

No. 20
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, March 13, 2001.

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—excused
Miller—present
Murphy—present

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

Senator Bill Schuette of the 35th District offered the following invocation:

Lord, we'd ask on this day that You would help us do good works in this chamber, and when we return home tonight and other days, we would do good works in our families. We pray that in our churches, our synagogues, and our mosques we would be open to Your Word and have You direct us personally in all we do.

We ask this in Your name. Amen.

Senator Cherry entered the Senate Chamber.

Motions and Communications

Senator Emmons moved that rule 3.902 be suspended to allow the guests of the Secretary of the Senate admittance to the Senate floor.

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

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

The motion prevailed.

Senator Hoffman's statement is as follows:

Members may recall that back late last session before we finished up, we passed Senate Resolution No. 224, and that was a resolution to recognize Colonel Mike Robinson for his achievements as president of the International Association of Chiefs of Police.

What I wanted to do today is to just take a moment and present him with this resolution; it was co-sponsored by all the members here in the Michigan Senate. This is very important because he was the president of the International Association of Chiefs of Police, which represents over 96 countries across the globe. It represents over 18,000 members—police executives, chiefs of police, and the like—and he is the first law enforcement official from the state of Michigan to have ever been elected chief internationally. That is truly an honor not only for the Colonel, but for the Department of State of Police and for the state of Michigan.

I just wanted to take a moment this morning to present this resolution on behalf of all the members of the Michigan Senate to Colonel Robinson for a job well done. Thank you, Colonel.

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

The motion prevailed.

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

The motion prevailed.

Senator Shugars' statement is as follows:

I see the Colonel has left the floor, but I'd like to just share with my colleagues an experience I had with Colonel Mike Robinson. I was invited to run with one of the trooper schools at four-thirty in the morning, so I went and ran with them. What an experience! Colonel Robinson ran also, and it was quite an experience to have these State Police cars with their lights on at five in the morning, running ten miles, and even the deer were sleeping when we ran by them.

But I want to tell you that he is such a great leader and such a professional. In trooper school, the cadets respect him so much—just the way he conducts himself; the way he runs the State Police. I think all of us have had good experiences when we have dealt with him. I wish him the best in his future endeavors.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, March 8:
House Bill No. 4079

The Secretary announced the printing and placement in the members' files on Thursday, March 8, of:

Senate Bill Nos.	279	280	281	282	283	284	285	286	287	288	289	290	291	292
	293	294	295	296	297	298								
House Bill Nos.	4423	4424	4425	4426	4427	4428	4429							

The Secretary announced the printing and placement in the members' files on Monday, March 12, of:

Senate Bill Nos.	299	300	301	302	303	304	305	306	307	308	309	310	311	312
	313	314												
House Bill Nos.	4430	4431	4432	4433	4434	4435	4436	4437	4438	4439	4440	4441	4442	4443
	4444	4445	4446	4447	4448	4449								

Messages from the Governor

The following messages from the Governor were received and read:

March 8, 2001

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

Michigan Beef Industry Commission

Mr. C. Velmar Green, 8839 Mead Road, Elsie, Michigan 48831, county of Clinton, as a member representing dairy producers, succeeding himself, for a term expiring on May 31, 2003.

Mr. Clarence R. Wilbur, 4551 Highway M-38, Ontonagon, Michigan 49953, county of Ontonagon, as a member representing cattle growers, succeeding himself, for a term expiring on May 31, 2003.

Mr. Walter J. Stafford, 9597 East CD Avenue, Richland, Michigan 49083, county of Kalamazoo, as a member representing cattle feeders, succeeding himself, for a term expiring on May 31, 2003.

March 8, 2001

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

Central Michigan University Board of Trustees

Ms. Nancy McKeague, 952 Roxburgh Avenue, East Lansing, Michigan 48823-3131, county of Ingham, as a member representing the general public, succeeding Ms. Harriet B. Rotter of Bingham Farms, whose term has expired, for a term expiring on December 31, 2008.

Mr. Jerry D. Campbell, Republic Bancorp, Inc., 122 South Main Street, Suite 110, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing the general public, succeeding Ms. Marnette Perry of Northville, who has resigned, for a term expiring on December 31, 2006.

