

No. 69
STATE OF MICHIGAN
Journal of the Senate
91st Legislature
REGULAR SESSION OF 2002

Senate Chamber, Lansing, Tuesday, December 3, 2002.

10:00 a.m.

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

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

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

Gougeon—present
Hammerstrom—present
Hart—excused
Hoffman—present
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—excused
North—present
Peters—present

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

R. Jacob Hoffman III, son of Senator Hoffman, graduate student, and Eucharistic minister at St. Johns Student Parish at Michigan State University, offered the following invocation:

“We have been the recipients of the choicest bounties of Heaven. We have been preserved, these many years, in peace and prosperity. We have grown in numbers, wealth and power, as no other nation has ever grown. But we have forgotten God. We have forgotten the gracious hand which preserved us in peace, and multiplied and enriched and strengthened us; and we have vainly imagined, in the deceitfulness of our hearts, that all these things were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us!”

—Abraham Lincoln (Written around the time of the Civil War)

Therefore, Heavenly Father, help us to obtain peace among nations, peace in our hearts and homes. Bless and protect our men and women in military service on land, sea, and in the air. Father, may You who rules our nations and destinies, grant us our prayers for lasting concord and unity among nations. Amen.

The Assistant President pro tempore, Senator Hoffman, led the members of the Senate in recital of the *Pledge of Allegiance*.

Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:46 a.m.

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

During the recess, Senators Shugars, Van Regenmorter, Stille, Gougeon, Bennett, Steil, Hammerstrom, Schwarz, McManus, Sanborn, Sikkema, Gast, DeGrow, Schuette, Goschka, Garcia and Johnson 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 her guest admittance to the Senate floor.
The motion prevailed, a majority of the members serving voting therefor.

Senator Emerson moved that Senators Hart, Cherry and Murphy be excused from today’s session.
The motion prevailed.

Senator Emerson moved that Senators Vaughn and Young be excused from this week’s sessions.
The motion prevailed.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

November 12, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:30 p.m. this date, administrative rule (02-11-01) for the Department of State, Office of Customer Services, entitled “*Uniform Commercial Filing Office Rules*,” effective 7 days hereafter.

November 12, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:35 p.m. this date, administrative rule (02-11-02) for the Department of State, Bureau of Driver and Vehicle Records, entitled "*Expediting Regular Search Process*," effective 7 days hereafter.

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

The communications were referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

November 18, 2002

Enclosed is a copy of the following audit report:
Performance Audit of the Cadillac Local Development Finance Authority, November 2002.

November 27, 2002

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the Office of Administrative Law and the State Tenure Commission, Department of Education, November 2002.

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

The communications were referred to the Secretary for record.

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

November 19, 2002

Pursuant to Section 314 of P.A. 527 of 2002, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report#</u>	<u>License #</u>
Special Inspection Report	Adrian Training School	2002C0207063	CS460200931
Special Investigation Report	Adrian Training School	2002C0207085	CS460200931

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

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 the enrollment printing and presentation to the Governor on Wednesday, November 20, for his approval the following bills:

Enrolled Senate Bill No. 557 at 2:10 p.m.

Enrolled Senate Bill No. 1337 at 2:12 p.m.

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

Senate Bill Nos. 1508 1509 1510 1511 1512 1513 1514 1515

House Bill Nos. 6520 6521 6522 6523 6524

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

Senate Bill Nos. 1516 1517 1518 1519 1520

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

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

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

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

House Bill No. 5552, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17401, 17431, and 17432 (MCL 333.17401, 333.17431, and 333.17432), sections 17401 and 17432 as amended by 1997 PA 151 and section 17431 as amended by 1994 PA 234.

Senate Bill No. 1400, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1005, 1011, 1019, 1021, and 1023 (MCL 600.1005, 600.1011, 600.1019, 600.1021, and 600.1023), sections 1005, 1019, and 1023 as added by 1996 PA 388, section 1011 as amended by 1998 PA 298, and section 1021 as amended by 2000 PA 56; and to repeal acts and parts of acts.

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. 1422, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 7 and 35a (MCL 208.7 and 208.35a), section 7 as amended by 2001 PA 229 and section 35a as amended by 2000 PA 429.

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 rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 1400

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

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

Senate Bill No. 1437

Senate Bill No. 1438

Senate Bill No. 1400

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1437, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 37 (MCL 338.2237), as amended by 1988 PA 461.

