

No. 85
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, December 4, 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

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

Senator William Van Regenmorter of the 22nd District offered the following invocation:

Our Heavenly Father, You say in Romans 13 that government is established by You to do good. Help us to meet that requirement. In Jesus Christ's 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 10:02 a.m.

10:51 a.m.

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

Senators Young, Murphy, Sikkema, Bullard, Cherry, Steil, Gougeon, Schuette, Schwarz, Bennett, North, Garcia, Goschka, Shugars, Dunaskiss, Hammerstrom, Stille, McManus, Hoffman, DeGrow, Johnson, Sanborn, Gast and McCotter entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Emmons moved that rule 3.902 be suspended to allow the guests of Senator Bullard admittance to the Senate floor, including the center aisle.

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

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

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

Recess

Senator Emmons moved that the Senate recess subject to the call of the President. The motion prevailed, the time being 10:52 a.m.

11:01 a.m.

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

During the recess Senator Bullard introduced to the Senate Center Stage, the Milford High School Choral Group of Highland.

Center Stage rendered several holiday selections.

The following communication was received:

Department of Consumer and Industry Services

November 20, 2001

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Renewal Approval Report	Park Place Residential Care Center	CS390201357

This report was 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 Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 29:

House Bill Nos. 4812 4860 4980 5210 5214 5215 5317 5357 5382

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

House Bill Nos. 5457 5458 5459 5460

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

House Bill Nos. 5474 5478

The Secretary announced the printing and placement in the members' files on Monday, December 3, of:

Senate Bill Nos.	829	830	831	832	833	834	835	836	837	838	839	840	841	842
	843	844	845	846	847	848	849	850	851	852	853	854	855	856
	857	858	859	860	861	862	863	864	865	866	867	868	869	870
	871	872	873	874	875	876	877	878	879	880	881			
House Bill Nos.	5461	5462	5463	5464	5465	5466	5467	5468	5469	5470	5471	5472	5473	5475
	5476	5477												
House Joint Resolutions		S												T

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

Senator Emerson moved that Senator Vaughn be excused from this week's sessions.
The motion prevailed.

Messages from the Governor

The following message from the Governor was received:

Date: November 29, 2001
Time: 4:24 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 30 (Public Act No. 172), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services; to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 16277.

(Filed with the Secretary of State on November 30, 2001, at 10:40 a.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received and read:

November 29, 2001

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

Michigan Board of Chiropractic

Mr. Jack L. Pettet, 993 Orchard Avenue, South Haven, Michigan 49090, county of Van Buren, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2005.

Mr. Clifford T. Flood, 402 Shoreline Drive, DeWitt, Michigan 48820, county of Clinton, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2005.

Mr. Mark Handler, 4925 Christie Court, Midland, Michigan 48640, county of Midland, as a member representing the general public, succeeding Mr. James M. Hamilton of Ann Arbor, whose term has expired, for a term expiring on December 31, 2005.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

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 Assistant President pro tempore, Senator Hoffman, designated Senator Garcia 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 bills:

Senate Bill No. 213, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1231 and 1236 (MCL 380.1231 and 380.1236), section 1236 as amended by 1995 PA 289, and by adding section 1236a.

House Bill No. 4811, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 5028, 5412, and 7918 (MCL 500.5028, 500.5412, and 500.7918), section 7918 as amended by 1980 PA 41, and by adding section 121.

House Bill No. 4333, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 2000 PA 150.

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.

Senate Bill No. 647, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1319. 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:

House Bill No. 5146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 2000 PA 171.

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. 76, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 1994 PA 138.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 764, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 508 and 8134 (MCL 600.508 and 600.8134), section 8134 as amended by 1987 PA 75.

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. 765, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 504 (MCL 600.504), as amended by 1996 PA 388.

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. 766, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 1990 PA 54.

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. 786, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8121 (MCL 600.8121), as amended by 2000 PA 449.

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. 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.

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.

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

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. 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.

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. 645, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 310e, 319, and 732 (MCL 257.303, 257.310e, 257.319, and 257.732), sections 303, 319, and 732 as amended by 2001 PA 103 and section 310e as amended by 2000 PA 456.

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.

By unanimous consent the Senate returned 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:

House Bill No. 5341

House Bill No. 5342

The motion prevailed.

The following bill was read a third time:

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.

