMB ss.

We Hereby Certify, That the foregoing is a correct transcript of the Statement of the Board of County Canvassers, of the County of MACOMB, of the votes given in such County for the indicated candidates at the Special Election held on Tuesday, November 6, 2001, as appears from the original statement on file in the office of the County Clerk.

[SEAL]

In Witness Whereof, We have hereunto set our hands and caused to be affixed the Seal of the Circuit Court for the County of MACOMB this 8th day of November, 2001.

James J. Johnstone	William Froberg
Patricia Bill	Joanne Paraventi
Carmella Sabaugh	
Clerk of the Board of County Canvassers	

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, November 14, for his approval the following bill:

Enrolled Senate Bill No. 498 at 2:36 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, November 16, for his approval the following bill:

Enrolled Senate Bill No. 30 at 4:00 p.m.

The Secretary announced the printing and placement in the members' files on Thursday, November 8, of:

Senate Bill Nos. 818 819 820 821 822 823

The Secretary announced the printing and placement in the members' files on Friday, November 9, of:

Senate Bill No. 824

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:
Hunting, Fishing and Forestry - Senator Sanborn(C) replacing Senator Hoffman as chairperson; Senator Hoffman replacing Senator Gast as a member.

Families, Mental Health and Human Services - Senator Sanborn as a member.

Financial Services - Senator Sanborn as a member.

Economic Development, International Trade and Regulatory Affairs - Senator Sanborn replacing Senator Steil as a member.

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

Senator Hammerstrom moved that the Committee on Appropriations be discharged from further consideration of the following bill:

Senate Bill No. 795, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32504a.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

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

The motion prevailed.

Senator Hammerstrom moved that the Committee on Transportation and Tourism be discharged from further consideration of the following bill:

House Bill No. 5148, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1998 PA 226.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Hammerstrom moved that the bill be referred to the Committee on Health Policy.

The motion prevailed.

Messages from the Governor

The following message from the Governor was received on November 21, 2001, and read:

EXECUTIVE ORDER 2001 - 10

Michigan Veterans' Memorial Park Commission Department of Military and Veterans Affairs Department of Management and Budget

Executive Reorganization

Whereas, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

Whereas, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Whereas, the citizens of this state are forever indebted to those men and women who have loyally served in our nation's armed forces; and

Whereas, the Michigan Veterans' Memorial Park Commission was established by Executive Order 1992-11 within the Department of Military and Veterans Affairs; and

Whereas, the veterans memorial park was established within the City of Lansing by Section 5a of Act No. 234 of 1988, as amended, being Section 35.1055a of the Michigan Compiled Laws; and

Whereas, it is necessary to create a new Michigan Veterans' Memorial Park Commission to oversee the completed Michigan Vietnam Memorial Monument and the veterans memorial park; and

Whereas, the purposes and functions of the current Veterans' Memorial Park Commission have evolved since the Commission's creation in 1992; and

Whereas, the powers, functions, duties and responsibilities assigned to the current Michigan Veterans' Memorial Park Commission can be more effectively carried out by a new Michigan Veterans' Memorial Park Commission; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. DEFINITIONS

A. "Commission" means the Michigan Veterans' Memorial Park Commission established by this Executive Order.

B. "Department of Management and Budget" means the principal department of state government created by Section 121 of Act No. 431 of the Public Acts of 1984, being Section 18.1121 of the Michigan Compiled Laws.

C. "Department of Military and Veterans Affairs" means the principal department of state government created as the Department of Military Affairs by Section 125 of Act No. 380 of the Public Acts of 1965, being Section 16.225 of the Michigan Compiled Laws and renamed the Department of Military and Veterans Affairs by Executive Order 1997-7, being Section 32.91 of the Michigan Compiled Laws.

D. "Veterans memorial park" means the 2.5-acre parcel of land established and legally described by Section 5a of Act No. 234 of the Public Acts of 1988, as amended, being Section 35.1055a of the Michigan Compiled Laws.

II. Establishment of the Michigan Veterans' Memorial Park Commission

A. A new Michigan Veterans' Memorial Park Commission is hereby created as a Type II entity within the Department of Management and Budget.