The question being on the passage of the bill,

Senator Leland offered the following amendments:

1. Amend page 3, line 2, after "THE" by striking out "ATTORNEY GENERAL" and inserting "DEPARTMENT".
2. Amend page 3, line 6, after "FUND." by striking out the balance of the line through "ACTIVITY." on line 9 and inserting "THE DEPARTMENT SHALL UTILIZE THE REAL ESTATE ENFORCEMENT FUND ONLY FOR THE ENFORCEMENT OF ARTICLE 25 OF THE OCCUPATIONAL CODE, MCL 339.2501 TO 339.2518, REGARDING UNLICENSED ACTIVITY AS FURTHER DESCRIBED IN SECTION 601(1) AND (2) AND TO REIMBURSE THE ATTORNEY GENERAL FOR EXPENSES INCURRED IN CONDUCTING PROSECUTIONS OF SUCH UNLICENSED PRACTICE.".

The amendments were adopted, a majority of the members serving voting therefor.

Senator North offered the following amendments:

1. Amend page 2, line 18, after “subsection (1)(b)” by inserting “DURING THAT 3-YEAR LICENSE CYCLE”.
2. Amend page 3, line 5, after “SUBSECTION (1)(B)” by inserting “DURING THAT 3-YEAR LICENSE CYCLE”.

The amendments were adopted, a majority of the members serving voting therefor.

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. 913

Yeas—33

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

Nays—0

Excused—5

Cherry	Murphy	Vaughn	Young
Hart			

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1438, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 409, 411, and 2504 (MCL 339.409, 339.411, and 339.2504), section 409 as added by 1988 PA 463, section 411 as amended by 1989 PA 261, and section 2504 as amended by 1984 PA 413, and by adding section 2502a.

The question being on the passage of the bill,

Senator North offered the following amendments:

1. Amend page 4, line 15, after “BEGINNING” by striking out the balance of the line through “SECTION” on line 16 and inserting “NOVEMBER 1, 2003”.
2. Amend page 5, line 25, after “(4)” by striking out “Before” and inserting “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, BEFORE”.
3. Amend page 6, line 1, by striking out “3-YEAR LICENSE CYCLE, not less than 6 18” and inserting “12 months, not less than 6”.
4. Amend page 6, line 8, after “salesperson.” by inserting “BEGINNING NOVEMBER 1, 2003, A LICENSEE SHALL COMPLETE NOT LESS THAN 18 HOURS OF CONTINUING EDUCATION PER 3-YEAR LICENSE CYCLE. A LICENSEE SHALL COMPLETE AT LEAST 6 HOURS OF THE REQUIRED 18 HOURS OF CONTINUING

EDUCATION COURSES DURING THE TIME PERIOD FROM NOVEMBER 1, 2003 AND ENDING ON DECEMBER 31, 2004. DURING CALENDAR YEAR 2005, A LICENSEE SHALL COMPLETE AT LEAST 6 HOURS OF THE REQUIRED 18 HOURS OF CONTINUING EDUCATION COURSES. DURING CALENDAR YEAR 2006, A LICENSEE SHALL COMPLETE AT LEAST 4 HOURS OF THE REQUIRED 18 HOURS OF CONTINUING EDUCATION COURSES. DURING CALENDAR YEAR 2007 AND THEREAFTER, A LICENSEE SHALL COMPLETE AT LEAST 2 HOURS OF THE REQUIRED 18 HOURS OF CONTINUING EDUCATION COURSES PER CALENDAR YEAR. ANY EDUCATION APPROVED BY THE DEPARTMENT THAT IS RECEIVED BY A LICENSEE FOR FURTHER PROFESSIONAL DESIGNATION SHALL BE COUNTED TOWARD THE TOTAL CONTINUING EDUCATION CREDITS REQUIRED FOR THE 3-YEAR LICENSE CYCLE.”.

5. Amend page 6, line 8, after “completing” by striking out “18” and inserting “THE APPROPRIATE NUMBER OF”.

6. Amend page 6, line 11, after “department” by inserting “AND AS LONG AS AT LEAST 2 HOURS OF AN EDUCATION COURSE PER CALENDAR YEAR INVOLVE LAW, RULES, AND COURT CASES REGARDING REAL ESTATE”.

