

No. 28
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, March 29, 2001.

10:00 a.m.

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

The roll was called by the Assistant Secretary of the Senate, who announced that a quorum was present.

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

Gougeon—present
Hammerstrom—present
Hart—present
Hoffman—present
Jaye—present
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—present

North—present
Peters—present
Schuette—present
Schwarz—present
Shugars—present
Sikkema—present
Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—excused
Young—present

Senator Joanne G. Emmons of the 23rd District offered the following invocation:

Thank You, Lord, for the many blessings You shower on us from those in the medical profession. We thank You for doctors with knowledge and skill who bring healing. Bless our doctors. We, in the Senate, especially are thankful for Dr. Joe Schwarz who day after day generously shares his healing knowledge with us. Bless Joe. We thank You for nursing staff, technical staff, and all the workers who are part of the giving medical service. Bless them all, especially with the gift of patience.

For patients, such as John, help them trust that in Your loving presence, they will be safe, and calm his fears. For all who serve patients, give them clear minds, steady hands, and loving hearts.

Dear Lord, our times are in Your hands; hold us secure. In Your name we pray. Amen.

Senators Schwarz and Hammerstrom entered the Senate Chamber.

Motions and Communications

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

Senator Emmons moved that Senator Bennett be temporarily excused from today's session.
The motion prevailed.

The following communications were received:
Department of Management and Budget

March 26, 2001

I am pleased to present you with a copy of the Annual Report for the Michigan Public School Employees Retirement System, the State Employees Retirement System, the State Police Retirement System and the Judges Retirement System for the fiscal year ending September 30, 2000.

These reports are an excellent source of information on all aspects of the retirement systems. They also provide information on service improvements that were accomplished during the year and detailed information on the strong financial standing of the system.

If I can provide further information, please let me know.

March 26, 2001

Pursuant to section 38(1) of Act No. 240 of the Public Acts of 1943, I am hereby submitting to the Legislature the actuarial valuation for the State Employees' Retirement System for the fiscal year ended September 30, 2000. This transmittal conforms to the requirement of section 38(1).

Sincerely,
Duane E. Berger
Acting Director

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 28:
House Bill Nos. 4258 4345 4411 4451 4476 4477 4478 4479 4480 4481 4482 4483 4484 4485

The Secretary announced the printing and placement in the members' files on Wednesday, March 28, of:

Senate Bill Nos. 356 357 358 359

Senate Joint Resolution Q

**House Bill Nos. 4520 4521 4522 4523 4524 4525 4526 4527 4528 4529 4530 4531 4532 4533
4534 4535 4536 4537**

Messages from the Governor

The following messages from the Governor were received and read:

March 28, 2001

Please correct your letter from March 27, 2001 as follows:

Construction Safety Standards Commission

Ms. Cheryl Lynn Hughes, 956 Chads Way, Charlotte, Michigan, county of Eaton, as a member representing construction management, succeeding herself, for a term expiring on March 18, 2004.

Mr. Martin Ross, 4744 Ridge Crest, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing construction labor, succeeding himself, for a term expiring on March 18, 2004.

Mr. Kris G. Mattila, 26346 Sixth Street, Box 532, Hubbell, Michigan 49934, county of Houghton, as a member representing the general public, succeeding himself, for a term expiring on March 18, 2004.

March 28, 2001

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

Commission on Disability Concerns

Ms. Lydia M. Graber, 21700 Meri Drive, Belleville, Michigan 48111, county of Wayne, as Chair representing the general public and dwarfism, succeeding herself, for a term expiring on March 5, 2004.

Mr. Alphonso Swain, 1639 West Lake Drive, Apt. 83, Haslett, Michigan 48840, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2004.

Ms. Heidi L. Van Arnem, 6139 Dakota Circle, Bloomfield Hills, Michigan 48301, county of Oakland, as a member representing persons with disabilities, succeeding herself, for a term expiring on March 5, 2004.

Mr. William Joseph Axtell, 813 West Drayton, Ferndale, Michigan 48220, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on March 5, 2004.

Mr. John L. Tuitel, 1517 Van Auken SE, Grand Rapids, Michigan 49508, county of Kent, as a member representing persons with disabilities, succeeding himself, for a term expiring on March 5, 2004.

Ms. Claudia Lee, 6837 Chesterfield Road, Waterford, Michigan 48327, county of Oakland, as a member representing the general public as advocate, succeeding Ms. Micki A. Berg of Huntington Woods, whose term has expired, for a term expiring on March 5, 2004.

Ms. Catherine E. Smith, 5400 Mall Drive West, Apt. 3117, Lansing, Michigan 48917, county of Ingham, as a member representing persons with disabilities, succeeding Mr. Clark B. Shuler of Ann Arbor, who has resigned, for a term expiring on March 5, 2004.