Mr. Raj B. Vattikuti, 4692 West Wickford, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing the general public, succeeding Mr. Jerry D. Campbell of Jackson, whose term has expired, for a term expiring on December 31, 2002.

Ms. Heather Palmer, 1411 Westboro, Birmingham, Michigan 48009, county of Oakland, as a member representing the general public, succeeding Mr. W. Sidney Smith of Mt. Pleasant, whose term has expired, for a term expiring on December 31, 2008.

March 8, 2001

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

Ferris State University Board of Trustees

Mr. Bruce N. Parsons, 7645 Greenbrier, Rockford, Michigan 49341, county of Kent, as a member representing the general public, succeeding Mr. Timothy O. Schad of Grand Rapids, who has resigned, for a term expiring on December 31, 2004.

Mr. Arthur L. Tebo, P.O. Box 519, 1580 North Shore, Walloon Lake, Michigan 49796, county of Charlevoix, as a member representing the general public, succeeding Mr. Bruce N. Parsons of Rockford, whose term has expired, for a term expiring on December 31, 2008.

Mr. Gary L. Granger, 1325 North Waverly Road, Dimondale, Michigan 48821, county of Eaton, as a member representing the general public, succeeding Mr. Larry A. Roman of Big Rapids, whose term has expired, for a term expiring on December 31, 2008.

March 8, 2001

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

Michigan Veterans' Facilities Board of Managers

Mr. Willard (Bill) F. Coffey, 18 Woods Avenue, L'Anse, Michigan 49946, county of Baraga, as a member representing the American Legion, succeeding himself, for a term expiring on February 28, 2007.

Mr. F. Gerrit Veldman, 2575 Friendship Lane, Muskegon, Michigan 49442, county of Muskegon, as a member representing the American Legion, succeeding himself, for a term expiring on February 28, 2007.

March 12, 2001

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

State Employees' Retirement Board

Mrs. Janine M. Winters, 4724 Mohican Lane, Okemos, Michigan 48864, county of Ingham, as a member representing state employees, succeeding herself, for a term expiring on July 31, 2003.

March 12, 2001

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

Michigan Municipal Bond Authority Board of Trustees

Ms. Harriet B. Rotter, 24265 Bingham Court, Bingham Farms, Michigan 48025, county of Oakland, as a member representing the general public, succeeding Ms. Lynn A. Porritt-McConnell of Grayling, whose term has expired, for a term expiring on March 31, 2003.

Mr. Mark J. Burzych, 4396 Alderwood Drive, Okemos, Michigan 48933, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 31, 2004.

Mr. Donald B. Weatherspoon, 8942 East Saginaw, Haslett, Michigan 48840, county of Clinton, as a member representing state officials, succeeding Mr. Robert L. Filka of Mason, who has resigned, for a term expiring at the pleasure of the Governor.

Mr. Malcolm D. Campbell II, 900 North Harrison Road, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on March 31, 2003.

March 12, 2001

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

Michigan Strategic Fund Board of Directors

Mr. Jeffrey A. Kaczmarek, 1975 Thistlewood Road, Okemos, Michigan 48864, county of Ingham, as a member representing the private sector, succeeding Ms. Marilyn I. Barnett of Bloomfield Hills, whose term has expired, for a term expiring on December 31, 2002.

Mr. Richard D. Wilcox, President & CEO, Wilcox Associates, Inc., One Madison Avenue, P.O. Box 580, Cadillac, Michigan 49601, county of Wexford, as a member representing the Speaker of the House of Representatives, succeeding Mr. Paul C. Hillegonds of Plymouth, whose term has expired, for a term expiring on December 31, 2002.

March 12, 2001

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

Michigan Tax Tribunal

Mr. Kimbal R. Smith III, 2300 Montego Drive, Lansing, Michigan 48912, county of Ingham, as a member representing attorneys with 5 years tax experience, succeeding Ms. Marie E. Martell of East Lansing, whose term has expired, for a term expiring on June 30, 2001.

Ms. Victoria L. Enyart, 2411 Twilight Street, Jackson, Michigan 49203, county of Jackson, as a member representing certified level IV assessors, succeeding herself, for a term expiring on June 30, 2004.