The question being on the passage of the bill,

Senator DeBeaussaert offered the following amendments:

1. Amend page 3, line 1, after "officers" by inserting a period and striking out the balance of the subsection.
2. Amend page 3, following line 26, by inserting:

"(9) The senate bipartisan sergeant at arms oversight committee is established. The senate bipartisan sergeant at arms oversight committee shall consist of 6 members of the senate, and membership shall be equally divided between the majority and minority parties. The senate majority and minority leaders shall appoint 3 members of their respective caucus to serve as members on the oversight committee. The senate bipartisan sergeant at arms oversight committee shall have full authority over the sergeant at arms provided for in this act."

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Emerson requested the yeas and nays.

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

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

Roll Call No. 517

Yeas—14

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

Nays—22

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
DeGrow	Gougeon	North	Steil
Dunaskiss	Hammerstrom	Sanborn	Stille
Emmons	Hoffman	Schuette	Van Regenmorter
Garcia	Johnson		

Excused—2

Smith	Vaughn
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Not Voting—0

In The Chair: Schwarz

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. 518**Yeas—30**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	North	Steil
DeGrow	Gougeon	Peters	Stille
Dingell	Hammerstrom	Sanborn	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Johnson		

Nays—6

DeBeaussaert	Leland	Murphy	Scott
Hart	Miller		

Excused—2

Smith	Vaughn
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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.
The Senate agreed to the title of the bill.

Protests

Senators DeBeaussaert, Scott and Miller, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5341 and moved that the statements they made during the discussion of the amendments offered by Senator DeBeaussaert and the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator DeBeaussaert’s first statement is as follows:

This is the bill that would convey police powers on our legislative sergeant of arms officers in the House and the Senate. Let me begin by saying that I have great appreciation and respect for all the people who have served as sergeants in my seven years here and for those who serve here today. But I think that when we’re talking about conveying new powers, we need to do so thoughtfully and deliberatively and create a process which will allow for a proper oversight to make sure that those new powers are used appropriately.

It seems to me that one way we could do that is through the amendment that I offered that would create a bipartisan commission, an oversight committee, established with six members—three from each party—that would allow for that oversight to occur on a bipartisan basis. It will allow for a thoughtful kind of review to occur and would answer any questions that, in fact, we might be creating a new power for police powers through our sergeants that would be controlled and could be controlled on a partisan basis. Regardless of which party is in power, it seems to me appropriate to have this new power be reviewed in a bipartisan basis. I offer this proposal as a way to, I think, improve this bill to provide additional security for the chamber, doing so in a way that can provide proper oversight to make sure that those powers are used appropriately.

Senator DeBeaussaert's second statement is as follows:

It would seem to me that the precedent for having a bipartisan panel to review the operations of a group within the Senate is already established. We have a commission that looks at the Senate Fiscal Agency. I believe we have bipartisan groups of equal numbers of members of both sides, and the idea is to make sure that these, in fact, are bipartisan operations—that there is no partisan tinge. It seems to me that it is appropriate, especially with these new important police powers that are being discussed here, to make sure that we have that kind of a review process in place. And again, regardless of who is in power, which party is in power, it seems appropriate to make sure that there is a bipartisan tinge in review of the efforts and the operations of the sergeants with these new powers.

Senator DeBeaussaert's third statement is as follows:

This amendment is not directed in any way at any given leader today. We're establishing important new powers for the future. The previous speaker and the speaker at the podium now will not be here in 2003, but this new power will continue to be here. It seems to me that we should put in place a process that doesn't rely on the individual personalities of leaders, but provides a process for the overall Senate to be comfortable with for the future, so there is that kind of overall evenhandedness in the approach and review of this operation.

Senator Scott's statement is as follows:

I am opposed to this bill. This bill will create two classes of sergeants: one group certified as police officers and another group uncertified without police authority who may have greater seniority than the other group. This will require higher salaries for their additional duties. We can cut the budget on the backs of the poor and then pay higher salaries for more security for ourselves. This does not look good to the public. Along with the arrest powers, will these in-house officers execute search warrants and seize items from our offices? If so, at whose behest?

As a former mayor with experience in dealing with a public safety department, my question is who would oversee this new category of officers? Who will conduct the background checks on the new hires? Who will conduct the trial boards and misconduct hearings? We may be granting too much power and merely duplicating the power that is already rightfully vested in the Michigan State Police and our Capitol Security officers. Perhaps we should seek a redeployment of our State Police and Capitol Security, rather than create a new in-house police force.