March 28, 2001

Please correct your letter dated March 27, 2001 as follows:

General Industry Safety Standards Commission

Mr. Michael D. Koehs, 47211 Mission Valley East, Macomb, Michigan 48042, county of Macomb, as a member representing employees in the public sector, succeeding himself, for a term expiring on March 26, 2004.

Ms. Geraldine Alice Johnson, 6319 Balfour Drive, Lansing, Michigan 48911-5441, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on March 26, 2004.

Mr. Thomas J. Pytlik, 3306 Westway Drive, Bay City, Michigan 48706, county of Bay, as a member representing management, succeeding Ms. Doris J. Morgan of Brighton, whose term has expired, for a term expiring on March 26, 2004.

March 28, 2001

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

State Board of Land Surveyors

Ms. Diane M. Adams, 624 East Washington, Ionia, Michigan 48846, county of Ionia, as a member representing the general public, succeeding herself, for a term expiring on March 31, 2005.

Ms. Lori Ellen Beyer, 2230 Rivenoak Court, Ann Arbor, Michigan 48103, county of Washtenaw, as a member representing professional land surveyors, succeeding herself, for a term expiring on March 31, 2005.

Mr. Ronnie M. Lester, 3081 Holt Road, Mason, Michigan 48854, county of Ingham, as a member representing professional land surveyors, succeeding Mr. Paul B. Lapham of Clare, whose term has expired, for a term expiring on March 31, 2005.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senator Bennett entered the Senate Chamber.

Third Reading of Bills

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

Senate Bill No. 109

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 30, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 16277.

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. 56

Yeas—26

Bennett	Goschka	McCotter	Shugars
Bullard	Gougeon	McManus	Sikkema
DeBeaussiaert	Hammerstrom	Miller	Steil
DeGrow	Hoffman	North	Stille
Dunaskiss	Jaye	Schuetz	Van Regenmorter
Emmons	Johnson	Schwarz	Young
Gast	Koivisto		

Nays—9

Byrum	Emerson	Leland	Peters
Cherry	Hart	Murphy	Smith
Dingell			

Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 257, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 36 to chapter IX.

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. 57

Yeas—35

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

Nays—0

Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Senator Peters moved that he be named co-sponsor of the following bill:

Senate Bill No. 257

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 341, entitled

A bill to amend 1993 PA 331, entitled “State education tax act,” (MCL 211.901 to 211.906) by adding section 5a.

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. 58

Yeas—35

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

Nays—0

Excused—1

Vaughn

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Senators DeGrow, Emmons, Hoffman and North asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator DeGrow's statement is as follows:

Today is sort of a sad day in some ways. One of the people who has worked for the Senate for a long time, was gone for awhile and has come back—had really done a tremendous job for our caucus—is going to be leaving in early April to take a job that will take her to the Washington, D.C., area. We are very proud of the work that Kristi has done. We are going to miss her. We will miss her a lot. She will be very difficult to replace, but that is part of our jobs to let these people go when they get good offers and good career moves. She is definitely getting a tremendous opportunity to have an impact on a national level. But having said that, we are going to miss her.

Again she has done great work for the Senate and for our entire caucus. A lot of times all the members don't know how much work staff has put into helping us do our jobs. In this case, I think all of our caucus knows the work that Kristi has done, and they are very appreciative. So I wish her well. I am sure she is going to do a great job in her new position, and we will miss her. We wish her well.

On behalf of our caucus, we have a state seal that everyone has signed. I want to say good luck, Kristi, and thank you for everything.

Senator Emmons' statement is as follows:

I'm going to miss Kristi. Certainly, her presence in the Senate and service to the Senate has been wonderful. She's done a wonderful job, and whoever gets her in Washington is going to be very lucky. We want to tell Kristi that there's always a place back here. We will find a place for you should those people out in Washington not appreciate you. You will be welcomed back with open arms.

Good luck to you and God's blessing.

Senator Hoffman's statement is as follows:

Kristi, on behalf of the Michigan Senate, I want to send along my congratulations to you. I'm going to really miss you and your smiling face. You always had a good attitude! That's something we don't often see here, and that's something we're sorely going to miss.

Senator North's statement is as follows:

Well, Kristi in no small part is responsible for my being in this chamber. She was my campaign manager when I ran in 1994, and for the most part, I have been very pleased with her efforts of helping me secure a seat in the Senate. On some days, however, I wish she wasn't so effective. I do wish her the very best. She has a very bright future in whatever aspect of public service that she chooses.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Emmons moved that the rules be suspended and that the following concurrent resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

Senate Concurrent Resolution No. 11

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

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 31

The resolution consent calendar was adopted.

