

No. 60
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, September 20, 2000.

10:00 a.m.

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

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

Rogers—present
Schuette—present
Schwarz—present
Shugars—present
Sikkema—present
A. Smith—present
V. Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—excused
Young—present

Pastor Douglas Fauble of South Olive Christian Reformed Church of Holland offered the following invocation:

Our Father, who art in Heaven, we're before You at the beginning of another day as if today were a blank piece of paper which needs to be filled out during the course of these next hours. As we work, may we be mindful of working before You. May our thoughts, actions, and words be pleasing in Your sight first of all. Where we have interests other than Yours, make it clear that we must change our ways to fit Your ways. Help us see our charge as coming from You to serve You as Senators in this great state of Michigan. When we differ with others, help us to respect each other's opinions. When we sense an urge to argue, check it, Lord, with a calm word. When we grow restless to move hastily, grant us patience. Throughout the day may we seek Your wisdom and act accordingly. When we fall short of conducting ourselves as You want, grant us humility to say we're sorry and to forgive each other as You've forgiven us in Christ our Savior.

And at the end of this workday when we review the record of today's events on that sheet of paper now filled in, may the words of Psalm 90:17 still be foremost to us: "May the favor of the Lord our God rest upon us; establish the work of our hands for us, O Lord." Yes, establish the work of our hands.

We pray this in Christ's name and all God's people said, "Amen."

Motions and Communications

Senator Hoffman entered the Senate Chamber.

Senator V. Smith moved that Senators Leland and Miller be temporarily excused from today's session.
The motion prevailed.

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

Senator Rogers moved that Senators Bullard, Dunaskiss, Schwarz and Shugars be temporarily excused from today's session.
The motion prevailed.

Senator V. Smith moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the order of Third Reading of Bills:

House Bill No. 4532

The question being on the motion to suspend the rules,

Senator Dunaskiss entered the Senate Chamber.

Recess

Senator Rogers moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:08 a.m.

10:13 a.m.

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

During the recess, Senators Miller, Shugars, Leland, Emmons and Bullard entered the Senate Chamber.

Senator DeGrow moved that further consideration of the motion be postponed until Thursday, November 9.
On which motion Senator V. Smith requested the yeas and nays.
The yeas and nays were ordered, 1/5 of the members present voting therefor.

Senator Schwarz entered the Senate Chamber.

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 603**Yeas—21**

Bennett	Goschka	Johnson	Shugars
Bullard	Gougeon	McManus	Sikkema
DeGrow	Hammerstrom	Rogers	Steil
Dunaskiss	Hoffman	Schuette	Stille
Emmons	Jaye	Schwarz	Van Regenmorter
Gast			

Nays—16

Byrum	Emerson	McCotter	Peters
Cherry	Hart	Miller	Smith, A.
DeBeaussaert	Koivisto	Murphy	Smith, V.
Dingell	Leland	North	Young

Excused—1

Vaughn

Not Voting—0

In The Chair: President

Protests

Senators Dingell and Byrum, under their constitutional right of protest (Art. 4, Sec. 18), protested against postponement of the motion to suspend the rules on House Bill No. 4532.

Senator Dingell's statement is as follows:

Mr. President, the obtuseness of the majority leadership is a wonder to me and will be a wonder to sportsmen throughout the state. Taking up House Bill No. 4532 after the November election, the way Majority Floor Leader Mike Rogers and Majority Leader Dan DeGrow want to do, is simply not good enough for sportsmen. There may be just nine session days left after the election. The House and Senate's legislative calendars are going to be a madhouse, and there are no end of chances that the ball will simply be dropped, even with the best of intentions.

I'm still mad at the Republican Governor and Republican Senate leadership for wimping-out on other legislation earlier this year and the refusal to do even the simple noncontroversial things to help sportsmen, like enact House Bill No. 4532 in a timely fashion. This should make even committed Republican sportsmen doubt their sincerity. If sportsmen don't send this message to Republican Senators and Republican Senate leadership, I don't know if we'll ever get this bill enacted.

I need sportsmen's help to get House Bill No. 4532 enacted and taken up in a timely fashion. What is a timely fashion? Well, we need to have it in effect before deer season. Deer season is the period of year when law-abiding pistol owners make the most use of their pistols. Sportsmen are becoming aware of what penal code section 231 says. If it was enforced the way it's written, which it's usually not enforced the way it's written, most pistol owners using their pistols in a law-abiding fashion or what they think is a law-abiding fashion would get all expense-paid vacations in the custody of the county sheriff. That section's current language specifically mandates the use of trunks to transport pistols, requires that you be a member of ranges the pistols are transported to, and doesn't allow pistols to be transported to any dwelling except their permanent home. There are no misdemeanor penalties here, only felony penalties.

You know it's not unusual for pistol owners going up North to be told by police during traffic stops that they're violating this section, even though their pistols are cased, unloaded, and inaccessible, and that prosecution, pistol seizure, and even vehicle seizure are possible. I've been advised of this kind of thing by police. In order to prevent this,

a long series of things have to happen before the November deer season. The Senate needs to take the bill up, amend it to delete a tie-bar to other legislation, and send it back to the State House for concurrence. Once the House concurs, a generally two-week process known as "enrollment printing and presentation to the Governor" has to take place. Then the Governor gets to look at it for another two weeks. Backing up from November in this way, the Senate needs to take up House Bill No. 4532 by October 1. But before the Senate actually takes it up and passes it, we've got to move it back to the order of Third Reading of Bills where it was before the Senate leadership tried to kill it back in June. I hope the sportsmen of Michigan rise up in arms and give their Republican Senators an earful sometime real soon.

Senator Byrum's statement is as follows:

I voted "no" on postponing the motion until the middle part of November because there is no good excuse for not moving this legislation immediately. In fact, this legislation is not controversial at all. A year ago I introduced similar legislation that passed this body unanimously. And, as was the case then and what I am very fearful will be the case this time around, we'll get lost in the shuffle at the end of the year when so much is going on, and things tend to fall off the table pretty quickly. So by not voting to take this legislation up immediately, we have effectively killed this legislation for the year. I think it's unfortunate because there was no good reason not to take this legislation up immediately, and this legislation is not controversial.

The Secretary announced the printing and placement in the members' files on Tuesday, September 19, of:
Senate Bill Nos. 1339 1340 1341

Messages from the Governor

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF EDUCATION

June 28, 2000

Today I have signed Enrolled Senate Bill 966, the Fiscal Year 2001 appropriations bill for the Department of Education. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill will provide over \$928 million in support of pre K-12 education programs. The Department of Education supports school improvement initiatives by administering early intervention programs, promoting educational choice, developing a framework for accountability, providing technical assistance to local districts, and helping to create a clearinghouse for information on school performance. My action today:

- Supports the restructuring of the Department of Education, including formation of the new Office of School Excellence and the Office of Education Options, Charters and Choice. These new offices will focus directly on school improvement initiatives.
- Adds \$10.8 million in federal program funds, and supports federal grant applications for \$31.5 million in new awards from the reading excellence act and teacher quality enhancement programs. Funding provided via the federal reading excellence act is intended to be coordinated under the state Reading Plan for Michigan initiative.
- Provides an increase in the per pupil allocation for the competitive portion of the school readiness program from \$3,100 to \$3,300, and supports a corresponding increase of \$817,000 general fund/general purpose.
- Enhances the Reading Plan for Michigan initiative by providing an additional \$350,000 in federal funds for continued development and refinement of the Michigan Literacy Progress Profiles - a tool developed by the department for teachers' use in monitoring the reading success of children in the early grades.
- Includes \$250,000 for technology to consolidate the multiple school improvement plans that are required of school districts by various state and federal programs. A cohesive school improvement framework is an important tool for local districts in targeting programs to at-risk children, enhancing student performance, empowering teachers, fostering parental involvement, and creating the pathway for greater flexibility in the delivery of federal programs.
- Supports the innovative curriculum development (\$560,000) and innovative program demonstration (\$400,000) grant programs. These programs encourage innovation by providing a competitive pool of funds for new approaches in the areas of curriculum development, civic education, special education, math and science programs, school safety, parental involvement, conflict resolution, character education, and gifted and talented programs. I have directed the department to include strong evaluative and results dissemination components in the grant awards.

- Provides \$250,000 in support of autism teacher certification programs at higher education institutions in the state. I am directing the department to work with not only Grand Valley State University, as required in Section 707, but also other higher education institutions that are interested in establishing/enhancing autism teacher certification programs.

