

**No. 63**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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Senate Chamber, Lansing, Tuesday, September 24, 2002.

10:00 a.m.

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

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

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

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

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

Senator Valde Garcia of the 26th District offered the following invocation:

Our Heavenly Father, we thank You for this great fall day that You have given to us. We thank You for the opportunity to be here. We thank You, Lord, for our freedom, and we thank You for those who are fighting for our freedom right now.

We ask that You will give us wisdom, give us patience with one another, and show us what we need to do. In all this we ask in Jesus' name. Amen.

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

Senators Cherry and Koivisto entered the Senate Chamber.

### **Motions and Communications**

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

Senator Emmons moved that Senator Hoffman be excused from today's and tomorrow's sessions.  
The motion prevailed.

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

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

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

Senator Emmons moved that rule 3.902 be suspended to allow the guests of Senator Bennett admittance to the Senate floor, including the center aisle.  
The motion prevailed, a majority of the members serving voting therefor.

Senator Emmons moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.  
The motion prevailed, a majority of the members serving voting therefor.

Senators Bullard, Smith and Young entered the Senate Chamber.

### **Recess**

Senator Emmons moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:04 a.m.

10:09 a.m.

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

During the recess, Senator Bennett introduced to the Senate Christopher and Denise Ilitch, co-presidents of Ilitch Holdings, Inc., and vice presidents of the Detroit Red Wings organization, and presented them with Senate Resolution No. 271.

Senator DeGrow presented them with the *Eyry of the Eagle* book of Michigan.  
Mr. Ilitch responded briefly.

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

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

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

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

### Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.

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

10:30 a.m.

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

During the recess, Senator Hammerstrom introduced to the Senate the Saline Fiddlers Philharmonic, who rendered musical selections.

Senator Hammerstrom introduced to the Senate Bob and Pam Phillips, founders, director, and manager of the group, and presented them with a special tribute.

Mr. Phillips responded briefly.

The following communications were received:

Department of State

#### Administrative Rules Notices of Filing

September 10, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:02 p.m. this date, administrative rule (02-09-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Safety Standard Part 18. Fire Protection and Prevention*," effective 7 days hereafter.

September 10, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:04 p.m. this date, administrative rule (02-09-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 26. Steel and Precast Erection*," effective 7 days hereafter.

September 12, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:14 p.m. this date, administrative rule (02-09-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Rules of Practice*," effective 7 days hereafter.

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

The communications were referred to the Secretary for record.

The Secretary submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by Members on Legislative business for the quarter ending June 30, 2002:

Senator Joanne Emmons	May 2-5	Attend NCSL Conference State and Local Taxation of Telecommunications and Electronic Commerce Captiva Island, FL	\$ 835.29
	May 16-18	Attend NCSL Conference Sales Tax Simplification Implementing States Oklahoma City, OK	\$ 385.29
	June 13-15	Attend NCSL Conference Sales Tax Simplification Implementing States Baltimore, MD	\$ 604.66
Senator Beverly Hammerstrom	June 27-30	Attend WIG Fifth Annual Western State Legislators Conference Napa Valley, CA	\$ 200.00

The Secretary announced that the Majority Leader has made the appointment of the following standing and statutory standing committees:

**Appropriations** - Senator Scott replacing Senator Murphy as a member.

**Joint Committee on Administrative Rules** - Senator Scott replacing Senator Murphy as a member.

The standing and statutory standing committee appointments were approved, a majority of the members serving voting therefor.

The Secretary announced the printing and placement in the members' files on Friday, September 20, of:

<b>Senate Bill Nos.</b>	1402	1403	1404	1406	1407	1408	1409	1410	1413	1415	1416	1417	1419	1420
	1424	1425												
<b>House Bill Nos.</b>	6266	6267	6268	6269	6270	6271	6272	6273	6274	6275	6276	6277	6278	6279
	6280	6281	6282	6283	6284	6285	6286	6287	6288	6289	6290	6291	6292	6293
	6294	6295	6296	6297	6298	6299	6300	6301	6302	6303	6304	6305	6306	6307
	6308	6309	6310	6311	6312	6313	6314	6315	6316	6317	6318	6319	6320	6321
	6322	6323	6324	6325	6326	6330	6331	6332	6333	6334	6335	6336	6337	6338
	6339	6340	6341	6342	6343	6344	6345	6346	6347	6348	6349	6350		
<b>House Joint Resolutions</b>	BB	CC												

The Secretary announced the printing and placement in the members' files on Monday, September 23, of:

<b>Senate Bill Nos.</b>	1405	1411	1412	1414	1418	1421	1422	1423	1426	1427	1428	1429	1430	1431
	1432	1433	1434	1435	1436	1437	1438							

### Recess

Senator Emmons moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:32 a.m.