B. All the statutory authority, powers, duties, functions and responsibilities of the current Michigan Veterans' Memorial Park Commission, including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in:

1. Executive Order 1992-11 (creating the Michigan Veterans' Memorial Park Commission); and

2. Executive Order 1992-12, being Section 35.1081 of the Michigan Compiled Laws (transferring authority over the Michigan Veterans' Memorial Park and the duties of the Michigan Capitol Park Commission related to the Michigan Veterans' Memorial Park from the Michigan Capitol Park Commission to the Michigan Veterans' Memorial Park Commission); are hereby transferred from the existing Michigan Veterans' Memorial Park Commission located within the Department of Military and Veterans Affairs to the new Michigan Veterans' Memorial Park Commission located within the Department of Management and Budget by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. The Commission shall consist of seven (7) members:

- Five members of the general public appointed by the Governor;
- The Director of the Department of Military and Veterans Affairs who is the Adjutant General of the state of Michigan, or the designee of the Director/Adjutant General; and
- The Director of the Department of Management and Budget, or the designee of the Director of the Department of Management and Budget.

D. The members of the Commission appointed by the Governor shall serve a term of three (3) years, except that, of the members first appointed, two (2) members shall be appointed for a term of three (3) years, two (2) members shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of one (1) year.

E. Any vacancy on the commission shall be filled in the same manner as the original appointment.

F. A person appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she is to succeed in the same manner as the original appointment. A member may be reappointed for additional terms.

III. CHARGE TO THE COMMISSION

The Commission shall assist the Department of Management and Budget with the following functions pursuant to the applicable law:

A. The Commission shall advise the Department of Management and Budget on the development, management and maintenance of the Michigan Veterans' Memorial Park.

B. The Commission shall advise the Department and work with organizations on the operation of programs, exclusive to the Michigan Veterans' Memorial Park.

C. The Commission shall advise the state police regarding the provisions of police and security services for the Michigan Veterans' Memorial Park and the enforcement of rules for the care and preservation of the park.

D. The Commission shall coordinate with the City of Lansing regarding state activities or development of the Michigan Veterans' Memorial Park affecting city operations.

E. The Commission shall annually report to the Governor and the Legislature on the activities of the Commission.

IV. OPERATIONS OF THE COMMISSION

A. The Governor shall designate one (1) member of the Commission to serve as chairperson. This member shall serve as Chair at the pleasure of the Governor.

B. The Commission may promulgate bylaws, not inconsistent with law and with this Order, governing its organization, operation and procedure.

C. A majority of the serving members constitutes a quorum for the transaction of business at a meeting. The Commission shall act by a majority vote of its serving members.

D. The Commission shall meet at the call of the chairperson and as may be provided in the bylaws of the Commission. Meetings of the Commission may be held at any location within the state of Michigan. The Commission shall meet at least semi-annually.

E. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission may consult with outside experts in order to perform its duties.

F. The Commission may establish one or more subcommittees consisting of Commission members to investigate and analyze specific issues, consistent with the charge to the Commission contained in Section III of this order. The chair of the Commission, or a member of the Commission designated by the chair, shall chair each subcommittee established by the Commission. Subcommittees shall recommend proposed actions, plans, comments, formulas, measures, reports or policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject or modify recommendations proposed by subcommittees.

G. Members of the Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses according to relevant statutes, rules and procedures of the Department of Management and Budget and the Civil Service Commission.

H. The Department of Management and Budget may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the performance of the Commission's duties, as the Department Director deems appropriate. Such procurements shall be in accordance with the relevant statutes, rules and procedures of the Department of Management and Budget and the Civil Service Commission.

I. The Commission may apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The Commission may also accept donations of labor, services, or other things of value from any public or private agency or person. Individual members of the Commission shall fully comply with the provisions of the Act No. 196 of the Public Acts of 1973, as amended, being Section 15.341 et seq. of the Michigan Compiled Laws, governing the standards of conduct for public officers and employees of the state of Michigan.

J. Members of the Commission shall refer all legal, legislative and media issues to the Department of Management and Budget.

K. The Commission shall be staffed by personnel within the Department of Management and Budget as designated by the Director.