Senator Miller's statement is as follows:

I rise here today as the member of this body who has been here longer than any other member. I've served here under a lot of great sergeants, and I think that the sergeants do just a fabulous job here providing security, safety, direction, and assistance. Whatever you need, those sergeants are there. But, Mr. President, I want to say that I thought my colleague from Macomb County had a great amendment. I think that we need to take a look at reviewing and setting standards here.

I have yet to hear from one sergeant why they need police authority. Not one of them ever said to me that they're in fear of this chamber being raided or that they need to arrest people. I think they do a great job, but I think we also have the finest police department—one of the finest—in the whole country with the Michigan State Police. If we need more security or more enforcement, let's call them. I've been here for 25 years, and I will speak for what a great job they do. But I don't think that we need to be giving our sergeants police power, and I hope that the membership here will reject this bill. If we need more security, then let's put together a very comprehensive plan and bring in the Michigan State Police. This is their headquarters here in Lansing. Let's talk about it. This is the first time I've ever heard that we need police authority, and not once have I heard from a sergeant here that he or she wants that type of responsibility.

The following bill was read a third time:

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.

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. 519**Yeas—29**

Bennett	Emmons	Johnson	Schuetz
Bullard	Garcia	Koivisto	Schwarz
Byrum	Gast	McCotter	Shugars
Cherry	Goschka	McManus	Sikkema
DeGrow	Gougeon	North	Steil
Dingell	Hammerstrom	Peters	Stille
Dunaskiss	Hoffman	Sanborn	Van Regenmorter
Emerson			

Nays—7

DeBeaussaert	Leland	Murphy	Young
Hart	Miller	Scott	

Excused—2

Smith	Vaughn
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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 creation of the commission on law enforcement standards; to prescribe its membership, powers, and duties; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund; and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Emmons 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. 139

The resolution consent calendar was adopted.

Senators DeBeaussaert and Sanborn offered the following resolution:

Senate Resolution No. 139.

A resolution honoring the Chippewa Valley High School Big Reds Football Team, Michigan High School Athletic Association Division II State Champions.

“The spirit, the will to win, and the will to excel—these are the things that endure.”

— Vince Lombardi

Whereas, It is a distinct pleasure for the Michigan Senate to join with the families, staff, and community of Chippewa Valley Public Schools in celebrating the achievements of the 2001 Chippewa Valley High School Football Team on its great success this season. In a hard-fought victory at the Pontiac Silverdome on November 23, 2001, against a formidable opponent from Jenison High School, the Big Reds earned the title of Michigan High School Athletic Association Division II State Football Champions; and

Whereas, This represents the culmination of an outstanding season and the first state football title to be taken back to Chippewa Valley High School. It is also only the second state football title for Macomb County and Chippewa Valley's first state championship in any sport. This team has much to be proud of; and

Whereas, All championship teams demonstrate their character over the long season as well as the playoffs. The Chippewa Valley High School Football Team overcame the disappointment of two season-opening losses, winning the next ten games to become tri-champions of the Macomb Area Conference Red Division. The Big Reds defeated the University of Detroit-Jesuit 21-7 to earn its spot in the state championship game. Their talent, teamwork, and determination have earned the respect of fans at home and across the state; and

Whereas, We admire the efforts, team spirit, and dedication of these talented young people who are proud to be Chippewa Valley Big Reds:

Team Captains

Jeff Kastl	Chris Mattina	Eric Stevens	Ken Troia
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Team Members

Nick Brudnak	Dennis Brynaert	Mike Bulgarella	Brian Coatney
Justin Coddington	John Cooper	Sam D'Alessandro	Jeff Deliz
Andy Denryter	Joel Dumouchelle	Mike Fecteau	Nick Fincher
P J Giordimaina	Brad Greib	Eric Griffin	David Hennel
Brett Higgins	Jeff Jones	Justin Karchner	Dan Krsteski
Chris Lamb	Jason Lockard	Steve Lyons	David Madrigal
Fiori Mangone	Mike Matway	Martin Nissan	Pat O'Leary
Nick Onifer	Tom Raab	Ian Rhodes	Nick Saad
Scott Scheibner	Ed Skowneski	Ryan Slone	T J Sobolewski
Luzell Stoudermire	Bill Stys	Joe Sulla	Matt Taylor
Larry Thayer	Anthony Tocco	Bill Watts	Jermaine White
Chris Winkel	Mark Wojcicki	Nate Wolf	Mike Zielinski