I have vetoed the following items for the reasons noted below:

- An earmarking of \$20,000 and 1/3 FTE for a certified school nurse consultant. The Superintendent for Public Instruction needs flexibility in setting the priorities for his organization; this earmark runs counter to that ability.
- The earmarking of \$50,000 in teacher testing fees for the Office of Safe Schools is not a statutorily allowable use of these restricted funds.

I thank the Legislature for its support on this important budget bill, and look forward to working with you as we continue our quest to make Michigan a world class education leader.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on June 29, 2000, at 9:41 a.m. (Filed with the Secretary of State on June 29, 2000, at 4:32 p.m.) and assigned Public Act No. 263.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Rogers moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; COMMUNITY COLLEGES

July 6, 2000

Today I have signed Enrolled Senate Bill 963, which provides Fiscal Year 2001 appropriations for Community Colleges. However, I am returning it to you because of one item of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

Each year, nearly 400,000 residents increase their skills by taking community college courses in the areas of occupational preparation, professional and personal development, and in preparation for continued study at four-year colleges and universities. In partnership with the private sector, these institutions play a vital role in the provision of workforce skill enhancement and retraining which will enable Michigan to remain competitive in the global marketplace.

Included in the bill are over \$310 million in state resources for the upcoming fiscal year to support community college operations, representing a 6% increase over the Fiscal Year 2000 level. These resources are distributed 2.5% through the Gast-Mathieu funding formula, and 3.5% across-the-board. With inflation estimated at 3%, all colleges will receive a minimum operating increase of 3.5%, with 19 colleges receiving operational funding increases in excess of 5%. The budget also provides \$3.7 million for programs for students who are academically at risk and \$433,131 to reimburse community colleges for revenue lost as a result of the establishment of Renaissance Zones.

Community colleges will also benefit from the additional \$8.8 million one-time Fiscal year 2000 supplemental appropriation for infrastructure, technology, equipment and maintenance needs, authorized in Enrolled Senate Bill 968. With the increase in operational resources for Fiscal Year 2001 and the additional Fiscal Year 2000 supplemental appropriation, community colleges will experience a combined 9% increase in operations support over the Fiscal Year 2000 level.

In addition, the community college budget includes \$10 million to fund the Postsecondary Access Student Scholarship Program (PASS), which was recommended by the Michigan Commission on Financing Postsecondary Education chaired by Lieutenant Governor Posthumus. PASS will pay tuition and fee costs, not already covered by other federal and state financial assistance grants, for low and middle income Michigan students under age 22 who are enrolled at least half-time in associate degree programs at community colleges, state universities, or independent colleges.

I am vetoing section 219 which allocates \$50,000 from the Renaissance Zone Tax Reimbursement line item to reimburse community colleges for assisting the Department of Treasury in collecting data from local units of government about revenue losses resulting from tax increment financing. The Department of Treasury has done previous studies of the impact on community colleges from Tax Increment Finance Authorities and tax abatements. Additional study is not needed.

The Fiscal Year 2001 budget for community colleges reflects an extraordinary level of state support for community colleges and demonstrates the State's continued commitment to this very important component of Michigan's education system. I thank the Legislature for its work on this important legislation.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on July 6, 2000, at 11:55 a.m. (Filed with the Secretary of State on July 7, 2000, at 11:52 a.m.) and assigned Public Act No. 272.

The question being on the passage of the vetoed line item, the objections of the Governor to the contrary notwithstanding,

Senator Rogers moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; SUPPLEMENTAL

July 13, 2000

Today I have signed Enrolled Senate Bill 968. However, I am returning it to you because of several items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

This supplemental budget bill provides \$613.9 million (\$393.4 million general fund) in Fiscal Year 2000 supplemental funding for Capital Outlay, the Legislature, the Judiciary, Higher Education, and the Departments of Agriculture, Career Development, Civil Rights, Civil Service, Community Health, Consumer and Industry Services, Corrections, Education, Environmental Quality, Management and Budget, Military and Veterans Affairs, Natural Resources, State, State Police, Transportation and Treasury, the Family Independence Agency, and the Michigan Strategic Fund.

Key provisions of the bill include the following:

- \$19.7 million general fund for the departments of Agriculture, Community Health and Natural Resources to enhance efforts in eradicating Bovine Tuberculosis from Michigan livestock and wildlife.
- \$2.0 million to the Department of Agriculture for start up funding to implement recently enacted changes to Michigan's food safety laws.
- Capital outlay appropriations of \$56.0 million general fund for infrastructure, technology, equipment and maintenance at state universities, community colleges and private universities.
- \$13.7 million to authorize 1999 Round II funding for land acquisition and recreation development projects as recommended by the Michigan Natural Resources Trust Fund Board.
- Capital outlay appropriations of \$17.0 million for emergency dredging due to low water levels: \$10.0 million for one-time emergency grants to local units of government that operate harbors constructed with assistance from the Michigan State Waterways Commission, \$4.0 million for harbors operated by the Department of Natural Resources, and, \$3.0 million for the Detroit St. Aubin marina.
- \$28.3 million for the Department of State Police to allow voice and data transmission on the Michigan Public Safety Communication System.
- Department of Career Development appropriations of \$28.5 million in support of three initiatives: a summer youth employment program, Focus: HOPE and the Michigan Volunteer Alliance.
- Department of Community Health appropriations of \$7.0 million (\$1.8 million general fund) to begin implementation of data processing changes required by the federal Health Insurance Portability and Accountability Act, and \$4.2 million gross (\$1.1 million general fund) to make improvements to the Medicaid encounter data system.
- \$3.0 million general fund to the Department of Consumer and Industry Services for two emergency services training centers: one in Oakland County and one in Macomb.
- Department of Education appropriation of \$2.3 million gross (\$1.8 million general fund) to support the ongoing production and distribution of the R.E.A.D.Y. kits.
- Family Independence Agency general fund appropriations of \$60.0 million to recognize several base shortfalls in their current year budget, plus \$20.0 million gross to intensify efforts in the area of reducing out-of-wedlock births, and \$50.0 million gross for the Family Opportunity Project.
- \$13.1 million general fund to bring the balance of the Children's Trust Fund to its statutory cap.
- \$23.2 million gross (\$21.2 million general fund) to the Department of Management and Budget for the implementation of e-Michigan, which will provide citizens of the state with an easy-to-understand web interface to government services.

- \$50.0 million general fund to the Michigan Strategic Fund to establish the Michigan Core Communities Fund which will provide grants, loans, and other support to eligible local units of government for infrastructure and site development, demolition and other site improvements.
- Provides \$17.0 million general fund for the Great Lakes fishing settlement and gill net removal and \$12.4 million for the Department of Natural resources to issue the second round of Clean Michigan Initiative local recreation grants.
- Increases the Department of State Police by \$3.1 million general fund for information technology, and \$3.4 million gross to support the Family Protection Initiatives; including funds for Firearm Safety Device Grants to Locals (\$1.0 million), the Project Exile Coordination Commission (\$1.5 million), three FTE positions in the central records division for child care background checks (\$750,000) and Firearms Safety and Awareness Curriculum (\$150,000).
- This bill also appropriates \$5.0 million for Agricultural Development Initiatives. Under the provisions of Section 304 of the bill, these funds cannot be spent until legislation is enacted to establish and define the program. I look forward to working with the legislature to develop mutually acceptable parameters for this initiative.

My action today includes vetoes of:

- \$100 line items which would authorize additional planning projects at Eastern Michigan University and Michigan Technological University. I did not veto similar \$100 planning authorizations for Northern Michigan University, Kellogg Community College, Montcalm Community College, St. Clair County Community College, and Monroe Community College, because these projects are significantly lower in cost than those for Eastern Michigan University and Michigan Technological University. My lack of a veto, however, does not guarantee support for future construction authorization. Additional information and justification for the projects will be required prior to receiving my support for construction authorization. In addition, a full assessment of the State Building Authority bond cap vis-a-vis other potential capital outlay needs will be a pre-condition to advancing these projects beyond the planning stage.
- \$15.9 million general fund for public broadcasting digital television and radio conversion as well as the related boilerplate section 406. I have serious reservations about whether or not this proposal will provide Michigan residents with truly state-of-the-art technology.

