

No. 25
STATE OF MICHIGAN
Journal of the Senate
91st Legislature
REGULAR SESSION OF 2002

Senate Chamber, Lansing, Tuesday, March 19, 2002.

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

Senator Thaddeus G. McCotter of the 9th District offered the following invocation:
Lord, on this day we ask for forgiveness and for the health of Dr. Schwarz.

Recess

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

10:08 a.m.

The Senate was called to order by the Assistant Associate President pro tempore, Senator Arthur J. Miller, Jr.

During the recess, Senators Dunaskiss, North, Gougeon, Shugars, Sikkema, Smith, Young, DeGrow, Bennett, Sanborn, Bullard, Gast, Stille, McManus, Johnson, Garcia, Hammerstrom, Van Regenmorter and Steil 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 Dunaskiss 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.

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 Chair.
The motion prevailed, the time being 10:09 a.m.

10:36 a.m.

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

During the recess, Senator Dunaskiss introduced to the Senate Ambassador Vygaudas Usackas of Lithuania and presented him with a special tribute.

Ambassador Usackas responded briefly.

Senator Emmons moved that Senator Schuette 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.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 14:
House Bill Nos. 5648 5763

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, March 14, for his approval the following bills:

Enrolled Senate Bill No. 880 at 2:30 p.m.

Enrolled Senate Bill No. 881 at 2:32 p.m.

Enrolled Senate Bill No. 999 at 2:34 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 18, for his approval the following bills:

Enrolled Senate Bill No. 543 at 2:40 p.m.

Enrolled Senate Bill No. 678 at 2:42 p.m.

Enrolled Senate Bill No. 994 at 2:44 p.m.

Enrolled Senate Bill No. 1005 at 2:46 p.m.

The Secretary announced the printing and placement in the members' files on Thursday, March 14, of:

Senate Bill Nos. 1202 1203

House Bill Nos. 5793 5794 5795 5796

The Secretary announced the printing and placement in the members' files on Friday, March 15, of:

Senate Bill Nos. 1204 1205 1206 1207

House Bill Nos. 5797 5798 5799 5800 5801 5802 5803 5804

Messages from the Governor

The following messages from the Governor were received:

Date: March 12, 2002

Time: 4:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 796 (Public Act No. 52), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 1902, 1903, and 1904 (MCL 324.1902, 324.1903, and 324.1904), section 1902 as amended by 1996 PA 134 and sections 1903 and 1904 as added by 1995 PA 60, and by adding section 1907a.

(Filed with the Secretary of State on March 15, 2002, at 11:12 a.m.)

Date: March 12, 2002

Time: 4:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 797 (Public Act No. 53), being

An act 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 section 5 (MCL 35.605).

(Filed with the Secretary of State on March 15, 2002, at 11:14 a.m.)

Date: March 12, 2002

Time: 4:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 798 (Public Act No. 54), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 74119 (MCL 324.74119), as added by 1995 PA 58.

(Filed with the Secretary of State on March 15, 2002, at 11:16 a.m.)

Date: March 12, 2002
Time: 4:47 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 799 (Public Act No. 55), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 43902 (MCL 324.43902), as amended by 2000 PA 69.

(Filed with the Secretary of State on March 15, 2002, at 11:18 a.m.)

Date: March 12, 2002
Time: 4:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 800 (Public Act No. 56), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 43704 (MCL 324.43704), as amended by 2001 PA 50.

(Filed with the Secretary of State on March 15, 2002, at 11:20 a.m.)

Date: March 12, 2002
Time: 5:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 801 (Public Act No. 57), being

An act to amend 1984 PA 22, entitled “An act to establish the Michigan civilian conservation corps; to prescribe the powers and duties of certain state officers, agencies, and departments; to create and provide for the use of an endowment fund; and to provide for an appropriation,” by amending section 12a (MCL 409.312a), as added by 1994 PA 394.

(Filed with the Secretary of State on March 15, 2002, at 11:22 a.m.)

Date: March 13, 2002
Time: 7:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 180 (Public Act No. 43), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 451 (MCL 750.451).

(Filed with the Secretary of State on March 14, 2002, at 9:30 a.m.)

Date: March 13, 2002
Time: 7:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1029 (Public Act No. 46), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to

provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 449, 450, and 462 (MCL 750.449, 750.450, and 750.462).