; and

Whereas, The Chippewa Valley Big Reds also had outstanding guidance and leadership throughout this season. Therefore, we recognize Head Coach Mike Carr, winner of the 2001 Macomb County Coach of the Year award, and his coaching staff: Greg Baur, Ted Drogosh, Gregg James, Randy Jarmaga, Dave Miller, Bob Newvine, Brian Schorman, and Terry Wilson. We also recognize the team managers: Anthony Biondo, David Stevens, and Mark Zelmanski; and trainers: Rachel Lloyd and Ken Schornak; now, therefore, be it

Resolved by the Senate, That we extend our congratulations to the 2001 Chippewa Valley High School Big Reds Football Team, Michigan High School Athletic Association Division II State Champions, and the Chippewa Valley Public School District; and be it further

Resolved, That a copy of this resolution be transmitted to Head Coach Mike Carr, the Chippewa Valley High School Football Team, Principal David Cannan, and Superintendent Dr. Patricia Kennedy as a token of our esteem and congratulations.

Senator Miller was named co-sponsor of the resolution.

House Concurrent Resolution No. 48.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

Whereas, Over the past four decades, nuclear power has become a significant source for the nation's production of electricity. Michigan is among the majority of states that derive energy from nuclear plants; and

Whereas, Since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with the waste material that is produced. This high-level radioactive waste material demands exceptional care in all facets of its storage and disposal, including the transportation of this material; and

Whereas, In 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the Department of Energy, to build a facility for the permanent storage of high-level nuclear waste. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste facility. The costs for this undertaking are to be paid from a fee that is assessed on all nuclear energy produced; and

Whereas, In accordance with the federal act, Michigan electric customers have paid \$405.8 million into this federal fund for construction of the federal waste facility; and

Whereas, There are serious concerns that the federal government is not complying with the timetables set forth in federal law. Every delay places our country at greater risk, because the large number of temporary storage sites at nuclear facilities across the country make us vulnerable to potential problems. The events since September 11, 2001, clearly illustrate the urgency of the need to establish a safe and permanent high-level nuclear waste facility as soon as possible. The Department of Energy, working with the Nuclear Regulatory Commission, must not fail to meet its obligation as provided by law. There is too much at stake; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy and the Nuclear Regulatory Commission.

The House of Representatives has adopted the concurrent resolution.

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senator Goschka was named co-sponsor of the concurrent resolution.

Senate Concurrent Resolution No. 31.

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 Agriculture Animal Health Diagnostic Laboratory.

(For text of resolution, see Senate Journal No. 70, p. 1803.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for the record.

Senate Concurrent Resolution No. 32.

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 Community Health Center for Forensic Psychiatry.

(For text of resolution, see Senate Journal No. 70, p. 1804.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for the record.

Senate Concurrent Resolution No. 33.

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 Corrections Multilevel Correctional Facility at Ionia.

(For text of resolution, see Senate Journal No. 70, p. 1805.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for the record.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Young, Byrum, Emmons, Stille, McCotter and Goschka asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Young's statement is as follows:

This past Sunday, I had the opportunity to attend the Michigan State University 2001 Football Bust. We have among us one of our sergeants, Charlie Thornhill, who happens to have been honored at this affair with the Duffy Daugherty Award. But what I wanted to bring to the members' attention was that not only was he honored with the Duffy Daugherty Award, but his son Josh Thornhill was honored as the Most Valuable Player, which is quite a feat in itself,

in that it's a vote of the players themselves. It's not only those two things that took place that are very historical, and I relate that to my own experience in terms of having served with my father in the Michigan House of Representatives. It's also knowing the importance and appreciating the fact that father and son teams demonstrate the principles and the character that need to be passed on to individuals moving toward their future.

Not only is his son Josh a highly talented linebacker for Michigan State University, but he's a well-mannered, very principled young man, just as his father Charlie Thornhill is. That brings me to the comments that Mr. Thornhill made at the 2001 Bust as he talked to Chris Baker, Duron Bryan, Matt Dawes, Little John Flowers, Tony Grant, Lorenzo Guess, Herb Haygood, Craig Jarrett, Matt Kropf, Derrick Lee, Ivory McCoy, Nick Myers, David Schaefer, Josh Shaw, DeMario Suggs, and Josh Thornhill—his son—as well as Ryan Van Dyke about how character is built. This is a very important thing that I think should be relayed to all of us. He talked about during difficult times, you have to have a full bucket, and when you give a 110-150 percent when you come off the field, that bucket should be empty. And if you lose, you have 24 hours of sadness, and if you win, you have 24 hours of joy. What he mentioned is that while we may have failures in our lives, we can overcome those, and we must continue to move forward.