March 12, 2001

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

State Transportation Commission

Mr. Lowell Jackson, 12205 East Kinnikinic Road, Northport, Michigan 49670, county of Leelanau, as a member representing the general public, succeeding himself, for a term expiring on December 21, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House**Senate Bill No. 70, entitled**

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

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 71, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 90a, 90b, 90c, 90d, and 90e (MCL 750.90a, 750.90b, 750.90c, 750.90d, and 750.90e), as added by 1998 PA 238.

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

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

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

The Senate agreed to the full title.

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 106, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 5303 (MCL 324.5303).

The question being on the passage of the bill,

Senator Peters offered the following amendment:

1. Amend page 4, following line 20, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 105 of the 91st Legislature is enacted into law.”.

The question being on the adoption of the amendment,

Senator Emerson requested the yeas and nays.

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

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

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

Roll Call No. 20**Yeas—13**

Byrum
Cherry
DeBeaussaert
Dingell

Emerson
Hart
Koivisto

Leland
Miller
Murphy

Peters
Smith
Young

Nays—21

Bennett
Bullard
DeGrow
Dunaskiss
Emmons
Gast

Goschka
Gougeon
Hammerstrom
Hoffman
Jaye

Johnson
McCotter
North
Schuette
Schwarz

Shugars
Sikkema
Steil
Stille
Van Regenmorter

Excused—2

McManus

Vaughn

Not Voting—0

In The Chair: Schwarz

The question being on the passage of the bill,
The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 21**Yeas—34**

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

Nays—0**Excused—2**

McManus

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

I rise in support of the amendment. First, on the substance of the bill, I do plan to support the bill. I am not certain that it does anything greatly significant according to the information we have received from the municipal facilities subsection of the Environmental Assistance Division of the DEQ which administers the program.

The question really is not whether or not someone has been found not to be in compliance through an adversarial process, but simply whether or not they are not in compliance. If they are not in compliance, they have the eligibility. The language in the bill says if they are not found to be out of compliance through a nonadversarial process, they are allowed to go to the top of the list or to have the additional eligibility. I think that may already be the case. But it doesn't hurt to restate it if that is, in fact, what this does. If it is a broader explanation of that, then so be it.

I think that the amendment that is offered to tie-bar is critical because the overall question is one in funding in this bill and eligibility. The obvious problem that we have is that we have a far greater need today than we have funding available today. Simply saying that we have more people who will get higher scores doesn't necessary solve the problem if we don't have greater resources available to the communities. That's why I have worked to try to find resources to add to the revolving fund in the past through the bottle bill, unclaimed deposits through the CMI proposal, a couple of years ago.

So I was encouraged by this package that came forward because I thought it might do something to add additional dollars. The Majority Leader suggested that the administration says that we will, in fact, match additional federal dollars if they are available, and that has always been the case. I think we need to tie-bar this bill to the bill that is in the Appropriations Committee so it can come before us; so we can improve that bill, frankly. I think we should make dollars available in addition to the dollars currently available and make them available regardless of the federal action. I think we have to take some leadership here and not just be followers, not just say that the feds provide \$4 and we will provide \$1, which has always been our practice. I think we need to be more aggressive in preserving our resources in helping our local communities. In order to do that, we need to tie-bar the measures so that we have an opportunity for that debate at a later point. With that, I will ask for your support in tie-barring it, and when that bill does come before us, I will ask for your support to improve it.

The following bill was read a third time:

Senate Bill No. 108, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 3112d.

The question being on the passage of the bill,

Senator DeBeaussaert offered the following amendment:

1. Amend page 3, following line 10, by inserting:

“(A) FOR STATE FISCAL YEAR 2001-2002, FOR GRANTS TO A LOCAL UNIT OF GOVERNMENT TO FUND THE IMPLEMENTATION OF A PILOT WATER QUALITY MONITORING PROGRAM THAT IS DESIGNED TO MONITOR CONNECTING WATERS OF THE GREAT LAKES WHICH ARE THE SOURCE OF DRINKING WATER FOR A SIGNIFICANT PORTION OF THE STATE’S POPULATION FOR THE PRESENCE OF TOXIC CHEMICALS, BACTERIA, VIRUSES, AND TOXIC ALGAE.” and relettering the remaining subdivisions.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator DeBeaussaert requested the yeas and nays.