(Filed with the Secretary of State on March 14, 2002, at 9:36 a.m.)

Date: March 14, 2002
Time: 2:25 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 592 (Public Act No. 74), being

An act to amend 1984 PA 218, entitled "An act to provide for the regulation of third party administrators; to provide for the licensure of administrative service managers; to provide for certain powers and duties for certain state agencies and officers; to provide for the confidentiality of certain personal data; and to prescribe penalties for a violation of this act," by amending sections 14 and 18 (MCL 550.914 and 550.918); and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 15, 2002, at 11:49 a.m.)

Date: March 14, 2002
Time: 2:27 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 692 (Public Act No. 75), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 36105, 36106, 36109, 36111, 36111a, and 36206 (MCL 324.36105, 324.36106, 324.36109, 324.36111, 324.36111a, and 324.36206), sections 36105 and 36106 as amended and section 36111a as added by 1996 PA 233, section 36109 as amended by 2000 PA 421, and section 36111 as amended and section 36206 as added by 2000 PA 262.

(Filed with the Secretary of State on March 15, 2002, at 11:50 a.m.)

Date: March 14, 2002
Time: 2:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 880 (Public Act No. 48), being

An act to create a telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 14, 2002, at 4:08 p.m.)

Date: March 14, 2002
Time: 3:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 881 (Public Act No. 49), being

An act to create the Michigan broadband development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to provide incentives for the development of broadband services.

(Filed with the Secretary of State on March 14, 2002, at 4:10 p.m.)

Date: March 14, 2002
Time: 3:02 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 999 (Public Act No. 50), being

An act to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned,

operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 13b.

(Filed with the Secretary of State on March 14, 2002, at 4:12 p.m.)

Respectfully,
John Engler
Governor

Messages from the House

Senator Emmons moved that consideration of the following bills be postponed for today:

Senate Bill No. 451
Senate Bill No. 452
Senate Bill No. 730
Senate Bill No. 936
Senate Bill No. 940
Senate Bill No. 943

The motion prevailed.

Senator Emmons moved that rule 3.202 be suspended to permit immediate consideration of the following bills:

Senate Bill No. 1105
Senate Bill No. 1100

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

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

Senate Bill No. 881, entitled

A bill to create the Michigan broadband development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to provide incentives for the development of broadband services.

The House of Representatives has concurred in the Senate amendments to the House substitute (H-4).

Pursuant to a previous order, the bill was ordered enrolled on March 14, 2002.

Senate Bill No. 385, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 614, 617, and 1066 (MCL 380.614, 380.617, and 380.1066), section 614 as amended by 1992 PA 263, section 617 as amended by 1989 PA 268, and section 1066 as amended by 1995 PA 289.

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

The Senate agreed to the full title.

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

Senate Bill No. 386, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 11 (MCL 46.411), as amended by 1982 PA 504.

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

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

Senate Bill No. 387, entitled

A bill to amend 1989 PA 24, entitled “The district library establishment act,” by amending section 11 (MCL 397.181); and to repeal acts and parts of acts.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 388, entitled

A bill to amend 1877 PA 164, entitled “An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies,” by amending section 11 (MCL 397.211), as amended by 1988 PA 432.

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

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

Senate Bill No. 1105, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

Senator Schwarz offered the following amendment to the substitute:

1. Amend page 20, line 10, by striking out all of subsection (2) and renumbering the remaining subsections.

The amendment to the substitute was adopted.

Senator Schwarz offered the following amendment to the substitute:

1. Amend page 9, line 23, by striking out all of section 217.

The amendment to the substitute was adopted.

Senator Schwarz offered the following amendment to the substitute:

1. Amend page 19, line 1, by striking out all of section 312 and inserting:

“Sec. 312. From the funds appropriated in part 1 and as provided by law, the Michigan higher education assistance authority shall establish and administer the nursing scholarship program.”.

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

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

Roll Call No. 298

Yeas—35

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

Nays—1

Shugars

Excused—2

Schuette

Vaughn

Not Voting—0

In The Chair: Hoffman

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.

Protest

Senator Shugars, under his constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute to Senate Bill No. 1105.

Senator Shugars' statement is as follows:

I again voted "no" on this budget because of the fact that Western Michigan University is the fourth largest in research dollars for the state of Michigan and higher education, and they continuously get the seventh funding on a per student basis. So that is my reason for voting "no." Until they get fair equity, I'll continue to vote "no."