I think in giving this message to the 2001 seniors, he also indicated that at a time when he was coming forth in football, coming from the state of Virginia—coming to the North, as he put it—Duffy Daugherty insisted that if ballplayers are going to be together, they would be a family. And being a family would give them success. We know that “Mad Dog” Charlie Thornhill, who stands over here by the window with Senator Ray Murphy, is trying to get some of the same stature. I think we ought to give this man applause for not only the fantastic job he does here, but for the fantastic job he did with his son, his family, and for the Michigan State Spartans.

Senator Byrum's statement is as follows:

Last week, I had the privilege of representing this body and the people of Michigan at a conference in Salt Lake City to discuss the streamlined sales tax initiative. Unfortunately, this important meeting coincided with three days of session. I would like the record to show that had I been present on November 27-29, I would have voted as follows:

Roll call number 489, “yes”

Roll call number 490, “yes”

Roll call number 491, “yes”

Roll call number 492, “yes”

Roll call number 493, “yes”

Roll call number 494, “no.” Senator Miller's “no” vote explanation should serve as my own.

Roll call number 495, “yes”

Roll call number 496, “yes”

Roll call number 497, “yes”

Roll call number 498, “yes”

Roll call number 499, “yes”

Roll call number 500, “yes”

Roll call number 501, “yes”

Roll call number 502, “yes”

Roll call number 503, “yes”

Roll call number 504, “yes”

Roll call number 505, “no”

Roll call number 506, “yes”

Roll call number 507, “no”

Roll call number 508, “no”

Roll call number 509, “yes”

Roll call number 510, “no.” This is a vote against consumers. I do not believe that we should be giving away consumers' rights to a fair interest rate when insurance companies unfairly drag their feet before paying rightful claims. I have held several hearings and heard from over 100 Michigan residents on ways that insurance companies refuse to pay claims in a timely manner. We do not need to be rewarding insurance companies for their inexcusable behavior. Instead, we should be tightening regulations to make sure that consumers are actually receiving their rightful awards in a timely manner.

Roll call number 511, “yes”

Roll call number 512, “yes”

Roll call number 513, “yes”

Roll call number 514, “yes”

Roll call number 515, “no.” Senator Peters' “no” vote explanation should serve as my own.

Roll call number 516, “no.” Senator Leland's “no” vote explanation should serve as my own.

Senator Emmons' statement is as follows:

I had the same privilege to represent Michigan, and I would like the same request that Senator Byrum had. I was in Salt Lake City last week representing Michigan at the streamline sales tax conference. I will submit a printed list.

My voting record on bills for last weeks' missed votes on November 27, 28, and 29 is below:

House Bills:

4868-"yes"
5013-"yes"
4617-"yes"
4619-"yes"
4448-"yes"
5091-"yes"

Senate Bills:

536-"yes"
678-"yes"
674-"yes"
356-"yes"
535-"yes"
794-"yes"
534-"yes"
541-"yes"
685-"yes"
705-"yes"
811-"yes"
812-"yes"
813-"yes"
477-"yes"
692-"yes"
819-"yes"
486-"yes"
817-"yes"

In addition, I need to thank my wonderful Assistant Floor Leader who did a fabulous job and even the stand-in Floor Leader who got pressed into service in the end. I am very, very lucky and very privileged to have these competent people to be able to help me with this job. Thanks a lot Bev, I really appreciate it.

Senator Stille's statement is as follows:

While we many times recognize Michigan State University and the University of Michigan for their accomplishments and their big challenges on the football field, basketball court, and whatever else, this coming Saturday, one of our own universities is going to be competing for a national championship. Grand Valley State University will be traveling to Alabama to beat North Dakota State for the national championship game of Division II football. I'm sure all of you wish them well, along with me.

Senator McCotter's statement is as follows:

I would just like the Senate Journal to note the passing of George Harrison, M.B.E. (Member of the Order of the British Empire). I can offer no eulogy that would be more eloquent than his life's works.

Senator Goschka's statement is as follows:

I would like to echo the thoughts that were raised earlier by Senator Joe Young about Charlie "Mad Dog" Thornhill. I have gotten to know him very well in this chamber as a very dear friend.