Senator Stille offered the following resolution:

Senate Resolution No. 31.

A resolution commemorating April 2001 as Autism Awareness Month.

Whereas, April marks the observance of Autism Awareness Month in Michigan to draw attention to the increasing need to serve families with autistic members. Autism is a developmental disability that typically appears during the first three years of life. The result is a neurological disorder that affects functioning of the brain. Autism and its associated behaviors have been estimated to occur in as many as 1 in 250 individuals; and

Whereas, Autism is four times more prevalent in boys than girls and knows no racial, ethnic, or social boundaries. Family income, lifestyle, and educational levels do not affect the chance of its occurrence; and

Whereas, Autism is experiencing the fastest growing percentage increase of all the categories of special needs in our schools at a rate of 84.9 percent during the period of 1994 to 1999; and

Whereas, Autism impacts the normal development of the brain in the areas of social interaction and communication skills. Children and adults with autism typically have difficulties in verbal and nonverbal communication and social interactions, as well as leisure and play activities. The disorder makes it hard for them to communicate with others and relate to the outside world; and

Whereas, Over one half million people in the United States have some form of autism. Its prevalence now places it as the third most common developmental disability, yet the majority of the public, including many professionals in the medical, education, and vocational fields, are still unaware how autism affects people and how to work effectively with individuals with autism; and

Whereas, It is suggested that genetics may account for 40 percent of all the individuals who have autism and autism-related spectrums. It is not believed that there is any single cure for autism; now, therefore, be it

Resolved by the Senate, That we hereby commemorate April 2001 as Autism Awareness Month in an effort to recognize this lifelong disorder.

Senators Young and Goschka were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 11.

A concurrent resolution to establish a special joint committee to evaluate the Michigan State Fairgrounds and the pending sale of adjacent property.

The question on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senators Gougeon, Young and Johnson were named co-sponsors of the concurrent resolution.

Senator Emmons offered the following concurrent resolution:

Senate Concurrent Resolution No. 12.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, March 29, 2001, it stands adjourned until Tuesday, April 17, 2001, at 10:00 a.m. for the Senate and 2:00 p.m. for the House of Representatives.

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 concurrent resolution was adopted.

Introduction and Referral of Bills

Senator Van Regenmorter introduced

Senate Joint Resolution R, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 1, 11, 12, 13, 18, 19, 22, 23, 24, 27, and 30 of article VI; adding section 31 to article VI; and repealing sections 15 and 16 of article VI, to provide for the reorganization of the judicial branch.

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

Senators Young, Smith, Peters, Cherry and Dingell introduced

Senate Bill No. 366, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1307. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Young and Murphy introduced

Senate Bill No. 367, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81c. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Young and Murphy introduced

Senate Bill No. 368, entitled

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

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

Senators Young and Murphy introduced

Senate Bill No. 369, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81d.

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

Senator Johnson introduced

Senate Bill No. 370, entitled

A bill to establish and regulate the court-appointed special advocate program.

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

Senators Schwarz, Koivisto, McManus and Smith introduced

Senate Bill No. 371, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by repealing section 274 (MCL 206.274).

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

Senators Smith, Cherry, DeBeaussaert, Byrum, Dingell, Young, Emerson, Murphy, McManus, Koivisto and Miller introduced

Senate Bill No. 372, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

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

Senators Bullard, Dunaskiss, McCotter, Sikkema, North, Johnson and Hammerstrom introduced

Senate Bill No. 373, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 601b, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.601b, 257.625, 257.625m, 257.732, and 257.904d), sections 303, 319, 320a, 625, 625m, 732, and 904d as amended by 2000 PA 460 and section 601b as added by 1996 PA 320.

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

Senators Bullard, Dunaskiss, McCotter, Sikkema, North, Johnson and Hammerstrom introduced

Senate Bill No. 374, 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 2000 PA 459.

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

Senators Sikkema, Hammerstrom, Dunaskiss, Johnson and Jaye introduced

Senate Bill No. 375, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5311 (MCL 324.5311) and by adding section 3106b.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

House Bill No. 4258, 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, 2002; 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 passed the bill.

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

House Bill No. 4345, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21773 (MCL 333.21773).

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 Health Policy.

House Bill No. 4411, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

House Bill No. 4451, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21769.

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 Health Policy.

House Bill No. 4476, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

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

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

House Bill No. 4477, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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

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

House Bill No. 4478, entitled

A bill to levy a replacement energy tax on the price of natural gas; to provide for the administration and collection of the replacement energy tax revenues; and to provide for the disposition of revenues.