Senate Bill No. 1100, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2003; to make certain supplemental appropriations for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Roll Call No. 299**Yeas—35**

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

Nays—0

Excused—2

Schuette

Vaughn

Not Voting—1

Young

In The Chair: Hoffman

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

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 Goschka 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:

House Bill No. 5328, entitled

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," by amending section 6 (MCL 565.356), as added by 1998 PA 106.

House Bill No. 5400, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5208 (MCL 500.5208), as amended by 1984 PA 267, and by adding section 407a.

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. 1102, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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. 1104, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Substitute (S-1).

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

1. Amend page 3, line 25, by striking out "Forest camping fee revenue" and inserting "Forest recreation fund".
2. Amend page 10, line 25, after "Sec. 108." by striking out "FORESTS" and inserting "FOREST".
3. Amend page 12, line 2, by striking out "Forest camping fee revenue" and inserting "Forest recreation fund".
4. Amend page 13, line 2, after "taxes" by striking out "/open space payments".
5. Amend page 13, line 2, by striking out "8,651,300" and inserting "11,614,800".
6. Amend page 13, line 7, by striking out "3,694,200" and inserting "4,455,800".
7. Amend page 13, line 8, by striking out "745,400" and inserting "1,002,700".
8. Amend page 13, line 9, by striking out "236,700" and inserting "283,700".
9. Amend page 13, line 10, by striking out "13,738,200" and inserting "15,635,800" and adjusting the subtotals, totals, and section 201 accordingly.
10. Amend page 15, following line 17, by inserting:

"PART 1A

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2001-02

Sec. 151. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2002, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

Full-time equated classified positions	0.0	
GROSS APPROPRIATION	\$	771,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	771,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		172,300
State general fund/general purpose	\$	598,700
PAYMENTS IN LIEU OF TAXES		
Purchased lands taxes/open space payments	\$	771,000
GROSS APPROPRIATION	\$	771,000
Appropriated from:		
Special revenue funds:		
Michigan natural resources trust fund	\$	148,000
Michigan state waterways fund		24,300
State general fund/general purpose	\$	598,700".

11. Amend page 19, line 25, after "to" by inserting "the state budget director,".

12. Amend page 26, following line 15, by inserting:

"Sec. 903. (1) The use of federal funding received by the state from the land and water conservation fund and appropriated in part 1 shall be coordinated with state grants to local units of government from the Michigan natural resources trust fund. The coordination of the two funding sources shall be conducted in a manner that minimizes the total matching funds required from local units of government for local land acquisition or recreational development projects.

(2) The board of the Michigan natural resources trust fund shall report on the final disposition of federal funding from the land and water conservation fund in the board's annual report to the legislature."

13. Amend page 27, following line 2, by inserting:

"PART 2A

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2001-02

GENERAL SECTIONS

Sec. 1201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1a for fiscal year 2001-02 is \$771,000.00, and state spending to from state resources to be paid

to local units of government for fiscal year 2001-02 is \$771,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF NATURAL RESOURCES

PAYMENTS IN LIEU OF TAXES

Purchased lands taxes/open space payments	\$	771,000
TOTAL.....	\$	771,000”.

The Senate agreed to the substitute, as amended, 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:

House Bill No. 5486, entitled

A bill to amend 1978 PA 59, entitled “Condominium act,” by amending sections 58, 67, 69, 71, 90, 90a, 108, 112, 135, 173, and 176 (MCL 559.158, 559.167, 559.169, 559.171, 559.190, 559.190a, 559.208, 559.212, 559.235, 559.273, and 559.276), sections 58, 67, 69, 90, 108, 112, and 135 as amended and sections 90a and 176 as added by 2000 PA 379, section 71 as amended by 1982 PA 538, and section 173 as amended by 1983 PA 113; and to repeal acts and parts of acts.

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

1. Amend page 1, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT:” by inserting:

“Sec. 54. (1) The bylaws shall contain provisions for the designation of persons to administer the affairs of the condominium project and shall require that those persons keep books and records with a detailed account of the expenditures and receipts affecting the condominium project and its administration, and which specify the operating expenses of the project.

(2) The bylaws shall provide that the person designated to administer the affairs of the project shall be assessed as the person in possession for any tangible personal property of the project owned or possessed in common by the co-owners. Personal property taxes based on that tangible personal property shall be treated as expenses of administration.