"Mad Dog" Thornhill is more than just an All-American. He is more than just a former NFL football player for the Boston Patriots for three years. He is much more than that. I find him to be a wonderful human being and a great father. I have had on many occasions several school groups from my district on this floor, and I have taken every opportunity that I can to have "Mad Dog" speak to the kids. Here is a real, live success story. He is someone who was raised in Virginia, went to Michigan State University, became an All-American, played on probably the best football team ever for Michigan State University, and continues to live a legacy that all children in this state and indeed in this country can be proud of.

"Mad Dog" Thornhill is indeed a gentleman. He is a very warm-hearted person. I like the fact that he is down to earth. He is genuine, he loves children, and he is a great dad. "Mad Dog," we all again congratulate you. We are very proud of you. We know that you are just in midstream, and there is a whole lot left for you in your life—the children whom you will be impacting and the people whom you will be influencing. We know that it is all going to be for good. We congratulate you.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Sanborn introduced

Senate Bill No. 882, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3341. The bill was read a first and second time by title and referred to the Committee on Financial Services.

Senator Sanborn introduced
Senate Bill No. 883, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 16. The bill was read a first and second time by title and referred to the Committee on Financial Services.

Senator McCotter introduced
Senate Bill No. 884, entitled

A bill to amend 1919 PA 149, entitled "An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress," by amending sections 7 and 8 (MCL 395.7 and 395.8).

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

Senator McCotter introduced
Senate Bill No. 885, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 15 (MCL 400.15). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator McCotter introduced
Senate Bill No. 886, entitled

A bill to amend 1921 PA 59, entitled "An act to relieve the county and state from the support of certain classes of aliens who are subject to deportation from the United States; making an appropriation therefor and providing penalties for the non-performance of duties under the provisions of this act," by amending section 2 (MCL 404.32).

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

Senator McCotter introduced
Senate Bill No. 887, entitled

A bill to amend 1937 PA 329, entitled "An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor," by amending section 3 (MCL 419.103).

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

Senator McCotter introduced
Senate Bill No. 888, entitled

A bill to amend 1846 RS 21, entitled "Of specific state taxes and duties," by amending section 30 (MCL 446.30). The bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator McCotter introduced
Senate Bill No. 889, entitled

A bill to amend 1933 PA 89, entitled "An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and

supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932," by amending section 13 (MCL 451.313).

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

Senator McCotter introduced
Senate Bill No. 890, entitled

A bill to amend 1909 PA 263, entitled "An act to authorize the Michigan dairymen's association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor," by amending section 2 (MCL 453.452).

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

Senator McCotter introduced
Senate Bill No. 891, entitled

A bill to amend 1881 PA 182, entitled "An act to provide for the incorporation of pipe line companies, and to define their powers and duties," by amending sections 22, 23, and 24 (MCL 483.222, 483.223, and 483.224).

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

Senator McCotter introduced
Senate Bill No. 892, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 204 and 208 (MCL 500.204 and 500.208).

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

Senator McCotter introduced
Senate Bill No. 893, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2123, 2558, 6458, and 6461 (MCL 600.2123, 600.2558, 600.6458, and 600.6461), section 2558 as amended by 1996 PA 214.

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

Senator McCotter introduced
Senate Bill No. 894, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 26a of chapter XIV and section 6 of chapter XVI (MCL 774.26a and 776.6), section 26a of chapter XIV as amended by 1980 PA 506.

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

Senator McCotter introduced
Senate Bill No. 895, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending sections 49 and 61 (MCL 800.49 and 800.61).

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

Senator McCotter introduced
Senate Bill No. 896, entitled

A bill to amend 1881 PA 181, entitled "An act to provide for the payment of interest on the educational funds, and to repeal section 10 of chapter 131 of the Compiled Laws of 1871, being compiler's section 3477," by amending section 1 (MCL 21.201).

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

Senator McCotter introduced
Senate Bill No. 897, entitled

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending sections 7 and 8 (MCL 35.607 and 35.608).

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

Senator McCotter introduced
Senate Bill No. 898, entitled

A bill to amend 1911 PA 44, entitled "An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act," by amending sections 3 and 4 (MCL 209.3 and 209.4), section 4 as amended by 2001 PA 36.

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

Senator McCotter introduced
Senate Bill No. 899, entitled

A bill to amend 1917 PA 99, entitled "An act to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state's portion of the expense incurred hereunder," by amending section 1 (MCL 249.1).

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

Senator McCotter introduced
Senate Bill No. 900, entitled

A bill to amend 1921 PA 358, entitled "An act authorizing the state to reimburse counties and townships to the extent of 1/2 of the amounts spent by such counties and townships in connection with the destruction of grasshoppers and similar pests, making an appropriation therefor, and providing a tax to meet the same," by amending sections 2, 3, 4, and 5 (MCL 286.132, 286.133, 286.134, and 286.135).