V. MISCELLANEOUS

A. All departments, committees, commissioners or officers of the state or of any political subdivision thereof shall give to the Commission, or to any member or representative thereof, any necessary assistance required by the Commission, or any member or representative thereof, in the performance of the duties of the Commission so far as is compatible with its, his or her duties; free access shall also be given to any books, records or documents in its, his or her custody, relating to matters within the scope of inquiry, study or investigation of the Commission.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

C. The Michigan Veterans' Park Commission, established with the Department of Military and Veterans Affairs by Executive Order 1992-11, is hereby abolished.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days after the filing of this order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 21st day of November, in the Year of our Lord, Two Thousand and One.

John Engler
Governor

By the Governor:

Candice S. Miller
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

November 15, 2001

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

Data Collection Agency Governing Board

Mr. Bruno R. Czyrka, 7344 Pine Manor, Grand Ledge, Michigan 48837, county of Eaton, as a member representing the Executive Branch, succeeding himself, for a term expiring on December 31, 2002.

November 15, 2001

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

Local Government Claims Review Board

Mr. John D. Pirich, 6431 Oakencliff Lane, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 26, 2004.

Mr. Michael G. Maxfield, 639 North Old Woodward, Birmingham, Michigan 48009, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on March 26, 2004.

Mr. Timothy R. Ward, 4436 Satinwood Drive, Okemos, Michigan 48864, county of Ingham, as a member representing the general public, succeeding the Honorable Christopher M. Murray of Grosse Pointe Farms, who has resigned, for a term expiring on March 26, 2003.

November 26, 2001

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

Director of the Department of Information Technology

Mr. Jacques Passino, 801 Brookside, Apartment 108, Lansing, Michigan 48917, county of Eaton, as Director of the Department of Information Technology, for a term expiring at the pleasure of the Governor.

November 26, 2001

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

Michigan State Housing Development Authority

Ms. Dorothy R. Stockbridge, 103 Perry Street, Apartment 111, Grand Ledge, Michigan 48837, county of Eaton, as a Section 8 Housing Resident member, for a term expiring on March 10, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senator Hoffman entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of
Third Reading of Bills

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

House Bill No. 4868

Senate Bill No. 536

Senate Bill No. 678

The motion prevailed.

The following bill was read a third time:

House Bill No. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 5i and 35a (MCL 117.5i and 117.35a), section 5i as added by 1994 PA 431.

The question being on the passage of the bill,

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

Roll Call No. 489

Yeas—32

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

Nays—0

Excused—6

Byrum	Hart	Steil	Vaughn
Emmons	Murphy		

Not Voting—0

In The Chair: Schwarz

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates."

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 536, entitled

A bill to amend 2000 PA 161, entitled “Michigan education savings program act,” by amending section 7 (MCL 390.1477).

The question being on the passage of the bill,

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

Roll Call No. 490

Yeas—32

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

Nays—0

Excused—6

Byrum	Hart	Steil	Vaughn
Emmons	Murphy		

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 678, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 3 (MCL 205.93), as amended by 1999 PA 117.

The question being on the passage of the bill,

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

Roll Call No. 491

Yeas—32

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

Nays—0

Excused—6

Byrum
Emmons

Hart
Murphy

Steil

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

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

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

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

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).

Senate Bill No. 794, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 1997 PA 54.

Senate Bill No. 543, entitled

A bill to amend 1915 PA 312, entitled "Garage keeper's lien act," by amending sections 2, 3, 4, 5, and 6 (MCL 570.302, 570.303, 570.304, 570.305, and 570.306), sections 2 and 3 as amended and sections 4, 5, and 6 as added by 1998 PA 236, and by adding section 10.

Senate Bill No. 811, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2001 PA 47.

Senate Bill No. 812, entitled

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act," by amending section 13 (MCL 247.183), as amended by 1994 PA 306, and by adding section 1a.

Senate Bill No. 813, entitled

A bill to amend 1925 PA 17, entitled "An act to provide for the construction, improvement and maintenance of trunk line highways," by amending section 2 (MCL 250.62), as amended by 1987 PA 188.

House Bill No. 5013, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 82.

House Bill No. 4448, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

The bills were 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. 486, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

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.

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

Senate Bill No. 356, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 1998 PA 545.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 5, line 17, after "TOWNSHIP" by inserting "OR A CITY".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 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.

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.