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

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

Roll Call No. 22

Yeas—16

Byrum	Dunaskiss	Hart	Murphy
Cherry	Emerson	Koivisto	Peters
DeBeaussaert	Goschka	Leland	Smith
Dingell	Hammerstrom	Miller	Young

Nays—18

Bennett	Gougeon	North	Sikkema
Bullard	Hoffman	Schuette	Steil
DeGrow	Jaye	Schwarz	Stille
Emmons	Johnson	Shugars	Van Regenmorter
Gast	McCotter		

Excused—2

McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

Senator Peters offered the following amendment:

1. Amend page 4, following line 3, by inserting:

“(7) NO MORE THAN \$15,000,000.00 MILLION SHALL BE EXPENDED FROM THE FUND FOR THE PURPOSE OF OPERATIONAL WATER QUALITY MONITORING ACTIVITIES.”.

The question being on the adoption of the amendment,

Senator Emerson requested the yeas and nays.

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

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

Roll Call No. 23

Yeas—12

Byrum	Dingell	Leland	Peters
Cherry	Emerson	Miller	Smith
DeBeaussaert	Hart	Murphy	Young

Nays—22

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

Excused—2

McManus	Vaughn
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Not Voting—0

In The Chair: Schwarz

Protests

Senators Gast and McCotter, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Peters to Senate Bill No. 108.

Senator Gast moved that the statement he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator Gast’s statement, in which Senator McCotter concurred, is as follows:

I oppose the Peters amendment for this dual reason: I think the chairman of the Natural Resources and Environmental Affairs Committee spoke well when he made the point that conceivably we could have an emergency that would take more than the cap would allow. But I think also a history of bureaucracy would tell us that if you artificially put a cap out there of \$15 million, and they only spent \$5 million this past year, the history of bureaucracy will say they’re going to spend the \$15 million next year if that’s the cap. I don’t think we want to mandate that. So I think that the Peters amendment is not necessary, and let the Legislature in future years determine what is the proper amount to be spent on this monitoring.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 24**Yeas—34**

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

Nays—0

Excused—2

McManus

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator DeBeaussiaert's first statement is as follows:

When the bill was on General Orders last week, I expressed some concerns about the bill as it relates to some of the comments that I had received from my local health department. It was suggested that this bill was, in a large part, an outgrowth of discussions with some of those groups. In fact, in testimony before the committee—in written testimony—it was suggested by the Macomb Water Quality Board and the Macomb County Health Department that there has been growing concern or dissatisfaction because the county, in cooperation with other local units of government and other counties, has been trying to develop a comprehensive water monitoring program for the Lake St. Clair area—the St. Clair River, Lake St. Clair, the Clinton River, and those connecting waters—which is the source of drinking for a very large portion of Michigan residents.

The Department of Environmental Quality has been reluctant at best to encourage or entertain those kinds of discussions as it relates to funding from the Clean Michigan Initiative which was adopted by the voters in 1998. A large part, \$90 million, was added to address the problems of pollution affecting Lake St. Clair in that period of time. In fact, those who remember the campaign to sell that proposal to the voters in 1998 can remember pictures of elected officials walking on beaches promising that this proposal was going to take care of some of those problems. Now, years later, we have seen very little action.

One of the key things that the Macomb County leaders who are in the forefront of this issue have been asking for is this kind of effort to provide funding from CMI for a comprehensive water monitoring proposal. That's what this amendment does. It's simply to authorize it. It doesn't appropriate dollars. They have a specific proposal with specific dollars attached. This amendment would simply suggest that it is an eligible fund; that the money shall be appended if appropriated by the Legislature, so it would allow for the proposal to come back before us before anything specific would happen. But it gives some very good credence, I think, to the argument and to the proposal put forward locally, and it gives some direction to the department to entertain more seriously, I think, the discussions that have been suggested by those officials at the local level.

I would ask for your support of the proposal to improve, I think, the bill that is before us and to address the real problems that some of those who are on the forefront of the issue have identified.

Senator DeBeaussiaert's second statement is as follows:

I rise again, obviously, in support of the amendment. And just in response to some of the comments made by the chair of the committee—and I have had discussions with him—I do think that in a long-term sense, as the statewide plan is developed, the issues that have been identified by the leaders in Macomb County do make sense to include in the statewide portion of the monitoring proposal. But the problem is that's not going to occur for several more years, and the fact is we're already several years past the time that promises were made that we were going to address these issues locally when we included \$90 million in a proposal approved by the voters.