I thank the Legislature for their work on these supplemental appropriations.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on July 13, 2000, at 9:50 a.m. (Filed with the Secretary of State on July 13, 2000, at 2:07 p.m.) and assigned Public Act No. 291.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Rogers moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; SCHOOL AID

July 26, 2000

Today I have signed Enrolled Senate Bill 1044. However, I am returning it to you because of several items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

Enrolled Senate Bill 1044 contains supplemental appropriations for Fiscal Years 2000 and 2001 and comprehensive budgets for Fiscal Years 2002 and 2003. Enrolled Senate Bill 1044, as enacted, appropriates \$10.2 billion for Fiscal Year 2000, nearly \$11 billion for Fiscal Year 2001, \$11.5 billion for 2002, and \$11.9 billion for Fiscal Year 2003.

Over the next three years, the basic foundation allowance will increase by \$1,000 per pupil. For Fiscal Year 2001, the basic foundation allowance will increase by \$300, or 5.3%, compared to a projected inflationary increase of 3.2%. The basic foundation in Fiscal Year 2002 will increase 5%, or \$300 per pupil, plus there will be an equity payment of up to \$200 to ensure that every district will receive at least \$6,500 per pupil. In Fiscal Year 1995, when Proposal A reforms began, districts receiving foundations at or above \$6,500 were considered wealthy districts. In Fiscal Year 2003, the basic foundation will rise even higher - to \$6,700 per pupil.

The gap between the lowest spending districts and those districts receiving foundation allowances of at least the basic amount has been closed. In Fiscal Year 2000, every district will receive at least the basic foundation of \$5,700. When school finance reform was enacted in Fiscal Year 1995, the minimum foundation was \$4,200; in Fiscal Year 2003 the minimum foundation will be \$6,700, a 60% increase.

In addition, I commend the Legislature on its action related to the following initiatives:

- Demonstrating the state's compliance with both its Proposal A and its Headlee constitutional obligations, as determined by the courts in both the Durant I and Durant II court cases. Technical changes in Enrolled Senate Bill 1044 clarify that the distribution of school aid funds meets both constitutional obligations.
- Increasing funding to a total of \$866 million for intervention programs to assist all students in achieving educational success, including:
 - New funding of \$45 million annually for children ages 0-5 and their parents to improve school readiness and parenting skills, and foster the maintenance of stable families through community/school/home partnerships.
 - Increasing traditional school readiness programs funding from \$55 million to \$72.6 million annually to give an additional 4,200 4-year-olds an early start on educational success and increase the per-pupil grant from \$3,100 to \$3,300. In addition, many more children of working parents will be able to take advantage of part-time school readiness programs due to the increased funding to support wrap-around, full day programs - from \$5 million in Fiscal Year 2000 to \$20 million in Fiscal Year 2001, \$25 million in 2002, and \$30 million in 2003.
 - Providing \$50 million for competitive grants for districts to assess reading skills and implement research-based, structured reading improvement programs for at-risk students in the early elementary grades and an additional \$5 million annually for teacher training in reading instruction and assessment. Also, \$2.5 million is provided annually for preschool reading readiness kits.
- Reinforcing our commitment that every child be performing schoolwork at the appropriate grade level by the fourth grade by funding summer school programs. Enrolled Senate Bill 1044 provides \$38 million in Fiscal Years 2001 and 2002 and \$50 million in Fiscal Year 2003 to offer additional assistance in reading and mathematics to students in grades 1-4 identified as needing extra help.
- Funding the Family Opportunity Project at \$10 million for Fiscal Year 2000 to support families who have not yet been successful connecting with the workforce. The program will assist these families in obtaining employment skills that improve their workforce readiness and marketability, while providing child care and summer school opportunities for their children.
- Recognizing the importance of technology and performance data in moving Michigan's K-12 system into the next millennium by funding the following initiatives:
 - Providing \$110 million for Fiscal Year 2000 to supply teachers with computers and training, furthering the integration of technology into the classroom.
 - Funding of \$15 million in Fiscal Year 2001 and \$1.5 million for each of the following Fiscal Years for the Michigan Virtual High School to significantly expand curricular offerings for all high school students and benefit teachers, administrators and school staff through access to professional development opportunities.
 - Funding of \$10 million in Fiscal Year 2000 and over \$2 million in each of the following Fiscal Years for the start-up and ongoing costs of the Database for Educational Performance and Information (DEPI) to enhance the quality, accessibility, and usefulness of education data for parents, school officials, state policymakers and the general public.
 - Providing \$1.2 million in Fiscal Year 2001 to fund a collaborative effort among the Oakland Intermediate School District, the Wayne RESA, and Eastern Michigan University to provide curricular support to teachers statewide by providing lesson plans on the internet that correlate to MEAP test expectations.

However, there are several new provisions in Enrolled Senate Bill 1044 that concern me. I am vetoing the items that appear below:

- New Section 11J would create a revolving fund of \$50 million in Fiscal Year 2000 to help districts reduce borrowing costs between state payments. This program is administratively burdensome and unnecessary, given the generous funding increases contained in Enrolled Senate Bill 1044.
- I am vetoing Section 11L, which contains annual funding of \$18 million for school construction interest waivers. Public Act 290 of 2000 tie-barred implementation of the school infrastructure program to the availability of funding in this new Section 11L, as well as the \$34 million in Section 11K. The \$34 million will be available for expenditure pending removal of the tie bar.
- New Subsection 32F(2) provides \$15 million annually beginning in Fiscal Year 2001 to a limited number of districts having a high proportion of special education pupil memberships. While this program has the laudable goal of reducing the number of children with learning disabilities needing special education services by improving reading skills, the districts eligible for the funding have a very small percentage of the state's learning disabled population enrolled in their programs. In addition, as written, these funds would not count toward the state's Headlee constitutional obligations.
- New Subsection 32F(4) provides \$2.5 million annually for competitive grants to higher education institutions for the development or enhancement of programs for autistic pupils. This is in addition to funding provided in the Fiscal Year 2001 Department of Education budget for establishing or enhancing autism teacher certification programs. I am vetoing the appropriations for Fiscal Years 2002 and 2003 for these grants. Funds not expended in Fiscal Year 2001 can be carried forward for ongoing support.

- New Subsection 6(4)(Y) assists small districts experiencing declining enrollment by basing the districts' payments upon the higher of the current pupil membership blend or an average of the three most recent membership blends. The estimated cost of this provision is \$18.0 million in Fiscal Year 2001, \$17.4 million in Fiscal Year 2002, and \$15.0 million in Fiscal Year 2003. Also, new Section 20K pays state dollars to small districts with high local revenues. The cost of Section 20K is \$1.05 million annually.

I am vetoing the appropriations for Fiscal Years 2002 and 2003 for both of these provisions. Continued additional state support will only maintain the status quo. In addition to the task force to be appointed by the State Superintendent as described in Section 20K, I will be establishing a study committee to examine how to restructure the delivery and administration of services and programs in these small, declining-enrollment districts to provide maximum educational opportunities to students in the most cost-efficient manner possible.

- Language added to Section 24(2) would pay for the added costs of court-placed pupils in a district that does not fit the existing criteria under this section. The cost of this provision is \$100,000 annually beginning in Fiscal Year 2001.

I also considered a veto of new Subsection 53a(6) which allocates \$150,000 annually to an intermediate district that received at least \$1 million in Fiscal Year 2000 for special education transportation costs under Section 53a; however, the language appears technically flawed, as no intermediate district is expected to have reported special education transportation costs under Section 53a exceeding \$1 million. No intermediate districts will be eligible, and this funding will lapse at the end of each Fiscal Year.

Legislative action, modified by these vetoes, demonstrates our continuing outstanding commitment to our future. Thank you for your work on behalf of Michigan's children.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on July 26, 2000, at 11:00 a.m. (Filed with the Secretary of State on July 26, 2000, at 2:10 p.m.) and assigned Public Act No. 297.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator Rogers moved that the veto message be referred to the Committee on Appropriations.

On which motion Senator Cherry requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 604

Yeas—23

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

Nays—14

Byrum	Emerson	Miller	Smith, A.
Cherry	Hart	Murphy	Smith, V.
DeBeaussaert	Koivisto	Peters	Young
Dingell	Leland		

Excused—1

Vaughn

Not Voting—0

Protests

Senators Cherry, Peters and Byrum, under their constitutional right of protest (Art. 4, Sec. 18), protested against the motion to refer the veto message on Senate Bill No. 1044 to the Committee on Appropriations.