11:16 a.m.

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

By unanimous consent the Senate proceeded to the order of  
**Messages from the House**

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

**Senate Bill No. 562**

**Senate Bill No. 793**

The motion prevailed.

**Senate Bill No. 287, entitled**

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to authorize certain land transfers; and to provide for the expenditure of appropriations.

Substitute (H-2).

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

Senator Gast offered the following amendments to the substitute:

- 1. Amend page 8, following line 10, by inserting:

**“AERONAUTICS FUND**

Sec. 401. State aeronautics funds appropriated in part 1 of House Bill No. 5651 of the 91st Legislature for airport safety and protection plan debt service are transferred to the comprehensive transportation fund and are appropriated for the purpose of reimbursing comprehensive transportation fund debt service obligations for the airport safety and protection plan program. This appropriation does not take effect unless House Bill No. 4454 of the 91st Legislature is enacted into law.”.

- 2. Amend page 8, following line 25, by inserting:

“Enacting section 1. Section 805 of House Bill No. 5651 of the 91st Legislature is repealed on the effective date of this act.”.

The amendments to the substitute were adopted.

Senator Smith offered the following amendment to the substitute:

- 1. Amend page 8, following line 3, by inserting:

**“DEPARTMENT OF COMMUNITY HEALTH**

Sec. 251. From the funds appropriated for long-term care services, the department of community health shall make available up to 1/2 of each facility’s net economic increase for a wage pass-through for nursing facilities solely for payment increases for enhanced wages and new or enhanced employee benefits. This funding shall be provided to those facilities that make application for it to fund the Medicaid program share of wage and employee benefit increases of up to the equivalent of 50 cents per employee hour. Employee benefits shall include, but are not limited to, health benefits, retirement benefits, and quality of life benefits such as day care services. Nursing facilities shall be required to document that these wage and benefit increases were actually provided. If a nursing home that makes application for and receives the additional funding for the wage pass-through cannot document that these wage and benefit increases were actually provided, its reimbursement rate shall be reduced by 2.5%.”.

The amendment to the substitute was not adopted.

Senator Emerson requested the yeas and nays.

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

The amendment to the substitute was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 863**

**Yeas—16**

Byrum	Emerson	Leland	Schwarz
Cherry	Goschka	Miller	Scott
DeBeaussaert	Hammerstrom	Murphy	Smith
Dingell	Koivisto	Peters	Young

**Nays—19**

Bennett	Garcia	McManus	Sikkema
Bullard	Gast	North	Steil

DeGrow  
Dunaskiss  
Emmons

Gougeon  
Johnson  
McCotter

Sanborn  
Schuette  
Shugars

Stille  
Van Regenmorter

**Excused—3**

Hart

Hoffman

Vaughn

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the House substitute, as amended,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 864**

**Yeas—35**

Bennett  
Bullard  
Byrum  
Cherry  
DeBeaussaert  
DeGrow  
Dingell  
Dunaskiss  
Emerson

Emmons  
Garcia  
Gast  
Goschka  
Gougeon  
Hammerstrom  
Johnson  
Koivisto  
Leland

McCotter  
McManus  
Miller  
Murphy  
North  
Peters  
Sanborn  
Schuette  
Schwarz

Scott  
Shugars  
Sikkema  
Smith  
Steil  
Stille  
Van Regenmorter  
Young

**Nays—0**

**Excused—3**

Hart

Hoffman

Vaughn

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title as amended.

**Senate Bill No. 594, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 5 (MCL 205.95).  
Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,  
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 865****Yeas—35**

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

**Nays—0****Excused—3**

Hart	Hoffman	Vaughn
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**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title as amended.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1086, entitled**

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

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,  
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 866****Yeas—35**

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

**Nays—0**

**Excused—3**

Hart

Hoffman

Vaughn

**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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

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

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Garcia as Chairperson.

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

**Senate Bill No. 1397, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19503 (MCL 324.19503), as amended by 1995 PA 73.

**Senate Bill No. 1390, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 53 (MCL 257.1853).

**Senate Bill No. 1391, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 19a and 675 (MCL 257.19a and 257.675), section 19a as amended by 1998 PA 68 and section 675 as amended by 2001 PA 18.