(3) The bylaws shall contain specific provisions directing the courses of action to be taken in the event of partial or complete destruction of the building or buildings in the project.

(4) The bylaws shall provide that expenditures affecting the administration of the project shall include costs incurred in the satisfaction of any liability arising within, caused by, or connected with, the common elements or the administration of the condominium project, and that receipts affecting the administration of the condominium project shall include all sums received as the proceeds of, or pursuant to, a policy of insurance securing the interest of the co-owners against liabilities or losses arising within, caused by, or connected with the common elements or the administration of the condominium project.

(5) The bylaws shall provide that the association of co-owners shall prepare and distribute to each owner at least once each year a financial statement, the contents of which shall be defined by the association of co-owners.

(6) The bylaws shall provide an indemnification clause for the board of directors of the association of co-owners. The indemnification clause shall require that 10 days’ notice, before payment under the clause, be given to the co-owners. The indemnification clause shall exclude indemnification for willful and wanton misconduct and for gross negligence.

(7) The bylaws may allocate to each condominium unit a number of votes in the association of co-owners proportionate to the percentage of value appertaining to each condominium unit, or an equal number of votes in the association of co-owners.

(8) The bylaws shall contain a provision providing that arbitration of disputes, claims, and grievances arising out of or relating to the interpretation of the application of the condominium document or arising out of disputes among or between co-owners shall be submitted to arbitration and that the parties to the dispute, claim, or grievance shall accept the arbitrator’s decision as final and binding, upon the election and written consent of the parties to the disputes, claims, or grievances and upon written notice to the association. The commercial arbitration rules of the American arbitration association are applicable to any such arbitration.

(9) In the absence of the election and written consent of the parties under subsection (8), neither a co-owner nor the association is prohibited from petitioning a court of competent jurisdiction to resolve any dispute, claim, or grievance.

(10) The election by the parties to submit any dispute, claim, or grievance to arbitration prohibits the parties from petitioning the courts regarding that dispute, claim, or grievance.

(11) SUBSECTIONS (8), (9), AND (10) APPLY ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

2. Amend page 20, line 12, after “TION 84A(1).” by inserting “THIS SUBSECTION APPLIES ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

3. Amend page 22, line 14, by striking out all of subsection (4).

4. Amend page 22, line 17, after “Sec. 176.” by inserting “(1)”.

5. Amend page 22, line 22, after “DATE” by striking out the comma and inserting a period and “FURTHER, A PERSON SHALL NOT MAINTAIN AN ACTION DESCRIBED IN THIS SUBSECTION”.

6. Amend page 22, following line 25, by inserting:

“(2) SUBSECTION (1) APPLIES ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

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. 1009, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16611 (MCL 333.16611).
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. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to aging, mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

Substitute (S-1).

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

1. Amend page 25, line 1, by striking out “34,365,900” and inserting “34,865,900”.

2. Amend page 31, line 15, after “qualifying” by striking out “as a certified health care provider” and inserting “certified health care providers”.

3. Amend page 31, following line 17, by inserting:

“Sec. 310. (1) The department shall identify all primary care clinics located in federally designated health professional shortage areas.

(2) The department shall provide assistance, at the request of any primary care clinic identified in subsection (1), in attaining designation as a state sponsored health center for the purpose of qualifying certified health care providers for loan repayments under the Michigan essential health care provider program.

(3) The department shall provide bi-monthly reports to the Senate and House appropriations subcommittees on community health and the Senate and House fiscal agencies on the names and locations of all clinics located in federally designated health professional shortage areas and those clinics that have been designated as Michigan essential health care provider sites.”.

4. Amend page 48, following line 26, by inserting:

“Sec. 436. CMHSPs, regional partnerships, and other entities who are chosen to provide public mental health services through the 1915(b) specialty services and support waiver bidding process shall endeavor to minimize disruptions in services to their clientele due to potential changes in their contracts with providers.”.

5. Amend page 92, following line 21, by inserting:

“Sec. 1684. From the funds appropriated in part 1 for long term care services, the department shall make available up to one half of the economic increase for a wage pass-through for nursing facilities solely for payment increases for enhanced wages and new or enhanced employee benefits. This funding shall be provided to those facilities that make application for it to fund the Medicaid program share of wage and employee benefit increases of up to the equivalent of 50 cents per employee hour. Employee benefits shall include, but are not limited to, health benefits, retirement benefits, and quality of life benefits such as day care services. Nursing facilities shall be required to document that these wage and benefit increases were actually provided.