Senator Cherry's statement is as follows:

I voted "no" on the motion to refer the Governor's line-item vetoes on Senate Bill No. 1044 to committee. I voted "no" on that motion because one of those vetoes dealt with, what I believe to be, about \$102 million in school infrastructure funding. Mr. President, over the course of the past year there's been a number of discussions regarding the importance of beginning to deal with the improvements in the detrition of school buildings throughout the state. And when we passed Senate Bill No. 1044 in a bipartisan fashion, both in terms of this particular line item and the bill as well, money was put there to at least begin the efforts to reinvest in our school buildings in this state. I think to have vetoed this puts us a step backwards.

I note, Mr. President, that we hear across this state and across this nation debates about the importance of education and about the importance of the environment that our children are going to school in is sound and safe and healthy—the needs invested in our schools, in the buildings. And while this whole debate is going on and while this body in a bipartisan way put this money in the budget, it's now been vetoed. I just don't understand why we would allow that to occur. It seemed appropriate to keep the bill here on the floor, and if, in fact, this is an important item to us—and I believe it is because I've heard it on both sides of the aisle—we would have over ridden this veto.

You know, in the scheme of things, in the context of this bill, \$102 million ultimately is a pittance, but it is at least a symbolic step forward, and it at least puts everybody on notice that the state of our school facilities in this state are important not just to Democrats, but to Republicans—to all who are serving this body. And I think it's unfortunate that when all is said and done this money is going to disappear through a veto.

And, Mr. President, that's why I voted "no" on the motion to refer this to committee. I believe our schoolchildren deserve better. I believe our communities deserve better. And I believe that this body ought to stand up for the position that it took earlier this year when we said that the state of our school buildings in this state are important to us and that we recognize that the state must be an active partner in efforts to improve school buildings, improve the environment that our students are in when they go to school every day. I'm disappointed, Mr. President, that motion ultimately prevailed and the bill wound up in committee.

Senator Peters' statement is as follows:

I also voted "no" because I do not, frankly, believe that the Governor was right in vetoing some very important resources going into some schools across the state. Schools are struggling to provide resources for the children in need and at risk—basic services like technology in schools or other basic services like just simply having a school building with adequate heat and with walls that aren't crumbling.

We have a number of urban districts that are struggling to provide the best educational environment possible for their children, and I hear an awful lot of rhetoric on this floor. And I hear an awful lot of rhetoric in the political campaigns that we need to support education, particularly in areas that are being challenged day in and day out in both urban and rural areas. The Senate passed with an overwhelming margin a bill that would start to address this crucial problem of making sure that the infrastructure is in place to properly educate our children all throughout the state of Michigan.

Unfortunately, even though the Governor talks about helping those districts with the one hand, with the other hand he took his pen and vetoed money that would have gone into those districts. And he did this at a time when the School Aid Fund is projected to have healthy balances over the course of the next three years. There's money available in the budget today to address this issue. The Governor talks about it, and yet, with the pen in his hand vetoes it and makes sure that money isn't available to help children who are in the greatest need in this state. I think it's wrong. I think this Legislature should override the veto of the Governor. We should match the rhetoric with action and override the veto.

Senator Byrum's statement is as follows:

I voted "no" on the motion to refer the message from the Governor and the line-item veto back to committee on school infrastructure. I disagree with the Governor, and I'm very disappointed that this body did not join with the Democratic side of the aisle in keeping this bill in front of us today. Education should not be a partisan issue. We came together in a bipartisan manner to put the school infrastructure monies in place, yet when it came time to disagree with the Governor, we choose to fall on party lines. I think that's very unfortunate, particularly at a time when we know there are sufficient revenues in the School Aid Fund. We have come together to agree that there are serious infrastructure needs in our school districts across this state and that this money would stand as a commitment from the state of Michigan to do our part in beefing up school infrastructure. It's unfortunate, it's wrong, and it makes a sad statement by this body as to where their priorities are.

The following message from the Governor was received on July 28, 2000, and read:

EXECUTIVE ORDER
No. 2000 - 9

**Center for Educational Performance and Information
Michigan Department of Education
Michigan Department of Treasury**

Executive Reorganization

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

Whereas, Article V, Section 4, of the Constitution of the state of Michigan of 1963 authorizes the establishment of temporary commissions or agencies for special purposes with a life of no more than two years, and provides that such temporary commissions or agencies need not be allocated within a principal department; and

Whereas, a primary reason for improving the quality and availability of educational data is to increase public understanding of our education system in Michigan and to provide information that will help all Michigan residents know if their schools are meeting academic, financial and operational performance expectations and, if not, identify where improvements can be made; and

Whereas, local boards of education, school administrators, policymakers, educational organizations and parents need and use student, financial, personnel and building-level data to make informed decisions, research educational trends, measure student performance, evaluate various reforms, determine the educational value of each dollar spent, and efficiently and effectively distribute financial, human and other resources; and

Whereas, the existing methods of gathering educational data are often inefficient, paper-based, redundant, inconsistent, time consuming and scattered throughout state and local government, thus making it difficult for the public to easily ascertain how well schools are performing.

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

I. ESTABLISHMENT OF THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION

A. Establishment

The Center for Educational Performance and Information ("Center") is hereby established as a temporary agency pursuant to Article V, Section 4, of the Constitution of the state of Michigan of 1963. It shall have a life of no more than two (2) years commencing September 28, 2000.

B. Director

The Governor shall appoint one person to serve as Director of the Center and that person shall serve as Director at the pleasure of the Governor. The Director shall, in addition to the other duties and responsibilities given to the Director herein or assigned or transferred to the Director as head of the Center by statute or executive order, be responsible for the oversight and supervision of employees of the Center and for its operations. The Director shall also perform such other duties and exercise other powers as the Governor may prescribe.

C. Compensation

The Director shall receive reasonable compensation.

D. Other Deputies and Assistants

Administrative support shall be provided by the Department of Education. The Director may appoint other deputies, assistants and employees as necessary. Compensation for whom shall be established according to relevant Department of Civil Service rules and regulations.

E. Advisory Committee

The Director of the Center may establish an advisory committee to advise the Director regarding management and implementation of educational data.

II. TRANSFER OF FUNCTIONS - CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION

A. All of the administrative statutory powers, duties, functions and responsibilities of the Database for Educational Performance and Information, created and set forth in Section 94a of Act No. 94 of the Public Acts of 1979, as amended, being Section 388.1694a of the Michigan Compiled Laws, are hereby transferred to the Center for Educational Performance and Information by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. All of the administrative statutory powers, duties, functions and responsibilities of the Department of Education regarding educational reports, set forth in Section 19(2) of Act No. 94 of the Public Acts of 1979, as amended, being Section 388.1619(2) of the Michigan Compiled Laws, are hereby transferred to the Center for Educational Performance

and Information by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. All of the administrative statutory powers, duties, functions and responsibilities of the Department of Education regarding information necessary for the preparation of the district pupil retention reports, set forth in Section 158 of Act No. 94 of the Public Acts of 1979, as amended, being Section 388.1758 of the Michigan Compiled Laws, are hereby transferred to the Center for Educational Performance and Information by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

D. All of the administrative powers, duties, functions and responsibilities of the Department of Education's Michigan Education Information System are hereby transferred to the Center for Educational Performance and Information by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

E. All of the administrative powers, duties, functions and responsibilities of the Department of Treasury regarding contracts with third parties to develop systems to measure the financial and operational activities and program effectiveness of K-12 systems are hereby transferred to the Center for Educational Performance and Information by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

III. DUTIES AND RESPONSIBILITIES OF THE CENTER

A. General duties

1. The Center shall:

a. Establish relevant procedures for the collection and management of educational data and such other information that may be necessary;

b. Establish a single repository of educational data that is shared electronically by all stakeholders;

c. Provide technical support to intermediate school districts, local school districts, local school buildings, and public school academies so that data collection is efficient, accurate, eliminates unnecessary duplication, and assures the appropriate level of security that will protect the privacy of individual student records; and

d. Provide technical assistance to users of educational data at all levels of government and the general public.