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

Senate Bill No. 541, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 51, 83, 86, 87, 89, 133, 151, and 205 (MCL 259.2, 259.3, 259.4, 259.5, 259.6, 259.7, 259.8, 259.9, 259.51, 259.83, 259.86, 259.87, 259.89, 259.133, 259.151, and 259.205), sections 2, 3, 4, 5, 6, 7, 8, 51, 83, 86, and 133 as amended by 1996 PA 370, sections 9 and 151 as amended by 2000 PA 382, and section 89 as amended by 1998 PA 81, and by adding sections 80g, 80h, 83a, 83b, 87a, 89a, 205a, and 205b; and to repeal acts and parts of acts.

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

1. Amend page 4, line 17, after "AERONAUTICS" by inserting "WHO IS THE DIRECTOR OF THE MICHIGAN AERONAUTICS COMMISSION".

2. Amend page 15, following line 15, by inserting:

"(7) NOTWITHSTANDING SUBSECTION (3), AN ULTRALIGHT MAY BE OPERATED UP TO 30 MINUTES BEFORE SUNRISE OR 30 MINUTES AFTER SUNSET IF BOTH OF THE FOLLOWING APPLY:

(A) THE ULTRALIGHT IS EQUIPPED WITH AN OPERATING ANTICOLLISION LIGHT VISIBLE FOR AT LEAST 3 STATUTE MILES.

(B) THE ULTRALIGHT IS OPERATING IN UNCONTROLLED AIRSPACE AS DEFINED BY FEDERAL REGULATIONS."

3. Amend page 16, line 14, after "FEDERAL" by striking out the balance of the line through "A" on line 15 and inserting "AIR CARRIER OPERATING CERTIFICATE OR".

4. Amend page 16, line 21, after "OPERATIONS" by inserting "REQUIRING A FEDERAL AVIATION REGULATION AIR CARRIER OR COMMERCIAL OPERATOR'S CERTIFICATION".

5. Amend page 16, line 22, after "AVIATION" by striking out "RULES" and inserting "REGULATION".

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 615, entitled

A bill to name a certain portion of highway US-127 the "Gary Priess Memorial Highway"; and to prescribe certain duties of the state transportation department.

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.

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

Senate Bill No. 685, entitled

A bill to name a certain portion of highway I-94 the "94th Combat Infantry Division Memorial Highway"; and to prescribe certain duties of the state transportation department.

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.

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

Senate Bill No. 705, entitled

A bill to name a certain portion of highway US-10 the "Veterans Memorial Highway"; and to prescribe certain duties of the state transportation department.

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.

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

House Bill No. 4617, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as added by 1996 PA 285.

Substitute (S-4).

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.

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

House Bill No. 4619, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

Substitute (S-2).

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

Resolutions

Senator Hammerstrom moved that consideration of the following concurrent resolution be postponed for today:

Senate Concurrent Resolution No. 11

The motion prevailed.

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

Senate Resolution No. 136

The resolution consent calendar was adopted.

Senators Miller, DeBeaussaert, Dingell, Scott, Cherry, Smith, Young, Koivisto and Peters offered the following resolution:

Senate Resolution No. 136.

A resolution to honor and congratulate Walter R. Mabry, inductee into the 2001 Macomb Foundation Hall of Fame.

Whereas, It is a great pleasure to congratulate Walter R. Mabry, secretary/treasurer of the Michigan Regional Council of Carpenters, on his selection as an inductee into the 2001 Macomb Foundation Hall of Fame. This prestigious honor recognizes a gentleman who has done a great deal on behalf of the citizens of the area through his involvement in community activities; and

Whereas, A determined and highly capable administrator, Walter has been on the path to leadership since he joined the Millwrights Local 1102 in 1970. During his tenure with the Millwrights, he worked as a business agent and as the financial secretary/business manager. He also served as president of the Greater Detroit Building and Construction Trades Council prior to being elected in 1997 as executive secretary/treasurer of the Michigan Regional Council of Carpenters; and

Whereas, In 1997, he moved the council headquarters to Detroit to expand its influence and to assist Detroit Mayor Dennis Archer in rebuilding the city. Since that time, important issues have been reviewed and programs have been implemented, such as worksite safety, advanced training in technology, materials required for the modern construction job site, and the establishment of a pre-apprentice training site for minorities. His diligence and pursuit of the advancement necessary in today's world have truly made a difference not only to the Michigan Regional Council of Carpenters, but also to all who have come in contact with this outstanding union organization; and