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

Senator McCotter introduced
Senate Bill No. 901, entitled

A bill to amend 1863 PA 140, entitled "An act to provide for the selection, care and disposition of the lands donated to the state of Michigan, by act of congress, approved July second, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," by amending sections 8 and 10 (MCL 322.178 and 322.180).

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

Senator McCotter introduced
Senate Bill No. 902, entitled

A bill to amend 1909 PA 139, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this state and to provide a tax to raise moneys therefor," by amending section 5 (MCL 331.105).

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

Senator McCotter introduced
Senate Bill No. 903, entitled

A bill to amend 1909 PA 269, entitled "An act to revise the laws relating to Michigan state university; and to prescribe the powers and duties of the board of trustees of Michigan state university," by amending section 20 (MCL 390.120).

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

Senator McCotter introduced
Senate Bill No. 904, entitled

A bill to amend 1931 PA 96, entitled "An act to provide for the construction and maintenance of non-trunk line roads located within the limits of a United States forest," by amending section 3 (MCL 249.33).

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

Senator McCotter introduced
Senate Bill No. 905, entitled

A bill to amend 1859 PA 143, entitled "An act relative to the university interest fund," by amending section 1 (MCL 21.211).

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

Senator McCotter introduced
Senate Bill No. 906, entitled

A bill to amend 1901 PA 232, entitled "An act to extend aid to the Michigan state college of agriculture and applied science," by amending section 4 (MCL 390.224); and to repeal acts and parts of acts.

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

Senator McCotter introduced
Senate Bill No. 907, entitled

A bill to amend 1925 PA 177, entitled "An act to protect and promote the public health and welfare, and to provide for the construction, maintenance and operation of hospitals and sanatoriums for the treatment of tuberculosis; and to make an appropriation therefor," by amending sections 9 and 14 (MCL 332.159 and 332.164).

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

Senator McCotter introduced
Senate Bill No. 908, entitled

A bill to amend 1947 PA 4, entitled "An act to authorize and provide for the borrowing of \$270,000,000.00 to make payments to persons who served in the military, naval, marine or coast guard forces of the United States, including women serving in auxiliary branches thereof, or to their next of kin or estates, and the issuance of certain serial bonds and serial notes for such indebtedness; to create a veterans' military pay fund and a veterans' bond redemption fund; to pledge the full faith and credit of the state; to provide for the payment of principal and interest on such serial obligations; to make appropriations therefor; and to make such serial notes and serial bonds exempt from taxation," by amending section 1 (MCL 35.901).

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

Senator McCotter introduced
Senate Bill No. 909, entitled

A bill to amend 1947 PA 12, entitled "Veterans' military pay act," by amending section 8 (MCL 35.928).

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

Senator McCotter introduced
Senate Bill No. 910, entitled

A bill to amend 1955 PA 8, entitled "Korean veterans' military pay fund act of 1955," by amending sections 7 and 9 (MCL 35.977 and 35.979).

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

Senator McCotter introduced
Senate Bill No. 911, entitled

A bill to amend 1945 PA 72, entitled "An act to prevent the importation from other states, and the spread within this state, of all serious insect pests and contagious plant diseases and to provide for their repression and control, imposing certain powers and duties on the commissioner of agriculture; to prescribe penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts," by amending section 5 (MCL 286.255).

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

Senator McCotter introduced
Senate Bill No. 912, entitled

A bill to amend 1905 PA 311, entitled "An act with respect to the furnishing of bonds by state officers, their deputies, and officers of state institutions; to provide for the payment of the cost of such bonds, and to prescribe the places of filing the same," by amending sections 1 and 2 (MCL 15.71 to 15.72).

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

Senator McCotter introduced
Senate Bill No. 913, entitled

A bill to amend 1846 RS 60, entitled "Of the superintendence and disposition of the public lands," by amending section 19 (MCL 322.319).