**Senate Bill No. 1393, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 83 and 83b (MCL 259.83 and 259.83b), section 83 as amended and section 83b as added by 2002 PA 35.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

**Senate Bill No. 1396, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.421 to 205.436) by adding section 7b.

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

1. Amend page 2, line 8, by striking out all of subsection (3) and renumbering the remaining subsection.

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

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

**House Bill No. 5363, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 213, 216, 217, 217c, 222, 226, 226a, 233b, 244, 248, 249, 251, and 251a (MCL 257.11, 257.213, 257.216, 257.217, 257.217c, 257.222, 257.226,



257.226a, 257.233b, 257.244, 257.248, 257.249, 257.251, and 257.251a), section 11 as amended by 1990 PA 154, section 216 as amended by 1996 PA 141, sections 217, 222, and 251 as amended by 2000 PA 397, sections 217c and 249 as amended by 1993 PA 300, section 226 as amended by 2000 PA 36, section 226a as amended by 1998 PA 384, section 233b as added by 1994 PA 305, section 244 as amended by 2000 PA 369, section 248 as amended by 1999 PA 172, and section 251a as added by 1990 PA 265.

Substitute (S-2).

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

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

**House Bill No. 5364, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 11 (MCL 257.11), as amended by 1990 PA 154, and by adding section 248j.

Substitute (S-2).

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

### Resolutions

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

**Senate Resolution No. 271**

The resolution consent calendar was adopted.

Senator DeGrow offered the following resolution:

**Senate Resolution No. 271.**

A resolution congratulating the team, coaching staff, and ownership of the Detroit Red Wings upon the occasion of their 2002 Stanley Cup Championship.

Whereas, The Detroit Red Wings organization is one of the original six teams in the National Hockey League and has a storied history of 75 years of hockey; and

Whereas, The team has featured some of the greatest players, coaches, and executives the sport has ever known; and

Whereas, The 2002 Detroit Red Wings team continued this legacy with stellar play throughout the season and into the playoffs in a determined and memorable fashion by defeating the Carolina Hurricanes four games to one in a best of seven series, thereby winning the third Stanley Cup for the franchise in the past six years and the tenth in the team's history; and

Whereas, We applaud the unparalleled commitment of the team owners, Mike and Marian Ilitch, and the entire organization to continue the winning tradition through hard work and dedication; and

Whereas, This commitment is recognized and appreciated by the avid fans of Hockeytown, USA, sports fans throughout the state, and indeed, the entire world as one of the premier organizations in professional sports; now, therefore, be it

Resolved by the Senate, That the members of this legislative body congratulate the team, coaching staff, and ownership of the Detroit Red Wings upon the occasion of their 2002 Stanley Cup Championship. We wish them the best as they enter their 76th season of hockey; and be it further

Resolved, That a copy of this resolution be transmitted to the owners, Mike and Marian Ilitch, and the entire Detroit Red Wings organization as evidence of our highest esteem and congratulations.

Senator Emmons moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

### Introduction and Referral of Bills

Senators Garcia, North, Koivisto, Gougeon, Bennett, Sikkema, Steil, Sanborn, Hammerstrom, Hoffman, McManus, Schuette, Bullard, Goschka and Schwarz introduced

**Senate Bill No. 1439, entitled**

A bill to provide for continued fringe benefits and wages for certain officers and employees of the state of Michigan who are called into active duty with the military or other armed service of the United States government.

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

Senators Hammerstrom and McCotter introduced

**Senate Bill No. 1440, entitled**

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending the title and section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 8c.

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

Senators Emerson, Hammerstrom, Scott, Murphy, Goschka, Leland and Smith introduced

**Senate Bill No. 1441, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16263, 18501, 18503, 18505, 18507, 18509, 18511, 18513, and 18515 (MCL 333.16263, 333.18501, 333.18503, 333.18505, 333.18507, 333.18509, 333.18511, 333.18513, and 333.18515), section 16263 as amended by 2001 PA 139 and sections 18501, 18503, 18505, 18507, 18509, 18511, 18513, and 18515 as added by 2000 PA 11, and by adding sections 18504, 18506, and 18516.

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 Peters introduced

**Senate Bill No. 1442, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2000 PA 432.

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 Peters introduced

**Senate Bill No. 1443, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4507 (MCL 500.4507), as added by 1995 PA 276, and by adding section 2006a; 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 Financial Services.

Senator Peters introduced

**Senate Bill No. 1444, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 134, 221, 1246, and 5903 (MCL 500.134, 500.221, 500.1246, and 500.5903), section 134 as amended by 1990 PA 256, section 221 as added by 2001 PA 275, section 1246 as added by 2001 PA 228, and section 5903 as added by 1995 PA 215, and by adding section 252.