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

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

House Bill No. 4479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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

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

House Bill No. 4480, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

House Bill No. 4481, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

House Bill No. 4482, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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

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

House Bill No. 4483, entitled

A bill to establish the state home heating credit fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the home heating credit fund.

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

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

House Bill No. 4484, 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 10t (MCL 460.10t), as added by 2000 PA 141.

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 Technology and Energy.

House Bill No. 4485, 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," (MCL 460.1 to 460.10cc) by adding section 9.

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 Technology and Energy.

By unanimous consent the Senate returned 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 Dingell as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 29, entitled

A bill relative to the borrowing of money by municipalities and the issuance of certain obligations; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of obligations to pay premiums or to establish funds to self-insure for losses; to prescribe penalties; and to repeal acts and parts of acts.

Substitute (S-3).

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.

Statements

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

The motion prevailed.

Senator Young's statement is as follows:

Yesterday this chamber passed the budget for the Department of Consumer and Industry Services—Senate Bill No. 233. This budget includes dozens of regulatory programs, including the licensing and inspection of child day care centers. Last year's budget included authorization for the department to hire 20 new child day care inspectors. We desperately need to hire these additional inspectors. Currently, each inspector is responsible for over 220 day care facilities. Inspectors in other Great Lakes states are responsible for no more than 150 facilities, and in fact, some states have an inspector for every 75 facilities.

With the support of the Senators from the 8th District and the 33rd District, we were able to add language yesterday that requires the department to maintain a ratio of no less than one inspector for every 210 child day care facilities. This is definitely a step in the right direction. I would hope my colleagues will join me and those Senators in keeping watch over the department to make sure they fulfill their commitment to hire these much needed inspectors.

Committee Reports

The Committee on Financial Services reported

Senate Bill No. 206, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 106, 122, 123, 131, 133, 141, 143, 151, 338, 342a, 344, 404, 405, 407, 413, 488, 489, 521, 525, 563, 564b, 703a, 753, 754, 901, and 1060 (MCL 450.1106, 450.1122, 450.1123, 450.1131, 450.1133, 450.1141, 450.1143, 450.1151, 450.1338, 450.1342a, 450.1344, 450.1404, 450.1405, 450.1407, 450.1413, 450.1488, 450.1489, 450.1521, 450.1525, 450.1563, 450.1564b, 450.1703a, 450.1753, 450.1754, 450.1901, and 450.2060), sections 106, 122, 133, 141, 405, 521, 525, and 563 as amended and sections 342a and 754 as added by 1989 PA 121, section 123 as amended by 1993 PA 357, sections 131, 338, 407, and 1060 as amended by 1993 PA 91, and sections 151, 344, 404, 489, 564b, 703a, and 753 as amended and section 488 as added by 1997 PA 118, and by adding section 406a.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Shugars, Jaye, Miller and Leland

Nays: None

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

The Committee on Financial Services reported

Senate Bill No. 216, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 13 (MCL 450.233), as amended by 1990 PA 166.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Shugars, Jaye, Miller and Leland

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Wednesday, March 28, 2001, at 9:30 a.m., Room 100, Farnum Building

Present: Senators Bullard (C), Shugars, Jaye, Miller and Leland

Excused: Senator Stille

The Committee on Farming, Agribusiness and Food Systems reported
Senate Concurrent Resolution No. 11.

A concurrent resolution to establish a special joint committee to evaluate the Michigan State Fairgrounds and the pending sale of adjacent property.

(For text of resolution, see Senate Journal No. 27, p. 296.)

With the recommendation that the concurrent resolution be adopted.

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille and Byrum

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Farming, Agribusiness and Food Systems submits the following:

Meeting held on Wednesday, March 28, 2001, at 1:00 p.m., Room 405, Capitol Building

Present: Senators McManus (C), Stille, Gougeon, Byrum and Hart

Scheduled Meetings

Appropriations -

Subcommittee -

Higher Education - Friday, April 20, 10:00 a.m., University of Michigan-Flint, Harding Mott University Center, corner of Kearsley Street and southbound Chavez, Flint; Monday, April 23, 10:00 a.m., Grand Valley State University, Grand Rapids Campus-DeVos Center, 401 W. Fulton Street, Grand Rapids; Friday, May 4, 10:00 a.m., Concordia College, Student Union-Riverside Rooms A, B, and C, 4090 Geddes Road, Ann Arbor; Friday, May 11, 10:00 a.m., Lake Superior State University, Cisler Center, 650 W. Easterday Avenue, Sault Ste. Marie; and Tuesday, May 15, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Senator Emmons moved that the Senate adjourn.

The motion prevailed, the time being 10:56 a.m.

Pursuant to Senate Concurrent Resolution No. 12, the President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, April 17, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.