Whereas, Walter Mabry's leadership and accomplishments during his tenure with the council warrant our sincere commendation. He has also devoted considerable time and talent to endeavors that benefit his community. Walter has overseen the council's broad range of contributions to community and charitable programs, such as the Playscape Program, Habitat for Humanity, St. Jude's Children's Research Hospital, and the funding of college scholarships. Moreover, for his commitment to exemplary and community service, the Metropolitan Detroit Construction Summit awarded him the Gender and Racial Diversity Excellence award; and

Whereas, His knowledge, leadership, and guidance have truly had a positive impact for future generations. He is a concerned citizen and a great friend to Macomb County, and he merits our highest praise; now, therefore, be it

Resolved by the Senate, That we hereby offer praise, congratulations, and appreciation to Walter R. Mabry, as he is inducted into the 2001 Macomb Foundation Hall of Fame on November 28, 2001, at Penna's of Sterling Heights. May he know of our highest esteem and our best wishes; and be it further

Resolved, That copies of this resolution be transmitted to Walter R. Mabry as a reflection of our congratulations.

Senate Concurrent Resolution No. 44.

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 Natural Resources State Fish Hatchery Renovations Oden Project.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 492**Yeas—29**

Bullard	Goschka	McManus	Scott
Cherry	Gougeon	Miller	Shugars
DeBeaussaert	Hammerstrom	North	Sikkema
Dingell	Hoffman	Peters	Smith
Dunaskiss	Johnson	Sanborn	Stille
Emerson	Koivisto	Schuette	Van Regenmorter
Garcia	Leland	Schwarz	Young
Gast			

Nays—0**Excused—6**

Byrum	Hart	Steil	Vaughn
Emmons	Murphy		

Not Voting—3

Bennett	DeGrow	McCotter
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In The Chair: Schwarz

Senate Concurrent Resolution No. 45.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Grand Rapids Community College relative to the Grand Rapids Community College Main Building Renovation.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 493**Yeas—30**

Bullard	Goschka	McManus	Scott
Cherry	Gougeon	Miller	Shugars
DeBeaussaert	Hammerstrom	North	Sikkema
Dingell	Hoffman	Peters	Smith
Dunaskiss	Johnson	Sanborn	Stille
Emerson	Koivisto	Schuette	Van Regenmorter
Garcia	Leland	Schwarz	Young
Gast	McCotter		

Nays—0

Excused—6

Byrum
Emmons

Hart
Murphy

Steil

Vaughn

Not Voting—2

Bennett

DeGrow

In The Chair: Schwarz

Senator Hammerstrom moved that Senators DeGrow and Bennett be excused from the balance of today’s session. The motion prevailed.

Senator Koivisto offered the following resolution:

Senate Resolution No. 135.

A resolution to express support for tax base protection efforts in local communities and to memorialize the Congress of the United States to limit federal land acquisitions.

Whereas, Protection of the tax base is an ongoing challenge for local governments. For certain areas of this state, especially rural areas in the state’s northern regions, government acquisitions of land pose a significant threat to the financial strength of local units of government. In certain townships in the western Upper Peninsula, for instance, federal land ownership runs far above 50 percent of the area; and

Whereas, The loss of tax revenues attributable to government ownership of property impacts not only existing governmental services, but also the prospects for future growth and development. This makes it much more difficult for a local community landlocked by government properties to maintain an economy able to create jobs for its people, especially its young people; and

Whereas, Stronger efforts need to be made to respect the needs of local communities. Efforts to acquire lands should always include thorough consideration of the negative impacts of the proposed acquisition and not only the potential benefits; now, therefore, be it

Resolved by the Senate, That we express support for tax base protection efforts in local communities and memorialize the Congress of the United States to limit federal land acquisitions; and be it further

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

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Finance.

The motion prevailed.

Senator Dingell offered the following resolution:

Senate Resolution No. 134.

A resolution to commend the Huron-Clinton Metropolitan Authority commissioners for their efforts in urban deer management.