B. Management of Data

1. The Center shall have authority over the management and further implementation of the Michigan Education Information System and shall have authority over the management of all other educational data retained in other departments and agencies within state government. The Center shall also:

a. Determine what educational data is necessary to collect and maintain in order for all stakeholders to make informed decisions regarding the allocation of resources and educational performance;

b. Define the roles of all stakeholders in the collection and management of educational data;

c. Establish timelines for the implementation of the Database for Educational Performance and Information, the Center, and for the ongoing collection of educational data;

d. Establish data codes, data definitions, file formats, record structures, data transmission protocols, software and hardware specifications, and other system specifications and procedures as necessary for the efficient and accurate transmission and collection of data;

e. Establish a system for ensuring the accuracy of the data;

f. Provide technical assistance to users of the data to ensure that the data is provided in the most useful manner to users and that the user is aware of the data definitions and limitations;

g. Conduct educational studies and prepare reports as appropriate to produce informed decisions and create better education policy;

h. Utilize, to the greatest extent practicable, the Department of Education's existing data collection infrastructure; and

i. Manage and coordinate all existing federally funded research and data collection projects that rely on Department of Education data collection.

IV. MISCELLANEOUS

A. All principal departments and other state agencies shall cooperate with the Center in the performance of its responsibilities. The Center may request, and principal departments and other state agencies shall provide, such policy and technical information as is required by the Center in the discharge of its responsibilities. Agencies shall make every effort to provide the Center with key staff and other means of support to assist in the performance of its duties.

B. The Advisory Committee, if established, may promulgate bylaws, consistent with law and with this Executive Order, to govern its organization and procedure.

C. The Center may hire or retain such contractors, subcontractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers and the performance of its duties as it may deem advisable and necessary, in accordance with the relevant statutes, rules and procedures of the Civil Service Commission and the Department of Management and Budget.

D. The Center may accept grants of funds and donations of funds, property, labor or other things of value from any department or office of the state of Michigan and the United States and from any other public or private office or person for the purpose of furthering the Center's services.

E. Nothing in this Executive Order should be construed to diminish the constitutional authority of the State Board of Education to provide leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, and its authority to serve as the general planning and coordinating body for all public education including higher education, and to advise the Legislature as to the financial requirements in connection therewith. The State Board of Education shall retain its policy-making authority, if any, with regard to the transferred provisions by determining the policies on which the administration of the provision shall be based.

F. The Director of the Center shall provide executive direction and supervision for the transfer and implementation of applicable functions in such ways as to promote efficient administration, and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

G. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system through September 30, 2002.

H. All records, personnel, property and funds used, held, employed or to be made available to the Department of Education or the Department of Treasury for the activities transferred herein are hereby transferred to the Center.

I. All rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be in effect until revised, amended or rescinded.

J. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

K. If a court or other entity with proper jurisdiction finds any portion of this Order to be invalid, such invalidity shall not affect the remaining portions of the Order that can be given effect without the invalid portion. Any portions found invalid shall be severable from the remaining portions of this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective September 28, 2000.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 28th day of July, in the Year of our Lord, Two Thousand.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

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

The following message from the Governor was received on September 14, 2000, and read:

EXECUTIVE ORDER
No. 2000 - 10

**Michigan Capitol Park Commission
Department of Management and Budget**

Executive Reorganization

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

Whereas, the Michigan Capitol Park Commission was created in the Department of Management and Budget in Section 298 of Act No. 431 of the Public Acts of 1984, added by Section 1 of Act No. 306 of the Public Acts of 1988, as amended, being Section 18.1298 *et seq.* of the Michigan Compiled Laws; and

Whereas, the Michigan Capitol Park Commission is responsible, in part, for management of the development and operation of the Michigan Capitol Park, as well as an annual report to the Governor and Legislature regarding the activities of the Michigan Capitol Park; and

Whereas, the functions, duties and responsibilities assigned to the Michigan Capitol Park Commission can be more effectively organized and carried out by the Director of the Department of Management and Budget; and

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

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

1. Except as provided in paragraph 2 below, all of the statutory authority, powers, duties, functions and responsibilities of the Michigan Capitol Park Commission set forth in Section 298 of Act No. 431 of the Public Acts of 1984, added by Section 1 of Act No. 306 of the Public Acts of 1988, as amended, being Section 18.1298 *et seq.* of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Management and Budget by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. The real property described as the Michigan Veteran's Memorial Park, created and transferred to the Michigan Veteran's Memorial Park Commission by Executive Orders 1992-11 and 1992-12, and Act No. 132 of the Public Acts of 1992, being Section 18.1298b(4) of the Michigan Compiled Laws, is not affected by this Executive Order and shall remain within the jurisdiction of the Michigan Veteran's Memorial Park Commission.

3. The Director of the Department of Management and Budget shall provide executive direction and supervision for the implementation of the transfer. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Management and Budget.

4. The Director of the Department of Management and Budget shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

5. The Chairperson of the Michigan Capitol Park Commission and the Director of the Department of Management and Budget shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Michigan Capitol Park Commission.

6. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the year.

7. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Capitol Park Commission for the activities transferred to the Director of the Department of Management and Budget by this Order are hereby transferred to the Director of the Department of Management and Budget.

8. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

9. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

10. The Michigan Capitol Park Commission is hereby abolished.

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

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 13th day of September, in the Year of our Lord, Two Thousand.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

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

The following messages from the Governor were received and read:

June 28, 2000

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

Michigan Corn Marketing Committee

Mr. Frank J. Lipinski, 11729 M-37, Buckley, Michigan 49620, county of Grand Traverse, as a member representing growers from District 8, succeeding Mrs. Pearl K. Wirbel of Hope, whose term has expired, for a term expiring on March 5, 2003.

Mr. Jay Drozd, 281 33rd Street, Allegan, Michigan 49010, county of Allegan, as a member representing growers from District 1, succeeding Mr. Earl F. Collier of Allegan, whose term has expired, for a term expiring on March 5, 2003.

June 28, 2000

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

State Community Corrections Commission

Chief James H. Bartholomew, 328 Spring Valley Lane, Whitehall, Michigan 49461, county of Muskegon, as a member representing city police chiefs, succeeding Mr. John R. Santomauro of Canton, whose term has expired, for a term expiring on March 29, 2004.

June 28, 2000

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

State Fire Safety Board

Mr. Carl Simcox, 22348 Lancaster Court, Novi, Michigan 48374, county of Oakland, as a member representing owners of adult foster care facilities, succeeding Mr. David O. Young, Jr., of Rochester Hills, whose term has expired, for a term expiring on July 15, 2002.

June 29, 2000

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

Michigan Corn Marketing Committee

Mr. W. Lyndon Uphaus, 14324 Pleasant Lake Road, Manchester, Michigan 48158, county of Washtenaw, as a member representing growers from District 3, succeeding Mr. Elgin Fisher Darling of Willis, whose term has expired, for a term expiring on March 5, 2003.

June 29, 2000

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

Board of Boiler Rules

Mr. James J. Lapham, 4739 Rayfore Drive, Commerce, Michigan 48382, county of Oakland, as a member representing organized labor, succeeding Mr. Greg Gronowski of Brighton, whose term has expired, for a term expiring on June 30, 2004.

Mr. Richard J. Kirsch, 14081 Pheasant Run, Holland, Michigan 49424, county of Ottawa, as a member representing owners and users of boilers operating at 1000 p.s.i.g. or more, succeeding himself, for a term expiring on June 30, 2004.

July 5, 2000

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

Mackinac Bridge Authority

Mr. Angelo S. Lanni, 7040 Valley Green, Washington, Michigan 48094, county of Macomb, as a member representing Republicans, succeeding himself, for a term expiring on June 30, 2006.

Mrs. Elsa C. Schaller, 1172 Winnell Court, Box 528, Petoskey, Michigan 49770, county of Emmet, as a member representing Republicans, succeeding herself, for a term expiring on June 30, 2006.

July 5, 2000

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

State Assessors Board

Mr. Raman A. Patel, 334 Larkspur, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing equalization directors, succeeding Mrs. Joan Blanchard of Charlevoix, whose term has expired, for a term expiring at the pleasure of the Governor.

Ms. Lisa A. Hobart, 1585 Emmons, Birmingham, Michigan 48009, county of Oakland, as a member representing assessors, succeeding Mr. Thomas M. Colombo of Roseville, for a term expiring at the pleasure of the Governor.

July 27, 2000

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

Liquor Control Commission

Ms. Ena L. Weathers, 1665 Cliffs Landing #201, Ypsilanti, Michigan 48198-7310, county of Washtenaw, as a member representing Democrats, succeeding herself, for a term expiring on June 12, 2004.

July 27, 2000

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

Michigan Board of Pharmacy

Dr. Douglas A. Miller, 417 Auburn, Plymouth, Michigan 48170, county of Wayne, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2004.