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

Senator Emmons introduced

**Senate Bill No. 1445, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 40 and 41 (MCL 207.1040 and 207.1041).

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

Senator Emmons introduced

**Senate Bill No. 1446, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers

and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, 30c, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, 205.30c, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by 1996 PA 479, section 21 as amended by 1993 PA 13, sections 24, 30c, and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; 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 Hammerstrom introduced

**Senate Bill No. 1447, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 1998 PA 325.

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

### Committee Reports

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 1375, entitled**

A bill to allow the state to amend certain deeds.

With the recommendation that the bill pass.

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

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Van Regenmorter and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Wednesday, September 18, 2002, at 11:21 a.m., Room 110, Farnum Building

Present: Senators McCotter (C), Shugars, Van Regenmorter, Miller and DeBeaussaert

The Committee on Government Operations reported

**House Bill No. 4017, entitled**

A bill to amend 1877 PA 67, entitled "An act relative to the organization of the meetings of the legislature," (MCL 4.41 to 4.46) by adding section 2a.

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

1. Amend page 1, line 2, after "SHALL" by striking out "BEGIN WITH" and inserting "INCLUDE".

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

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom, Sikkema, Byrum and Miller

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:  
 Meeting held on Thursday, September 19, 2002, at 9:30 a.m., Room 110, Farnum Building  
 Present: Senators McCotter (C), Hammerstrom, Sikkema, Byrum and Miller

The Committee on Families, Mental Health and Human Services reported  
**House Bill No. 5371, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 11b.

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

1. Amend page 2, line 1, after "AND" by inserting "GENERAL".

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

Beverly S. Hammerstrom  
 Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 5372, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623, 722.627, and 722.628a), sections 2 and 7 as amended by 2000 PA 45, section 3 as amended by 2002 PA 10, and section 8a as added by 1992 PA 39.

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

Beverly S. Hammerstrom  
 Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 5984, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 3, and 11 (MCL 722.622, 722.623, and 722.631), section 2 as amended by 2000 PA 45 and section 3 as amended by 2002 PA 10.

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

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

Beverly S. Hammerstrom  
 Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 6202, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 9.

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

Beverly S. Hammerstrom  
 Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 6204, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 7j.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

**House Bill No. 6205, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 3e.

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

1. Amend page 1, line 1, after "CENTER" by inserting "OR CHILD CARING INSTITUTION".
2. Amend page 1, line 3, after "CENTER" by inserting "OR CHILD CARING INSTITUTION".

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Johnson, Goschka, Sanborn and Scott

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submitted the following:

Meeting held on Wednesday, September 18, 2002, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hammerstrom (C), Gougeon, Johnson, Goschka, Sanborn and Scott

Excused: Senator Hart

The Committee on Hunting, Fishing and Forestry reported

**Senate Bill No. 1383, entitled**

A bill to amend 1990 PA 182, entitled "An act to require counties to redistribute certain payments received from the federal government; and to repeal certain acts and parts of acts," by amending sections 1 and 3 (MCL 141.1301 and 141.1303).

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

1. Amend page 5, line 10, after "(5)(B)" by inserting "AND REDISTRIBUTE THE REMAINING FUNDS AS PROVIDED FOR IN SUBSECTION (4)".

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

Alan Sanborn  
Chairperson

## To Report Out:

Yeas: Senators Sanborn, Bullard, Hoffman and Cherry

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submitted the following:  
Meeting held on Wednesday, September 18, 2002, at 1:00 p.m., Room 110, Farnum Building  
Present: Senators Sanborn (C), Bullard, Hoffman and Cherry  
Excused: Senator Koivisto

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:  
Meeting held on Wednesday, September 18, 2002, at 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Van Regenmorter (C), Bullard, Schuette, Peters, Dingell and Scott  
Excused: Senator McCotter

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submitted the following:  
Meeting held on Wednesday, September 18, 2002, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Gast (C), Schwarz, McManus, Gougeon, Johnson, Koivisto, Young and Murphy

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:  
Meeting held on Thursday, September 19, 2002, at 9:00 a.m., Room 100, Farnum Building  
Present: Senators Hoffman (C), North and Dingell

**Scheduled Meetings**

**Appropriations** - Wednesday, September 25, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Families, Mental Health and Human Services** - Wednesday, September 25, 3:00 p.m., Room 100, Farnum Building (373-3543)

**Legislative Retirement Board of Trustees** - Wednesday, September 25, 3:00 p.m., Room H-252, Capitol Building (373-0575)

**Senate Fiscal Agency Board of Governors** - Wednesday, September 25, 3:00 p.m. or later immediately following the Senate Appropriations Meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Senior Citizens and Veterans Affairs** - Wednesday, September 25, 1:00 p.m., Room 100, Farnum Building (373-2417)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:51 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, September 25, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.