Sec. 1684a. The wage pass-through in section 1684 shall only be effective if all the funding goes to worker wages and benefits, with none of the funding going to union fees or other fees.”.

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

Point of Order

During the Committee of the Whole, Senator Smith raised the Point of Order that the following amendment offered by Senator Garcia to Senate Bill No. 1101 (S-1) was an amendment of the third degree, and therefore, was out of order:

1. Amend Senator Smith’s Amendment No. 1a, page 92, following line 21, after “day care services.” by inserting “The wage pass-through shall only be effective if all the funding goes to worker wages and with none of the funding going to union fees or other fees.”.

The Chairperson, Senator Goschka, ruled that the amendment was out of order.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 926, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 5, 6, 7, and 8 (MCL 390.1455, 390.1456, 390.1457, and 390.1458).

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:

House Bill No. 4037, 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.

Substitute (S-1).

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

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

"(11) SUBSECTIONS (7)(A) AND (B), (8), AND (9) DO NOT APPLY TO A MINOR WHOSE INTENT IS TO VIOLATE SECTION 703 OF THE MICHIGAN LIQUOR CODE OF 1998, 1998 PA 58, MCL 436.1703." and renumbering the remaining subsections.

The Senate agreed to the substitute, as amended, 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. 5041, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

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.

Resolutions

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

Senate Resolution No. 188

Senate Resolution No. 189

The resolution consent calendar was adopted.

Senators Byrum and Emmons offered the following resolution:

Senate Resolution No. 188.

A resolution honoring Lansing Catholic Central High School Varsity Cheer Team, 2002 Class B State Champions.

Whereas, The Lansing Catholic Central High School Varsity Cheer Team competed to capture a first-place finish in the 24th Annual Michigan Cheerleading Coaches Association (MCCA) State Championship for Sideline Teams. The Lady Cougars ranked in the top third of their class at their regional competition, allowing them to advance to the state finals; and

Whereas, Lansing Catholic Central High School was among twenty teams assembled at Saginaw Valley State University to vie for the Class B title. Each team presented two rounds of cheers to a nine-judge panel evaluating leadership, floor mobility, group coordination, creativity, crowd involvement, and overall impression; and

Whereas, In order to prepare for regional and state competition, the cheerleaders traveled to various competitions held throughout the state. The Lady Cougars earned a first-place finish in the Class B MCCA Fall Championship held at Walled Lake Western High School. Following their season opener, the team also brought home another first-place finish, four second-place trophies, and one third-place honor at various statewide invitationals. The team is also committed to cheering at all of Lansing Catholic Central High School's varsity football and boys basketball games during the school year; and

Whereas, The team has earned the honor of cheering at the 2002 MHSFCA All-Star Football Game at the University of Michigan to be held on August 3, 2002, as a result of winning the Class B State Championship; now, therefore, be it

Resolved by the Senate, That the members of this legislative body express our sincere appreciation for the performance of the Lansing Catholic Central High School Varsity Cheer Team on their first-place finish in the Michigan Class B State Championship. We salute the collective work of the team and Coach Jodi Boehringer that made these achievements possible; and be it further

Resolved, That a copy of this resolution be transmitted to the Lansing Catholic Central High School Varsity Cheer Team, 2002 Class B State Champions, as a token of our esteem and congratulations.

Senators Dingell, Byrum, Smith, Scott, Young, DeBeaussaert, Leland, Hart, Peters, Cherry, Emerson, Miller, Dunaskiss, Schwarz and Murphy offered the following resolution:

Senate Resolution No. 189.

A resolution honoring the memory of Rollie W. Hopgood.