Whereas, The Huron-Clinton Metropolitan Authority (HMCA) commissioners are to be commended for their endeavors to manage an urban deer population through a scientifically reasoned policy of wildlife management and close cooperation with various conservation groups; and

Whereas, In the fall of 1997, the problems of a growing deer population became evident through noticed damage to the forest understories, landscape planting, and loss of individual plant species; and

Whereas, The commissioners of the HCMA took a leadership role to address this controversial issue concerning urban deer management at one of the largest regional park systems in the country and the largest regional park system in Michigan; and

Whereas, In March 1998, the commissioners established a Metroparks Wildlife Management Advisory Committee, consisting of representatives of the Michigan Department of Natural Resources (MDNR), Michigan United Conservation Clubs, Michigan Humane Society, Michigan Botanical Society, Michigan Audubon Society, Michigan Natural Areas Council, Michigan Bowhunters Association/United Sportsmen of America, and two wildlife photographers; and

Whereas, The advisory committee was directed to analyze the problem, and recommend a wildlife management plan that would repair and maintain the biodiversity within the metroparks, while maintaining a visible deer herd; and

Whereas, The HCMA commissioners have ensured that the public has had many opportunities for input on this issue not only at their monthly commission meetings, but at a series of public information meetings held in the spring and summer of 1999; and

Whereas, As stewards of the parks and the natural resources of the parks, the commissioners have a responsibility to manage for the benefit of the entire natural ecosystems of the parks and not just for the benefit of an individual species; and

Whereas, After an exhaustive study of both lethal and nonlethal methods of controlling deer populations, the commissioners approved a plan based upon sound scientific wildlife management principles; and

Whereas, The plan provides for organized deer management, using firearms and archery as management tools. It utilizes partnerships with various conservation groups and requires the distribution of harvested meat through Sportsmen Against Hunger; and

Whereas, That plan, which was first adopted for one year in 1999 and now as a permanent and long-term management policy, allows deer populations in the metroparks to be managed using lethal methods; and

Whereas, The safety of the public, volunteers, and employees will remain the highest priority with strict adherence to state safety guidelines and proficiency testing of volunteers; and

Whereas, Any deer removed under special permits issued to HCMA by the MDNR will be donated to area food banks; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commend and congratulate the Huron-Clinton Metropolitan Authority commissioners for adopting a balanced program of natural resource management and deer population control. This program will benefit the citizens of Michigan and the entire natural ecosystem of the parks for many years to come; and be it further

Resolved, That copies of this resolution be transmitted to the Huron-Clinton Metropolitan Authority commissioners as a reflection of our support for their efforts.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Hunting, Fishing and Forestry.

The motion prevailed.

Senators Cherry, Emerson, Koivisto, DeBeaussaert, Smith, Young, Leland, Miller, Peters and Dingell offered the following resolution:

Senate Resolution No. 137.

A resolution to memorialize the Congress of the United States to enact legislation to provide an economic stimulus package to address certain areas of concern for America's working families.

Whereas, The attack on America of September 11, 2001, was a shock to the people of Michigan and the nation; and

Whereas, There is an ongoing military and multidimensional response to terrorism that we strongly support; and

Whereas, The United States faces the potential of a serious recession, having already lost 55,000 manufacturing jobs in Michigan since the beginning of the year. The attack on America may cause the loss of many more jobs in the months to come; and

Whereas, The Congress of the United States has already taken critical action to support affected industries and is proposing additional aid to business; and

Whereas, Congress is considering further economic stimulus measures; and

Whereas, The core goal of an economic stimulus package is the stabilization of communities; and

Whereas, Supporting business to stabilize employment must be a critical part of any economic stimulus package to be adopted by the Congress; and

Whereas, Supporting workers must be included as part of any economic stimulus package to stabilize the economy; and

Whereas, Supporting state and local governments to minimize loss of tax revenue should be a critical part of any economic stimulus package; and

Whereas, The economic stimulus package should include the following provisions: extending federally funded unemployment compensation, where needed, by 26 weeks; aiding workers by improving health care access by paying at least 75 percent of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs; and taking other actions to support state and local governments and the services they provide; and

Whereas, If Congress does not address the critical areas in need of economic stimulus, businesses, workers, and state and local governments will face great difficulties, and our nation's recovery will be jeopardized; and

Whereas, The economic stimulus package currently under discussion in Congress fails to address adequately the needs of workers in state and local government; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to provide economic stimulus to address certain areas of concern for America's working families. We urge that legislation be crafted to incorporate the following provisions: extending federally funded unemployment compensation, where needed, by 26 weeks; aiding workers by improving health care access by paying at least 75 percent of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs; and taking other actions to support state and local governments and the services they provide; and be it further

Resolved, That we respectfully request that the Congress provide aid to affected states to offset revenue deficits; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Human Resources and Labor.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Koivisto's statement is as follows:

I just want to make the announcement that tomorrow we have the steel mining caucus at 8 a.m. in Room 810 of the Farnum Building. We have people coming from the industry too, so we would appreciate some attendance from those who might be interested in this important subject matter. Senator Gougeon and I co-chair the caucus. It is at 8 a.m. in Room 810 of the Farnum Building.