July 27, 2000

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

Physician's Assistants Task Force

Dr. John G. Girardot, 333 Orchard Place, Battle Creek, Michigan 49017, county of Calhoun, as a member representing the Michigan Board of Medicine, succeeding Dr. Harold J. Sauer of Okemos, whose term has expired, for a term expiring on December 31, 2003.

July 31, 2000

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

Michigan Board of Optometry

Dr. Roger R. Seelye, 5122 Lake Drive, Owosso, Michigan 48867, county of Shiawassee, as a member representing professionals, succeeding Dr. Carol Lynn Marston-Foucher of Northville, whose term has expired, for a term expiring on June 30, 2004.

Dr. Theodore B. Walton, 2635 Tower Hill Lane, Rochester Hills, Michigan 48306, county of Oakland, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2004.

Dr. Bradley E. Habermehl, 2284 Ridgemoor, Burton, Michigan 48509, county of Genesee, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2004.

August 2, 2000

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

Michigan Public School Employees' Retirement Board

Mr. Larry J. Moeller, 6032 Wildrose Lane, Burtchville, Michigan 48059, county of Gratiot, as a member representing general public investment, succeeding Mr. W. Howard Morris of Detroit, whose term has expired, for a term expiring on March 30, 2004.

Mr. Michael E. Cassady, 36873 Morizian, Clinton Township, Michigan 48035-1211, county of Macomb, as a member representing finance/operations, nonsuperintendent, succeeding himself, for a term expiring on March 30, 2004.

Mr. Michael R. Meyer, 12192 North Lakeshore Drive, LaSalle, Michigan 48145, county of Monroe, as a member representing community college administrators and trustees, succeeding himself, for a term expiring on March 30, 2004.

Mr. John L. Cook, 1744 Red Bud Lane, Lansing, Michigan 48917, county of Ingham, as a member representing retirants, succeeding Mr. Larry J. Moeller of Burtchville, who has resigned, for a term expiring on March 30, 2003.

Ms. Linda S. Adams, 25787 Hunt Club Boulevard, Farmington Hills, Michigan 48335, county of Oakland, as a member representing teachers, succeeding Mr. Thomas Lukshaitis of Sandusky, whose term has expired, for a term expiring on March 30, 2004.

August 15, 2000

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

Mackinac Island State Park Commission

Mr. Bob Traxler, 4800 Appletree Lane, Bay City, Michigan 48706, county of Bay, as a member representing Democrats, succeeding Ms. Joan L. Porteous of Reed City, who has resigned, for a term expiring on April 12, 2005.

August 15, 2000

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

Board of Examiners in Mortuary Science

Mr. Chris A. Anderson, 254 Lake Shore Drive, Escanaba, Michigan 49829, county of Delta, as a member representing professionals, succeeding Mr. David M. Techner of Birmingham, whose term has expired, for a term expiring on June 30, 2004.

Mr. Alvin J. Foster, 2316 Godwin, SE, Grand Rapids, Michigan 49507, county of Kent, as a member representing the general public, succeeding Ms. Mollie McIntyre of Muskegon, whose term has expired, for a term expiring on June 30, 2004.

August 15, 2000

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

Occupational Health Standards Commission

Mr. Michael G. McCabe, 366 Nawakwa West, Rochester Hills, Michigan 48307, county of Oakland, as a member representing employees in the public sector, succeeding himself, for a term expiring on August 5, 2003.

Mr. Douglas James Williams, 7555 Little Walters Court, Clarkston, Michigan 48348, county of Oakland, as a member representing management in the public sector, succeeding himself, for a term expiring on August 5, 2003.

August 16, 2000

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

Electrical Administrative Board

Mr. Randy James Bouwens, 1029 129th Avenue, Wayland, Michigan 49348, county of Allegan, as a member representing electrical part manufacturers, succeeding himself, for a term expiring on August 10, 2003.

Mr. Phillip L. Smith, 16566 Jones Road, Grand Ledge, Michigan 48837, county of Eaton, as a member representing electrical contractors, succeeding himself, for a term expiring on August 10, 2003.

Ms. Delvenia Beason, 7675 Sandy Hollow Lane SE, Alto, Michigan 49302, county of Kent, as a member representing the general public, succeeding herself, for a term expiring on August 10, 2003.

August 21, 2000

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

Joint International Bridge Authority

Mrs. Shannon B. Brower, 2575 North Shore Drive, Harbor Springs, Michigan 49740, county of Emmet, as a member representing Republicans, succeeding herself, for a term expiring on September 1, 2003.

Mr. Donald P. Gustafson, 230 Chambers, St. Ignace, Michigan 49781, county of Mackinac, as a member representing Republicans, succeeding himself, for a term expiring on September 1, 2003.

Mr. Francis M. Mansfield, 4116 Bermuda Avenue, Sault Ste. Marie, Michigan 49783, county of Chippewa, as a member representing Independents, succeeding Mr. John D. Peacock of Sault Ste. Marie, who has resigned, for a term expiring on September 1, 2003.

August 21, 2000

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

Manufactured Housing Commission

Mr. Carl Edgar Bryant, 219 Shagbark Drive, Rochester Hills, Michigan 48309, county of Oakland, as a member representing manufacturers, succeeding himself, for a term expiring on May 9, 2003.

Mr. Michael P. Shivok, 12675 S. Colby Lake Road, Lot #16, Laingsburg, Michigan 48848, county of Shiawassee, as a member representing organized labor, succeeding himself, for a term expiring on May 9, 2003.

Mr. Sanford C. Green, 982 Top View Road, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing manufactured housing dealers, succeeding Mr. Michael P. McNamara of Mattawan, whose term has expired, for a term expiring on May 9, 2003.

August 21, 2000

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

Michigan Travel Commission

Mr. Jeffrey J. Tuma, 645 W. Broomfield, Mt. Pleasant, Michigan 48858, county of Isabella, as a member representing small business in the private sector, succeeding himself, for a term expiring on August 20, 2004.

Mr. Terry D. Schieber, RR 3 East Torch Lake Drive, Bellaire, Michigan 49615, county of Antrim, as a member representing the private sector, succeeding himself, for a term expiring on August 20, 2004.

Ms. Jill P. Hazel, 222 E. 20th Avenue, Sault Ste. Marie, Michigan 49783, county of Chippewa, as a member representing small business and tourism in the private sector, succeeding herself, for a term expiring on August 20, 2004.

August 23, 2000

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

Board of Real Estate Brokers and Salespersons

Ms. Tonya L. Schuitmaker, 29924 60th Avenue, Lawton, Michigan 49065, county of Van Buren, as a member representing the general public, succeeding Ms. Betty Ann Brodacki of Ray, whose term has expired, for a term expiring on June 30, 2004.

Mr. Robert Shumake, 18995 Wildemere, Detroit, Michigan 48221, county of Wayne, as a member representing professionals, succeeding Mr. Donald J. McKeon of Birmingham, whose term has expired, for a term expiring on June 30, 2004.

August 24, 2000

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

Michigan Women's Commission

Ms. Inez H. Jones, 1095 Langeland Avenue, Muskegon, Michigan 49442-4026, county of Muskegon, as a member representing the general public, succeeding Ms. Claire L. Corriveau of Hersey, who has resigned, for a term expiring on July 15, 2003.

Ms. Tamara H. McDonough, 25710 Lake Drive, Beaver Island, Michigan 49782, county of Charlevoix, as a member representing the general public, succeeding Ms. Carol S. Northcott-Utchen of Rogers City, who has resigned, for a term expiring on July 15, 2003.

August 30, 2000

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

Local Government Claims Review Board

Mr. Stanley D. Steinborn, 997 Longfellow, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 26, 2003.

Ms. Mary Helmbrecht, 1168 Cliffdale Drive, Haslett, Michigan 48840, county of Ingham, as a member representing local government, succeeding herself, for a term expiring on March 26, 2003.

September 14, 2000

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

Agricultural Marketing and Bargaining Board

Ms. Sandra L. Gesler, 94 West 32nd Street, Holland, Michigan 49423, county of Ottawa, as a member representing food processors and Republicans, succeeding Ms. Barbara "Carol" White Maitland of Williamsburg, whose term has expired, for a term expiring on September 1, 2004.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

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. 200

Senate Resolution No. 201

Senate Resolution No. 203

The resolution consent calendar was adopted.