Whereas, Rollie W. Hopgood was the president of the Michigan Federation of Teachers & School Related Personnel. He served his years with dignity, grace, and with the upmost respect of his colleagues; and

Whereas, As a teacher in Taylor, president of the Taylor Federation of Teachers, and treasurer of the State Board of Education, Rollie did so much for public education, our students, and those who educate them; and

Whereas, He was affiliated with the Michigan State AFL-CIO Executive Board, the Michigan Democratic Party Central State, American Association of Retired Persons, and the Americans for International Aid and Adoption; and

Whereas, His warm and caring heart, friendship, and easy-going personality has touched the hearts and lives of everyone whom he has met; and

Whereas, Those colleagues, friends, and all who had the opportunity to meet Rollie will forever remember this kind and gentle man who affected the lives of many people; now, therefore, be it

Resolved by the Senate, That the members of this legislative body join in honoring the life, memory, and service of Rollie W. Hopgood; and be it further

Resolved, That a copy of this resolution be transmitted to his wife Chris as a token of our respect for her husband's commitment and service.

Senator Emmons moved that consideration of the following resolutions be postponed for today:

Senate Concurrent Resolution No. 11

Senate Resolution No. 159

The motion prevailed.

Senate Concurrent Resolution No. 53.

A concurrent resolution to memorialize the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program.

The question being on the adoption of the concurrent resolution:

Senator McManus offered the following substitute:

A concurrent resolution to memorialize the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program along with all appropriate accompanying federal funds.

Whereas, In recent years, our country has benefited from public policy encouraging the states to assume responsibility for tasks long handled by the federal government. Experts in many fields have come to accept the wisdom of utilizing state expertise and resources to deal with problems that are best addressed locally rather than from Washington, D.C.; and

Whereas, The management of public forest lands is another area that should be turned over to states through a program of block grants. Michigan, with more public forests than any other state in the eastern portion of the country, has compiled an impressive record of success in the management of its resources. The condition of Michigan's state forest acreage is a model for other parts of the country; and

Whereas, There are several sound reasons why forest management would be more efficiently and productively managed by the state instead of the federal government. State management offers flexibility, rather than a "one size fits all" approach; shorter lines of communication; better communication within local regions; and generally lower overall costs. State control over forest operations in Michigan will more accurately reflect our citizens' historic sense of commitment and investment in this vitally important resource; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program along with all appropriate accompanying federal funds; 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.

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senators Stille and McManus offered the following resolution:

Senate Resolution No. 187.

A resolution calling for the sale of the Michigan State Fairgrounds.

Whereas, For many years, attendance at the Michigan State Fair has been less than what could be expected from a state with as rich an agricultural heritage and history as Michigan. In spite of the best efforts of many dedicated people, the fair has failed to generate the widespread public support and attendance levels needed to properly showcase our state; and

Whereas, For a long time, the Michigan State Fair, the oldest state fair in the country, has been unable to produce the revenue needed to become a self-sustaining entity almost every year. Only funds from sponsorships have avoided a bailout when the fair did show sufficient revenues to meet its costs. Among state fairs across the country, Michigan's, in its current format and locale, is among the least successful; and

Whereas, Michigan needs to pursue a better way to feature our state's agriculture community and agricultural bounty. The current operation at the State Fairgrounds in Detroit is neither profitable, popular, nor is it progressing. State agriculture would be better served by developing a new approach to celebrating our state's heritage by continuing with a place and format where the fair could enjoy the level of support and interest that Michigan deserves; and

Whereas, Michigan agriculture is in need of and deserves attention and financial support. Proceeds from the sale of the State Fairgrounds should be placed in a fund for that purpose as well as the relocation and implementation of a new State Fair format; now, therefore, be it

Resolved by the Senate, That we call for the sale of the Michigan State Fairgrounds; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Agriculture.

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Emmons moved that the resolution be referred to the Committee on Farming, Agribusiness and Food Systems.

The motion prevailed.

Senator Shugars was named co-sponsor of the resolution.

Introduction and Referral of Bills

Senator Stille introduced

Senate Bill No. 1208, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9203 and 9206 (MCL 333.9203 and 333.9206), section 9206 as amended by 1996 PA 540.

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

Senator Stille introduced

Senate Bill No. 1209, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9215 (MCL 333.9215).

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

Senator Stille introduced

Senate Bill No. 1210, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9227 (MCL 333.9227), as amended by 1996 PA 540.

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

House Bill No. 5648, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2003; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has passed the bill.

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

House Bill No. 5763, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 19, 20, 27, 29, 32, and 48 (MCL 421.19, 421.20, 421.27, 421.29, 421.32, and 421.48), section 19 as amended by 1996 PA 535, section 20 as amended by 1994 PA 162, section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, section 32 as amended by 1996 PA 503, and section 48 as amended by 1983 PA 164, and by adding sections 131 and 32b.