There were layoffs just south of Marquette and also another bankruptcy of a major steel company. It's all applicable to look at what's happening with our industry, and we are trying to look at how the state can be proactive and helpful in this matter.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Smith, DeBeaussaert, Byrum, Peters, Scott, Cherry, Murphy, Miller, Koivisto, Dingell, Young and Schwarz introduced

Senate Joint Resolution U, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations.

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

Senator Van Regenmorter introduced

Senate Bill No. 825, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 518 and 521 (MCL 600.518 and 500.521), section 518 as amended by 1988 PA 134 and section 521 as amended by 1990 PA 54.

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

Senator Hammerstrom introduced

Senate Bill No. 826, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21766 (MCL 333.21766), as amended by 1994 PA 73.

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

Senators Shugars and Hammerstrom introduced

Senate Bill No. 827, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401, 7403, 7407, and 7521 (MCL 333.7401, 333.7403, 333.7407, and 333.7521), sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, and section 7521 as amended by 2000 PA 302.

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

Senators Sanborn, Shugars, Johnson, Emerson and Hammerstrom introduced

Senate Bill No. 828, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1999 PA 89.

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

Committee Reports

The Committee on Local, Urban and State Affairs reported

House Bill No. 5091, entitled

A bill to allow state agencies and units of local government to place the national motto in public buildings in this state.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Thaddeus 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 Judiciary reported

House Bill No. 5341, entitled

A bill to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; to prescribe certain duties and responsibilities of certain state employees; 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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Schuette, Peters and Dingell

Nays: Senator Scott

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. 5342, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 1998 PA 237.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Schuette, Peters and Dingell

Nays: Senator Scott

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, November 7, 2001, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Bullard

The Committee on Human Resources and Labor reported

Senate Bill No. 358, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act," by amending section 1 (MCL 388.851) and by adding section 1b.

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.

Glenn D. Steil

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Human Resources and Labor reported

Senate Bill No. 644, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 41 and 42 (MCL 421.41 and 421.42) and by adding section 13l.

With the recommendation that the substitute (S-4) 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 and North

Nays: None

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

The Committee on Human Resources and Labor reported

Senate Bill No. 670, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act," by amending section 2 (MCL 388.852).

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.

Glenn D. Steil

Chairperson

To Report Out:

Yeas: Senators Steil, Dunaskiss, North, Cherry 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 Human Resources and Labor submits the following:

Meeting held on Wednesday, November 7, 2001, at 12:25 p.m., Room 110, Farnum Building

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

The Committee on Hunting, Fishing and Forestry reported

House Bill No. 5026, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231a (MCL 750.231a).

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

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

Philip E. Hoffman

Chairperson

To Report Out:

Yeas: Senators Hoffman, Bullard, Koivisto and Cherry

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, November 7, 2001, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Hoffman (C), Bullard, Koivisto and Cherry

Excused: Senator Gast

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Joint Hearing held on Tuesday, November 20, 2001, at 1:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Schuette and Dingell

Scheduled Meetings**Appropriations** - Wednesday, November 28, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)**Subcommittee -****Community Health** - Thursdays, November 29, December 6, and December 13; and Tuesdays, December 4 and December 11, 1:30 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)**Economic Development, International Trade and Regulatory Affairs** - Monday, December 3, 10:00 a.m., Detroit Regional Chamber of Commerce Offices, 1 Woodward Avenue, Suite 1900, Detroit (373-7946)**Education** - Wednesday, November 28, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-7350)**Financial Services** - Wednesday, November 28, 9:30 a.m., Room 100, Farnum Building (373-1758)

Government Operations - Thursday, November 29, 1:00 p.m., Room 110, Farnum Building (373-1707)

Judiciary - Wednesday, November 28, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Local, Urban and State Affairs - Wednesday, November 28, 3:00 p.m., Room 405, Capitol Building (373-1707)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:07 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, November 28, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