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

Senator McCotter introduced
Senate Bill No. 914, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 35, 41, 57a, 58, 62, 63, 64, 66, 67, 70, 73, 73a, 73b, 75, 83, 85, 86, 87, 88, 90, 95, 96, 97, 98, 98a, 99, 101, 102, 103, 105, 113, 121, 122, 127b, 130, 135, 138, 139, and 144 (MCL 211.35, 211.41, 211.57a, 211.58, 211.62, 211.63, 211.64, 211.66, 211.67, 211.70, 211.73, 211.73a, 211.73b, 211.75, 211.83, 211.85, 211.86, 211.87, 211.88, 211.90, 211.95, 211.96, 211.97, 211.98, 211.98a, 211.99, 211.101, 211.102, 211.103, 211.105, 211.113, 211.121, 211.122, 211.127b, 211.130, 211.135, 211.138, 211.139, and 211.144).

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

Senator McCotter introduced
Senate Bill No. 915, entitled

A bill to amend 1933 PA 162, entitled "An act to provide for the levy of certain additional taxes in municipal school districts," by amending section 5 (MCL 211.255).

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

Senator McCotter introduced
Senate Bill No. 916, entitled

A bill to amend 1943 PA 92, entitled "An act to protect the interest of the public, acquired other than through taxation, in lands under the jurisdiction and control of the state land office board and department of conservation, and to make an appropriation therefor," by amending sections 1, 2, 3, and 4 (MCL 211.371, 211.372, 211.373, and 211.374).

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

Senator McCotter introduced
Senate Bill No. 917, entitled

A bill to amend 1907 PA 130, entitled "An act to provide for refunding to purchasers the price paid to the state on sale of land by the commissioner of the state land office, under section 131 of Act 206 of Public Acts of 1893, as amended by Act 141 of Public Acts of 1901, in cases where the land sold did not belong to the class of lands liable to sale thereunder; for cancelling the conveyance of such lands to the state and restoring the tax liens thereon in favor of the state, which were erroneously cancelled," by amending sections 1, 2, 3, and 4 (MCL 211.451, 211.452, 211.453, and 211.454).

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

Senator McCotter introduced
Senate Bill No. 918, entitled

A bill to amend 1897 PA 263, entitled "An act to authorize the auditor general to accept payment of taxes and charges from the owner of any description of land held by the state as state tax lands," by amending section 1 (MCL 211.541).

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

House Bill No. 4812, entitled

A bill to amend 1981 PA 155, entitled "An act to provide for ownership rights in dies, molds, and forms for use in the fabrication of plastic parts under certain conditions and to establish a lien on certain dies, molds, and forms," by amending sections 1 and 8a (MCL 445.611 and 445.618a), section 8a as added by 1986 PA 103, and by adding sections 9, 10, 10a, 10b, and 10c.

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

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

House Bill No. 4860, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43524 (MCL 324.43524), as amended by 1996 PA 585.

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 Hunting, Fishing and Forestry.

House Bill No. 4980, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 65.

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

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

House Bill No. 5210, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as added by 2000 PA 73.

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 Appropriations.

House Bill No. 5214, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

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

House Bill No. 5215, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 26 (MCL 125.1826).

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

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

House Bill No. 5317, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 3, 7, 9, and 10 (MCL 390.1472, 390.1473, 390.1477, 390.1479, and 390.1480).

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

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

House Bill No. 5357, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 517 and 803 (MCL 600.517 and 600.803), section 517 as amended by 1990 PA 54 and section 803 as amended by 1998 PA 55.

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

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

House Bill No. 5382, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9201 (MCL 440.9201), as amended by 2000 PA 348.

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

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

Committee Reports

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

Senate Bill No. 527, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 205 (MCL 436.1205), as amended by 1998 PA 416, and by adding section 206.

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, Sanborn, Leland and Peters

Nays: None

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

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

House Bill No. 4621, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 3, 9, 10, 11, and 12 (MCL 207.772, 207.773, 207.779, 207.780, 207.781, and 207.782), section 9 as amended by 1996 PA 449 and section 12 as amended by 1994 PA 391; 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.

Bill Schuette
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Sanborn, 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 Tuesday, November 27, 2001, at 1:33 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Retirement submits the following:

Meeting held on Tuesday, November 27, 2001, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gougeon (C), McManus and Dingell

Scheduled Meetings

Appropriations -

Subcommittee -

Community Health - Thursdays, December 6 and December 13, and Tuesday, December 11, 1:30 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)

Families, Mental Health and Human Services - Wednesday, December 5, 3:00 p.m., Room 100, Farnum Building (373-3543)

Judiciary - Wednesday, December 5, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Legislative Retirement Board of Trustees - Wednesday, December 5, 12:00 noon, Room H-252, Capitol Building (373-0575)

Technology and Energy - Wednesdays, December 5 and December 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2417)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 12:20 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, December 5, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