It seems to an awful lot of people that the area that was identified as the poster child for passage of the ballot proposal in 1998 has since become an orphan in this process. We have not seen the dollars coming back to our communities. The \$90 million that was adopted has not been terribly efficiently utilized, in my opinion. To use just a small portion of that to identify the specific problems in that area, I think, is keeping faith with the promises that were made to the voters in that campaign proposal.

It becomes even more important as the work continues. Just in the last two weeks there have been hearings and meetings in that area to identify that, in fact, we have additional problems from areas across the border in Canada. Firms have identified toxic spills that have the potential, at least, of creating dangers for the drinking water supply. The county and health departments, in cooperation with St. Clair County and Wayne County and Oakland County, are having these discussions. I think that in a comprehensive sense to try to address them, it's an appropriate thing to do. This is the way that we can begin that process by authoring it as an appropriate use of Clean Michigan Fund dollars. Again, I ask for your support.

Senator Smith's statement is as follows:

To the Senator from the 31st, talking about emergencies and how we're tying the hands of future legislators by capping. If we have an emergency that needs a legislative response and that response calls for the public policymakers at that time to lift a cap that is restricting its ability to address the emergency, I would give credit to the future legislators that they would have the sense and responsiveness to the public to lift a cap and to find the funds that are necessary. This talks about present time and about present opportunity and what should be happening in the current public policy arena. We aren't tying anybody's hands as long as an emergency reaches a level of understanding in the public policy body that they make the shift and response to the public concern.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Peters, Koivisto, Miller, Schwarz, Johnson, Emerson, Byrum, DeBeaussaert, Murphy, Smith, Hoffman and North offered the following concurrent resolution:

Senate Concurrent Resolution No. 10.

A concurrent resolution to urge the Department of Natural Resources and the Department of Environmental Quality to issue no new oil and gas leases or drilling permits that would allow directional drilling under the Great Lakes.

Whereas, With the sensitive ecology of shorelands along the Great Lakes and the need to preserve the quality of these freshwater treasures, steps have been taken to put safeguards in place in the requirements for oil and gas leases and drilling permits. As new technologies emerge and because of the pressures from a marketplace that demands ever more energy, there continues to be interest in oil and gas deposits that may be under the lakes in sufficient quantities. With the ongoing interest in these resources, state officials have been reexamining this entire issue; and

Whereas, Recently, the Department of Natural Resources has completed a two-year review of the procedures to be followed to secure a lease for possible drilling under the Great Lakes. During this time, new leases have not been issued. Now, DNR-established work groups will be receiving and considering comments on the proposed revised procedures; and

Whereas, While there are a few directionally drilled Great Lakes oil and gas wells in Michigan, there are many groups and individuals who worry that, without the strongest possible safeguards, the benefits of these operations do not justify the potential risks involved. The complexities of the entire process and the damage that could result make it prudent for the state to enter into no new lease agreements or to issue no new permits for directional drilling under the Great Lakes without the most secure procedures and requirements possible; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Natural Resources and the Department of Environmental Quality to issue no new oil and gas leases or drilling permits that would allow directional drilling under the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Natural Resources and the Department of Environmental Quality.

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

Senator Emmons moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Introduction and Referral of Bills

Senators McCotter and Leland introduced

Senate Bill No. 315, entitled

A bill to establish Holocaust remembrance week in the state of Michigan.

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

Senators Smith, DeBeaussaert and Peters introduced

Senate Bill No. 316, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 1998 PA 245.

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

Senators Hammerstrom and Johnson introduced

Senate Bill No. 317, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and sections 3 and 27 (MCL 552.603 and 552.627), the title as amended by 1996 PA 25, section 3 as amended by 1998 PA 334, and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, and 5b.

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

Senators Hammerstrom and Johnson introduced

Senate Bill No. 318, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 1, 15, 16, 17, and 30 (MCL 552.1, 552.15, 552.16, 552.17, and 552.30), sections 15, 16, and 17 as amended by 1996 PA 9; 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 Families, Mental Health and Human Services.

Senators Hammerstrom and Johnson introduced

Senate Bill No. 319, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1999 PA 156; 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 Families, Mental Health and Human Services.