7. Amend page 6, line 14, after “than” by striking out “18” and inserting “THE APPROPRIATE NUMBER OF”.

The amendments were adopted, a majority of the members serving voting therefor.

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. 914

Yeas—33

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

Nays—0

Excused—5

Cherry	Murphy	Vaughn	Young
Hart			

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1400, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1005, 1011, 1019, 1021, and 1023 (MCL 600.1005, 600.1011, 600.1019, 600.1021, and 600.1023), sections 1005, 1019, and 1023 as

added by 1996 PA 388, section 1011 as amended by 1998 PA 298, and section 1021 as amended by 2000 PA 56; and to repeal acts and parts of acts.

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. 915

Yeas—24

Bennett	Emmons	Johnson	Schwarz
Bullard	Garcia	McCotter	Shugars
DeBeaussaert	Gast	McManus	Sikkema
DeGrow	Gougeon	Miller	Steil
Dunaskiss	Hammerstrom	Peters	Stille
Emerson	Hoffman	Sanborn	Van Regenmorter

Nays—9

Byrum	Koivisto	North	Scott
Dingell	Leland	Schuetter	Smith
Goschka			

Excused—5

Cherry	Murphy	Vaughn	Young
Hart			

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

Messages from the House

House Bill No. 4632, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2000 PA 14, and by adding section 9a.

The House of Representatives has appointed Rep. Kowall to replace Rep. Faunce as conferee.

The message was referred to the Secretary for record.

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

House Bill No. 5468

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Gast and Schwarz offered the following concurrent resolution:

Senate Concurrent Resolution No. 75.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase I).

Whereas, 2002 PA 530 established the University of Michigan-Dearborn (the "University") Hubbard Drive Professional Training and Education Building Acquisition (Phase I) for the acquisition of the University's Hubbard Drive Professional Training and Education Building (the "Professional Training Facility") at a Total Project Cost of \$32,800,000, of which the State Building Authority (the "Authority") share is \$24,599,800, the University share is \$8,200,000, and the State General Fund/General Purpose share is \$200; and

Whereas, The site for the Professional Training Facility will be owned by the University; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the University, the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the University may be conveyed to the Authority; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the University pursuant to the lease for the Professional Training Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the University has been prepared providing for the leasing of the Professional Training Facility by the Authority to the State and the University (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase I), consisting of the Professional Training Facility, shall not exceed \$32,800,000 (of which the Authority share is \$24,599,800, the University share is \$8,200,000, and the State General Fund/General Purpose share is \$200), plus interest charges on monies advanced by the State to meet the acquisition and renovation cash flow requirements of the Professional Training Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Professional Training Facility and leasing it to the State and the University and hereby determines that the leasing of the Professional Training Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Professional Training Facility shall be within or below the range of \$1,920,000 and \$2,440,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

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 Appropriations.

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 795, entitled

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

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

Messages from the Governor

The following message from the Governor was received and read:

November 18, 2002

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

Michigan Education Trust Board of Directors

Ms. Stacia K. Smith, 12780 Addison Road, Addison, Michigan 49220, county of Lenawee, as a member representing the general public, succeeding Dr. Marilyn Liddell of Constantine, who has resigned effective December 31, 2002, for a term beginning on January 1, 2003 and expiring on December 31, 2003.

Ms. Kathleen Schmaltz, 2300 Foote Manor Drive, Jackson, Michigan 49203, county of Jackson, as a member representing the general public, succeeding Mr. Thomas P. Sullivan of Brighton, whose term will expire on December 31, 2002, for a term beginning on January 1, 2003 and 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
Statements

Senators Miller and Leland asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Miller's statement is as follows:

Mr. President, it gives me great pleasure to make an announcement on behalf of the Miller family. I just wanted to say that we had a beautiful Thanksgiving holiday like I hope my colleagues did here.

My daughter, Nicole Price, made me a grandfather for the first time. I know I'm too young to be a grandfather, but I will accept all those accolades and honors because I'm just so proud to say that I am a proud grandfather of a baby girl named Grace Caroline. She's Princess Grace or Princess Caroline; you can call her either one. We're very proud to have this new addition to the Miller/Price family. I just wanted to brag a little bit on the Senate floor before I leave here at the end of the year to say that we have another addition to the Miller family. Even though she is known as Grace Price, we still like to take credit for Nicole Miller.