Senators Hammerstrom, Schwarz, Gast, DeGrow, Emmons, Bennett, Stille, McCotter, Sikkema, Johnson, McManus, Gougeon, Van Regenmorter, Steil, North, Schuette, Jaye, Goschka, Rogers, Hoffman, Byrum, Young, A. Smith and Bullard offered the following resolution:

Senate Resolution No. 200.

A resolution commemorating October 2000 as Domestic Violence Awareness Month, expressing support for the fight against domestic and sexual violence.

Whereas, The state of Michigan has taken a strong stand against domestic violence by establishing some of the toughest domestic violence laws in the nation, which focus on making sure women and children are safe in their homes and abusers are held accountable for their crimes; and

Whereas, The Michigan Coalition Against Domestic and Sexual Violence is dedicated to the empowerment of all the states' survivors of domestic and sexual violence and the elimination of these incidents in Michigan; and

Whereas, Spanning centuries, cultures, and continents, domestic violence is a tragic epidemic that has plagued our society for years, having devastating effects on countless numbers of women and children; and

Whereas, In the United States alone, 2.5 million people are victims of domestic assault each year; and

Whereas, In 1999, domestic violence service providers sheltered 14,454 women, men, and children in the state of Michigan; and

Whereas, This awareness presents an excellent opportunity for citizens to learn more about domestic violence and to exhibit support for the numerous organizations and individuals who are providing advocacy efforts, services, and assistance to domestic violence survivors; now, therefore, be it

Resolved by the Senate, That we hereby commemorate October 2000 as Domestic Violence Awareness Month and express our support for efforts to increase public awareness of domestic and sexual violence; and be it further

Resolved, That copies of this resolution be transmitted to Governor Engler, the Department of Community Health, Family Independence Agency, and the Michigan Women's Commission.

Senators DeBeaussaert, Stille and Shugars were named co-sponsors of the resolution.

Senators North, Gougeon, Hammerstrom, McCotter and DeBeaussaert offered the following resolution:

Senate Resolution No. 201.

A resolution observing October 16-22, 2000, as Michigan School Bus Safety Week.

Whereas, It is with great respect for the accomplishments of Michigan's school bus drivers, mechanics, supervisors, and all school transportation personnel that we commemorate October 16-22, 2000, as Michigan School Bus Safety Week. During this special observance, we encourage all Michigan citizens to recognize the dedication and skill of school transportation employees; and

Whereas, Each day, more than 875,000 students ride on 21,000 school buses, traveling over 433 million miles annually. Driving so many miles, coordinating the countless routes, and supervising the dozens of students on each vehicle requires an outstanding effort. Fortunately for the people of Michigan, there are thousands of exemplary professionals who have devoted their careers to transporting our children safely; and

Whereas, On behalf of our young people, it is a pleasure to commend the men and women who accept and meet the challenge of school transportation. The observance of Michigan School Bus Safety Week is a welcomed opportunity to thank these patient, skilled, and caring public servants. Those involved in this pursuit should be very proud of their contributions to education; and

Whereas, This special week serves as a fitting time to urge all Michigan drivers to become more aware of school bus safety regulations. Serious injuries and deaths occur when motorists fail to stop for school buses. Now that the school year has begun, we remind drivers to be cautious and attentive around school buses. It is also an appropriate time to ask students to listen to their bus drivers and pay close attention to bus safety rules; now, therefore, be it

Resolved by the Senate, That we proudly commemorate October 16-22, 2000, as Michigan School Bus Safety Week, and we commend everyone who contributes to the successful operation of our state's school buses. We also encourage all citizens to be alert and drive carefully near school buses. By working together, we can make this the safest school year ever; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association for Pupil Transportation as evidence of our esteem.

Senators Young, Stille and Shugars were named co-sponsors of the resolution.

Senator Young offered the following resolution:

Senate Resolution No. 203.

A resolution of tribute commemorating the 50th Anniversary of the League of Women Voters of Grosse Pointe.

Whereas, It is both a pleasure and a privilege to commemorate the 50th Anniversary of the League of Women Voters of Grosse Pointe. This is indeed a notable milestone in the League's history, and we are happy to offer our expressions of congratulations and tribute as members of the League celebrate this special occasion at a reception on October 1, 2000, at the Grosse Pointe War Memorial; and

Whereas, Founded on February 3, 1950, the League of Women Voters of Grosse Pointe is an organization which encourages citizens to be informed and knowledgeable about governmental and public policy issues. This is most certainly highlighted in the League of Women Voters' following Mission Statement:

"The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy."
; and

Whereas, The League of Women Voters of Grosse Pointe is a multifaceted organization, with voter service activities a hallmark of the chapter. The League encourages voter registration and distributes nonpartisan voter election guides. It also has a strong tradition of conducting candidate forums for contested elections in any of the five Grosse Pointe cities, as well as Harper Woods. Members of the League study in-depth issues at the local, state, and federal level and formulate their position on the topic. They then advocate and lobby in support of their position; and

Whereas, The concerned members of the League have taken seriously the responsibilities of living in a self-governing society. Many people throughout the area rely on the information available through this local organization and look forward to the presentation of views by candidates for office and the open discussion of issues promoted by the League. Through these and other efforts, members of the League are helping to ensure the future of good government for all of us; now, therefore, be it

Resolved by the Senate, That we honor and commend the many members of the League of Women Voters of Grosse Pointe upon the occasion of their 50th Anniversary. May they know of our admiration and best wishes for a joyous celebration; and be it further

Resolved, That a copy of this resolution be transmitted to the League of Women Voters of Grosse Pointe as evidence of our esteem and best wishes for many more years of dedicated service.

Senator DeBeaussaert was named co-sponsor of the resolution.

Senators Hart, Murphy, Miller, Peters, Young, Dingell and Koivisto offered the following resolution:

Senate Resolution No. 197.

A resolution to urge the Congress of the United States and the Federal Communications Commission to stop the unjust and unreasonable Commercial Mobile Radio Service industry practices of charging for incoming calls and for charging calls in whole-minute increments.

Whereas, With the rising number of cellular and wireless telephones within this state and the nation, many Michigan households and businesses have become increasingly dependent on this technology as their primary source of communication; and

Whereas, Ever-increasing numbers of Commercial Mobile Radio Service (CMRS) providers are cheating and robbing customers with unfair industry practices by charging customers for incoming calls. In many cases this allows CMRS providers to “double dip” for the same call by charging not only the caller but also the receiver for the same call, even when the call is to a wrong number; and

Whereas, These same CMRS providers once again abuse customers by charging them for calls in whole-minute increments, a practice sometimes referred to as “rounding up.” With this strategy, a customer making a call using only 61 seconds of air time is charged for a 120-second call. This is grossly inappropriate; and

Whereas, Congressional and Federal Communications Commission policies have reflected a general preference that the CMRS industry be governed by the competitive forces of the marketplace, rather than by governmental regulation except in specific circumstances delineated in federal law where such regulation might be applied. Immediate action needs to be taken to rectify injustices the marketplace has inflicted by allowing CMRS providers to cheat consumers; now, therefore, be it

Resolved by the Senate, That we urge Congress and the Federal Communications Commission to enact the necessary rules and legislation to stop the unfair, unjust, and unreasonable Commercial Mobile Radio Service (CMRS) industry practices of charging for incoming calls and for rounding up calls to whole-minute increments; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers 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 Rogers moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senators McCotter, Gougeon, Bennett, Hammerstrom, Shugars, Dunaskiss, Sikkema, Stille and Goschka offered the following resolution:

Senate Resolution No. 199.

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to exempt unrelated business tax income from games of chance other than bingo.

Whereas, The Veterans of Foreign Wars of the United States (VFW), like other tax-exempt organizations operating in compliance with section 501(c) of the Internal Revenue Code, cannot exempt as unrelated business tax income from games of chance other than bingo, despite the fact that these proceeds fund badly needed community services; and

Whereas, In 1978, Congress, pursuant to section 513(f) of the Internal Revenue Code, enacted an exception from unrelated business tax income for certain bingo games. In 1984, Congress enacted another exception that applied to games of chance other than bingo. In 1988, the federal government wrongly limited the exception to games of chance conducted by nonprofit organizations in the state of North Dakota; and

Whereas, Unlike in Michigan law, charity games, raffles, and so-called millionaire parties meet the federal definition of taxable wagers. As such, the federal government imposes an excise tax on the gross amount of the wagers received. This means that the tax is based on the total amount received before any payout of prizes or other expenses; and

Whereas, Congress should amend section 513(f) to forgive those tax-exempt organizations that are burdened with outstanding business tax interest penalties; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to amend section 513(f) of the Internal Revenue Code to exempt from unrelated business tax income from games of chance other than bingo; and be it further

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

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

The motion prevailed.