Senators Johnson and Hammerstrom introduced

Senate Bill No. 320, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), section 7 as amended by 1996 PA 308, section 10 as amended by 1996 PA 18, and section 11 as amended by 1990 PA 244; 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 Families, Mental Health and Human Services.

Senators Johnson and Hammerstrom introduced

Senate Bill No. 321, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 1996 PA 17; 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 Families, Mental Health and Human Services.

Senators Johnson and Hammerstrom introduced

Senate Bill No. 322, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1999 PA 158; 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 Families, Mental Health and Human Services.

House Bill No. 4079, entitled

A bill to amend 1911 PA 235, entitled "An act to provide for the payment and reimbursement by counties, in certain cases upon application therefor, of expenses incurred in the burial of the bodies of honorably discharged members of the armed forces of the United States, or their spouses, and to repeal certain acts or parts of acts," by amending section 1 (MCL 35.801).

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

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

Statements

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

The motion prevailed.

Senator Hoffman's statement is as follows:

Last week a friend of mine passed away, and I wanted to take a moment to recognize him not only as a great dad, but also as a great scoutmaster and a great township trustee. Gary Videto passed last Thursday, and he is survived by his loving wife and family, Cheryl and sons Jeremiah, Isaiah, and Jason. He was a member of the Marine Corps back during the Vietnam era. He served in the Pacific Theater there and in the Philippines and for a short time in Hawaii. Since then he was in the reserves and served with distinction, I might add.

But my relationship with Gary was kind of unique. Like Gary, I was involved in scouting, but unlike Gary, he led a troop of Boy Scouts for more than 20 years. That takes a special kind of person to lead a Boy Scout troop of young men for over two decades, and it was certainly a labor of love on his part. The Scouts council recognized him and gave him the highest award one can give in boy scouting. It's called the Silver Beaver Award. As scoutmaster of Troop 144, he was given the award a number years ago.

He, as I said earlier, served with distinction on the Spring Arbor Township Board in Jackson County for over eight years. Being a lifelong Jackson resident, a resident from Spring Arbor Township, he was involved with his dad in dairy farming and enjoyed the family business throughout his life. He was also involved in local activities in Spring Arbor. He helped found the Spring Arbor Day Parade and was a member of the Spring Arbor Historical Society. In fact, he also spearheaded the building of the Veterans War Memorial in Spring Arbor. He was active in establishing, probably the one thing you'd notice if you went through Spring Arbor, the trailer on the side of M-60 that was Gary's Recycling Paper, a nonprofit operation. With the proceeds from the newspaper he was able to support local Girl Scout and Boy Scout activities, local senior center activities, and homeless center functions. He was a member of the Arbor Grove Congregational Church and will be missed by his many, many hundreds of friends in Jackson County, his friends in scouting, and the like.

I just wanted to take a moment to recognize the life of Gary Videto; he'll be sorely missed by our community.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 56, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 1992 PA 78.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, Johnson, North, Gougeon, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeausaert and Dingell

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 272, entitled

A bill to amend 2000 PA 296, entitled "An act to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; to provide for disposition of fees and other income received by the various state agencies; and to repeal acts and parts of acts," by adding section 418.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, Johnson, North, Gougeon, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, March 7, 2001, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), Schwarz, Johnson, North, Gougeon, Stille, Goschka, Smith, Koivisto, Young, Murphy, DeBeaussaert and Dingell

Excused: Senators McManus, Hoffman and Bennett

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submits the following:

Meeting held on Thursday, March 8, 2001, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Hoffman (C), North and Dingell

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submits the following:

Meeting held on Thursday, March 8, 2001, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Gast (C), Schwarz, Gougeon, Johnson, Koivisto, Smith and Young

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Consumer and Industry Services submits the following:

Meeting held on Thursday, March 8, 2001, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Bennett (C), Stille and Young

Scheduled Meetings

Appropriations - Tuesday, March 20, and Wednesday, March 21, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

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

Judiciary - Wednesday, March 14, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2413)

State Police and Military Affairs - Thursday, March 15, 8:30 a.m., Room 110, Farnum Building (373-2426)

Transportation - Wednesday, March 14, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

Government Operations - Thursday, March 15, 11:00 a.m., Room 405, Capitol Building (373-1707)

Legislative Retirement Board of Trustees - Wednesday, March 21, 3:00 p.m., Room H65, Capitol Building (373-1725)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 11:02 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, March 14, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.