Senator Leland's statement is as follows:

I want to thank Senator Art Miller—first of all, congratulations on your grandchild—but also I want to thank you for that wonderful turkey platter that you gave me and the other members of the Senate. We thoroughly enjoyed our Thanksgiving, and the platter made it very enjoyable. The turkey was delicious. And every time we cut into that bird, for the rest of my life, I will always be thinking about my good friend Art Miller. It was a beautiful attraction to our Thanksgiving, and again, I would like to thank you, and my family thanks you.

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Emmons moved that the Committee on Families, Mental Health and Human Services be discharged from further consideration of the following bill:

Senate Bill No. 1505, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115i, 115j, 115l, and 115m (MCL 400.115f, 400.115g, 400.115i, 400.115j, 400.115l, and 400.115m), section 115f as amended by 1998 PA 22, section 115g as amended and sections 115i and 115l as added by 1994 PA 238, section 115j as amended by 2000 PA 61, and section 115m as added by 1994 PA 207, and by adding sections 115r and 115s.

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

Committee Reports

The Committee on Education reported

Senate Bill No. 1398, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 7 and 10a (MCL 257.1807 and 257.1810a), as amended by 2000 PA 49.

With the recommendation that the bill pass.

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

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson and Stille

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 1506, entitled

A bill to create the Michigan public educational facilities authority and to prescribe its powers and duties; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

With the recommendation that the bill pass.

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

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson and Stille

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5049, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279a.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson and Stille

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, November 13, 2002, at 3:00 p.m., Room 210, Farnum Building

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

Excused: Senator Peters

The Committee on Technology and Energy reported

Senate Bill No. 1498, entitled

A bill to allow for the recovery of certain costs by electric public utilities; to prescribe powers and duties of certain state agencies and officials; and to provide protection against the disclosure of certain information.

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

1. Amend page 2, line 6, after the first “provide” by striking out “provide reasonable” and inserting “reasonable and prudent”.
2. Amend page 2, line 9, after “following” by inserting “the result of”.
3. Amend page 2, line 13, after “recover” by striking out the balance of the line through “measures” on line 14 and inserting “enhanced security costs”.

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

Mat J. Dunaskiss
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Schuette, Hammerstrom, Byrum, Leland and Cherry

Nays: None

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

The Committee on Technology and Energy reported

Senate Bill No. 1499, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10d (MCL 460.10d), as added by 2000 PA 141.

With the recommendation that the bill pass.

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

Mat J. Dunaskiss
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Sikkema, Schuette, Hammerstrom, Byrum, Leland and Cherry

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, November 13, 2002, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Dunaskiss (C), Sikkema, Schuette, Hammerstrom, Byrum, Leland and Cherry

The Committee on Transportation and Tourism reported

Senate Bill No. 614, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 217i.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

House Bill No. 4352, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as added by 2000 PA 77, and by adding section 811o; and to repeal acts and parts of acts.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submitted the following:

Meeting held on Thursday, November 14, 2002, at 11:30 a.m., Room 110, Farnum Building

Present: Senators Bullard (C), Steil, North, Leland and Hart

Scheduled Meetings

Appropriations - Wednesday, December 4, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Appropriations, Joint Senate/House - Thursday, December 5, 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

Capital Outlay, Joint - Wednesday, December 4, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Families, Mental Health and Human Services - Wednesday, December 4, 3:00 p.m., Room 100, Farnum Building (373-3543)

Farming, Agribusiness and Food Systems - Wednesday, December 4, 1:00 p.m., Room 405, Capitol Building (373-1725)

Financial Services - Wednesday, December 4, 12:00 p.m., or later immediately following session, Room 100, Farnum Building (373-1758)

Hunting, Fishing and Forestry - Wednesday, December 4, 9:00 a.m., Room 110, Farnum Building (373-7670)

Judiciary - Wednesday, December 4, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Legislative Retirement Board of Trustees - Wednesday, December 4, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Medicaid Buy-In Program Task Force (SR 159) - Monday, December 9, 1:30 p.m., Room 110, Farnum Building (373-2523)

Senior Citizens and Veterans Affairs - Wednesday, December 4, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2417)

Transportation and Tourism - Thursday, December 5, 12:00 p.m., or later immediately following session, Room 110, Farnum Building (373-1758)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 11:30 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, December 4, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