Senators North, DeBeaussaert and McCotter offered the following resolution:

Senate Resolution No. 202.

A resolution to urge the United States Postal Service to finalize the program to issue the Bridges of Friendship stamp series.

Whereas, For many people, stamps hold a unique attraction. Throughout our nation's history, they have depicted components of our national character, history, and natural and man-made wonders. Although performing an "official" function in financing the delivery of goods for individuals and businesses, stamps present a glimpse into the history, art, culture, and commerce of various elements of our country. With the engraver's artistry, stamps can be used to foster pride and encourage further study among people of all ages; and

Whereas, For some time, citizens in Michigan have worked with federal postal authorities on the concept of a series of stamps presenting the international bridges between the United States and our neighbors of Canada and Mexico. Promoted as the Bridges of Friendship series, this notion was presented several years ago through the Citizens Stamp Advisory Committee, which works with the Postal Service to identify appropriate projects. Key features of the series on bridges include highlighting the productive relationships among our countries; and

Whereas, Preliminary approval for the Bridges of Friendship series was apparently granted by the Citizens Stamp Advisory Committee in 1993, yet the project was never finalized. This project is worthwhile and holds even more value with the increase of trade and cooperation stemming from NAFTA. The Postal Service would do well to revive this proposal and complete this project; now, therefore, be it

Resolved by the Senate, That we urge the United States Postal Service to finalize the program to issue the Bridges of Friendship stamp series; and be it further

Resolved, That copies of this resolution be transmitted to officials of the United States Postal Service.

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Young, Stille and Shugars were named co-sponsors of the resolution.

Senator Young offered the following concurrent resolution:

Senate Concurrent Resolution No. 42.

A concurrent resolution to memorialize the Congress of the United States to strengthen laws and regulations related to the ballast water of ships operating on the Great Lakes.

Whereas, The ecology of the Great Lakes is threatened by the introduction of non-indigenous species by the ballast waters of ships. Several non-native organisms have spread quickly throughout this vital network of fresh water and are changing significantly the character of the lakes. The impact is readily apparent in harm done to certain fish and plant life, and human activities are also being affected. The best known example of the seriousness of this trend is the widespread presence of the zebra mussel in less than fifteen years; and

Whereas, While Michigan, other states, and Canadian federal and provincial authorities have worked to solve the problems created by the introduction of non-native species, it is clear that the best solutions will come from actions at the national and international levels. The United States Congress has acted on this matter with legislation and regulations providing for ballast water management sanctions, inspections, and record keeping. In spite of major federal statutory initiatives in 1990 and 1996, stronger steps need to be taken; and

Whereas, Problem areas for efforts to halt the introduction of more non-indigenous species through ballast water exchange include the fact that too many ships are excluded from ballast water requirements and the sampling procedures to monitor compliance may be inadequate. These and other obstacles to stricter standards must be addressed in federal law. Far more vigorous efforts must be made to end the introduction of new exotic species into the Great Lakes; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to strengthen laws and regulations related to the ballast water of ships operating on the Great Lakes; and be it further

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

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

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

The motion prevailed.

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

Senator Young offered the following resolution:

Senate Resolution No. 204.

A resolution to memorialize the Congress of the United States to strengthen laws and regulations related to the ballast water of ships operating on the Great Lakes.

Whereas, The ecology of the Great Lakes is threatened by the introduction of non-indigenous species by the ballast waters of ships. Several non-native organisms have spread quickly throughout this vital network of fresh water and are changing significantly the character of the lakes. The impact is readily apparent in harm done to certain fish and plant life, and human activities are also being affected. The best known example of the seriousness of this trend is the widespread presence of the zebra mussel in less than fifteen years; and

Whereas, While Michigan, other states, and Canadian federal and provincial authorities have worked to solve the problems created by the introduction of non-native species, it is clear that the best solutions will come from actions at the national and international levels. The United States Congress has acted on this matter with legislation and regulations providing for ballast water management sanctions, inspections, and record keeping. In spite of major federal statutory initiatives in 1990 and 1996, stronger steps need to be taken; and

Whereas, Problem areas for efforts to halt the introduction of more non-indigenous species through ballast water exchange include the fact that too many ships are excluded from ballast water requirements and the sampling procedures to monitor compliance may be inadequate. These and other obstacles to stricter standards must be addressed in federal law. Far more vigorous efforts must be made to end the introduction of new exotic species into the Great Lakes; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to strengthen laws and regulations related to the ballast water of ships operating on the Great Lakes; and be it further

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

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

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

The motion prevailed.

Senator DeBeaussaert was named co-sponsor of the resolution.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Jaye introduced

Senate Joint Resolution U, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 25 to article I, to recognize a right to harvest timber.

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

Senator Jaye introduced

Senate Bill No. 1343, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senator Emmons introduced

Senate Bill No. 1344, 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.

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

Senator Emmons introduced

Senate Bill No. 1345, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 3 and 22a (MCL 208.3 and 208.22a), section 3 as amended by 1999 PA 115 and section 22a as amended by 1996 PA 578.

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

Senators Rogers, Gougeon, Goschka and Johnson introduced

Senate Bill No. 1346, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710g (MCL 257.710g), as added by 2000 PA 282.

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

Senator McCotter introduced

Senate Bill No. 1347, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

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

The President pro tempore, Senator Schwarz, assumed the Chair.

Senators McCotter, Gougeon, Hammerstrom, Shugars and Sikkema introduced

Senate Bill No. 1348, entitled

A bill to create the office of state poet laureate in the executive branch; to provide for the appointment and term of certain state officers; and to impose duties and responsibilities on certain state officers.

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

Senator McCotter introduced

Senate Bill No. 1349, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 1999 PA 91.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Dunaskiss introduced

Senate Bill No. 1350, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 4a (MCL 408.384a), as amended by 1997 PA 2.

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

Senators North, Gougeon and DeBeaussaert introduced

Senate Bill No. 1351, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109 (MCL 500.3109). The bill was read a first and second time by title and referred to the Committee on Financial Services.

Senators North, Gougeon, DeBeaussaert, Hammerstrom and McCotter introduced

Senate Bill No. 1352, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80177 and 80178 (MCL 324.80177 and 324.80178), as added by 1995 PA 58.

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

Senator Steil introduced

Senate Bill No. 1353, entitled

A bill to amend 1965 PA 166, entitled "An act to require prevailing wages and fringe benefits on state projects; to establish the requirements and responsibilities of contracting agents and bidders; and to prescribe penalties," by amending section 1 (MCL 408.551).

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

Senator Steil introduced

Senate Bill No. 1354, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 503 (MCL 380.503), as amended by 1995 PA 289.

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

Senator Steil introduced

Senate Bill No. 1355, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 270.

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

Senator Steil introduced

Senate Bill No. 1356, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding sections 39d and 39e.

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

Senator Steil introduced

Senate Bill No. 1357, entitled

A bill to create certain authorities; to authorize creation of certain funds; to authorize expenditures from certain funds; to finance the purchase of land and buildings; to allow for leasing of facilities; and to prescribe the powers and duties of certain state and local officials.

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

Senator Steil introduced

Senate Bill No. 1358, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 1997 PA 202.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Jaye introduced

Senate Bill No. 1359, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing article 23 (MCL 339.2301 to 339.2310).

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Jaye introduced

Senate Bill No. 1360, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40113b.

The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Jaye introduced

Senate Bill No. 1361, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 8 and 8a (MCL 28.728 and 28.728a), section 8 as amended and section 8a as added by 1999 PA 85.

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

Senator Jaye introduced

Senate Bill No. 1362, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.962) by adding section 38.

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

Scheduled Meetings

Appropriations - Wednesday, September 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Legislative Retirement Board of Trustees - Thursday, September 28, 3:00 p.m., Room H65, Capitol Building (373-0575)

Senate Fiscal Agency Governing Board - Wednesday, September 27, 3:00 p.m. or immediately following Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Technology and Energy - Thursday, September 21, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2417)

Transportation and Tourism - Tuesday, September 26, 3:00 p.m., Room 110, Farnum Building (373-1758)

Senator Rogers moved that the Senate adjourn.

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

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, September 21, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