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 Human Resources and Labor.

Committee Reports

The Committee on Finance reported

Senate Bill No. 1066, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 1990 PA 304.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1086, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending section 2 (MCL 41.722), as amended by 1995 PA 139.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1167, entitled

A bill to amend 1967 PA 266, entitled "An act to authorize and provide for the issuance of notes of the state, including refunding notes and commercial paper; to provide funds to meet obligations incurred pursuant to appropriations for fiscal years; to provide for the payment of such notes from revenues received during the same fiscal years; and to exempt certain notes and interest on those notes from taxation," by amending section 4 (MCL 17.454).

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1168, entitled

A bill to amend 1974 PA 370, entitled "Vietnam veteran era bonus act," by amending section 15 (MCL 35.1035).

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1169, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 22 and 25 (MCL 125.1422 and 125.1425), section 22 as amended by 1999 PA 131 and section 25 as amended by 1993 PA 220.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1170, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 23 and 47 (MCL 125.2023 and 125.2047), section 23 as amended by 1987 PA 278.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1171, entitled

A bill to amend 1982 PA 220, entitled "Michigan family farm development act," by amending section 13 (MCL 285.263), as amended by 1983 PA 68.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1172, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring,

constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 8 and 8a (MCL 331.8 and 331.8a), section 8a as amended by 1980 PA 104; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1173, entitled

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending sections 12 and 42 (MCL 331.42 and 331.72), section 12 as amended by 1994 PA 428 and section 42 as amended by 1992 PA 302; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1174, entitled

A bill to amend 1969 PA 295, entitled "Higher education facilities authority act," by amending section 6 (MCL 390.926), as amended by 1982 PA 409.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1175, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 5 (MCL 390.1155), as amended by 1984 PA 259.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1176, entitled

A bill to amend 1976 PA 289, entitled "An act to implement, clarify, and confirm the constitutional powers of the bodies corporate controlling those institutions of higher education named in sections 4, 5, and 6 of article 8 of the state constitution of 1963, or established by law as therein provided, regarding the establishment and financing of student loan programs," by amending section 2 (MCL 390.1352).

With the recommendation that the bill pass.

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

Joanne G. Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1177, entitled

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending section 8 (MCL 830.418), as amended by 1997 PA 127.

With the recommendation that the bill pass.

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

Joanne G. Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1178, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending section 9 (MCL 141.1059), as amended by 1988 PA 316.

With the recommendation that the bill pass.

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

Joanne G. Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1179, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19603 (MCL 324.19603), as added by 1998 PA 288.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1180, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 50510 (MCL 324.50510), as added by 1995 PA 57.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1181, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 71503 (MCL 324.71503), as amended by 1995 PA 72.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1182, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76703 (MCL 324.76703), as amended by 2001 PA 78.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources submitted the following:

Meeting held on Wednesday, March 13, 2002, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Gast, Koivisto and DeBeaussiaert

Excused: Senator Hoffman

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:
Meeting held on Thursday, March 14, 2002, at 8:40 a.m., Room 210, Farnum Building
Present: Senators Garcia (C), Shugars, Goschka, Steil and Scott
Excused: Senators Miller and Vaughn

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture - Wednesdays, April 10, April 17, April 24 and May 1, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Family Independence Agency - Tuesdays, April 9 and April 23, 1:00 p.m., Room 210, Farnum Building and Thursdays, April 11 and April 18, 1:00 p.m., Room 110, Farnum Building (373-1760)

General Government - Tuesdays, April 9, April 16, April 23 and April 30, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Higher Education - Wednesday, March 20, 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Judiciary - Wednesdays, April 10, April 17 and April 24, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2413)

Banking and Financial Institutions - Thursday, March 21, 8:30 a.m., Room 210, Farnum Building (373-2420)

Farming, Agribusiness and Food Systems - Wednesday, March 20, 1:30 p.m., Room 405, Capitol Building (373-1725)

Human Resources and Labor - Wednesday, March 20, 1:00 p.m. or later immediately following session, Room 110, Farnum Building (373-1801)

Judiciary - Wednesday, March 20, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Local, Urban and State Affairs - Wednesday, March 20, 3:00 p.m., Room 405, Capitol Building (373-1707)

Technology and Energy - Wednesday, March 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-0797)
(CANCELED)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 12:13 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, March 20, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

