

No. 68

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, October 13, 1999.

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
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—present
Young—present

Reverend John Boley of Central United Methodist Church of Lansing offered the following invocation:

Gracious God, it is another glorious day that has been presented to us, a day that marks another day of life granted to us by You, a day that marks new beginnings and new opportunities, and a day that offers us another chance to be what we ought to be.

We thank You that You have created us to evolve into what is right and good, and we pray that all of our days will be spent in good stewardship of the time, resources, talent, and duties that are a part of Your bounty.

Gracious God, we ask Your blessing this day on this Michigan Senate and all of the Senators and staff that as they go about their business, whether it be mundane or a threshold, they will do so with the highest sense of civic responsibility, the greatest honor and honesty, and the greatest degree of hope.

Help us to be a people of good faith, a people of integrity, a people of good humor, and a people of cooperation. Help us to balance our duties to our constituents with our duties to our consciences. Help us to place the interests of the people of the state of Michigan above partisan politics, and help us to always strive to do what is pleasing to You. Although we enjoy the formal separation of church and state, we know that all systems, institutions, and individuals are ultimately accountable to You. For this we are grateful. In the name of Your Grace we pray. Amen.

Senators Schwarz and V. Smith entered the Senate Chamber.

Motions and Communications

Senator Murphy entered the Senate Chamber.

Senator Rogers moved that Senator Schuette be temporarily excused from today's session.
The motion prevailed.

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

The following communications were received:

Joint Committee on Administrative Rules

Certificates of Approval

Date: October 7, 1999

Subject: Trans. No. 99-35

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Agriculture, Pesticide and Plant Pest Management Division, pertaining to Commercial Fertilizer Bulk Storage (Reg. #641), dated July 1, 1999.

Date: October 7, 1999

Subject: Trans. No. 99-36

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Family Independence Agency, pertaining to General Rules—Hearings, Appeals, and Declaratory Rulings (Part 9), dated June 10, 1999.

Date: October 7, 1999

Subject: Trans. No. 99-37

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Environmental Quality, Surface Water Quality Division, pertaining to Clean Michigan Initiative Nonpoint Source Pollution Control Grants, dated June 11, 1999.

Date: October 7, 1999

Subject: Trans. No. 99-38

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Consumer and Industry Services, Financial Institutions Bureau, pertaining to Secondary Mortgage Licensees, dated July 7, 1999.

Date: October 7, 1999
Subject: Trans. No. 99-39

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Consumer and Industry Services, Director's Office, pertaining to Construction Code—Electric Code (Part 8), dated July 26, 1999.

Date: October 7, 1999
Subject: Trans. No. 99-43

I hereby certify that the Joint Committee on Administrative Rules approved the Administrative Rules from the Department of Environmental Quality, Surface Water Quality Division, pertaining to Water Resources Protection—Land Application of Biosolids (Part 24), dated July 26, 1999.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-40, submitted by the Department of Environmental Quality, Air Quality Division, pertaining to Air Pollution Control—Emission Limitations and Prohibitions (Part 6)—Existing Sources of Volatile Organic Compound Emissions.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-41, submitted by the Department of Consumer and Industry Services, Corporations, Securities and Land Development Bureau, pertaining to Manufactured Housing (Rescission).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-42, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Nursing—Nursing Scholarship Program (Part 7).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-44, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Medicine—General Provisions (Part 1) (R 338.2304).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-45, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Medicine—General Provisions (Part 1) (R 338.2305).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-46, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Osteopathic Medicine and Surgery—General Provisions (Part 1) (R 338.108a).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-47, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Osteopathic Medicine and Surgery—General Provisions (Part 1) (R 338.108b).

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-48, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Cosmetology.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-49, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Boilers.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-50, submitted by the Department of Consumer and Industry Services, State Fire Safety Board, pertaining to Dormitory Fire Safety for Schools, Colleges, and Universities.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-51, submitted by the Department of Consumer and Industry Services, State Fire Safety Board, pertaining to Fire Prevention.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-52, submitted by the Department of Consumer and Industry Services, State Fire Safety Board, pertaining to New and Existing School, College, and University Fire Safety.

October 7, 1999

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 99-53, submitted by the Department of Treasury, Bureau of State Lottery, pertaining to Lottery Rules.

Sincerely,
Representative Mark Shulman
Chair

The communications were referred to the Secretary for record.

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:

Meeting held on Thursday, October 7, 1999, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Hammerstrom (C), Steil, Van Regenmorter, Hart and Murphy

The Secretary announced the enrollment printing and presentation to the Governor on Monday, October 11, for his approval the following bill:

Enrolled Senate Bill No. 182 at 2:01 p.m.

Messages from the House

Senate Bill No. 419, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 55; and to repeal acts and parts of acts.

Substitute (H-2).

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. 462

Yeas—30

Bennett
Bullard
Byrum

Emmons
Gast
Goschka

Johnson
Koivisto
Leland

Rogers
Schwarz
Shugars

Cherry	Gougeon	McCotter	Sikkema
DeBeaussaert	Hammerstrom	McManus	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Jaye		

Nays—4

Emerson	Smith, A.	Smith, V.	Vaughn
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Excused—3

Miller	Schuette	Young
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Not Voting—1

Murphy

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.

Senator Miller entered the Senate Chamber.

Senate Bill No. 500, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 33 (MCL 800.33), as amended by 1994 PA 218.

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. 463**Yeas—28**

Bennett	Emmons	Johnson	Rogers
Bullard	Gast	Koivisto	Schwarz
Byrum	Goschka	McCotter	Shugars
DeBeaussaert	Gougeon	McManus	Sikkema
DeGrow	Hammerstrom	Miller	Steil
Dingell	Hoffman	North	Stille
Dunaskiss	Jaye	Peters	Van Regenmorter

Nays—8

Cherry	Hart	Murphy	Smith, V.
Emerson	Leland	Smith, A.	Vaughn

Excused—2

Schuette

Young

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.

Senators Johnson and Gast moved that they be named co-sponsors of the following bill:

Senate Bill No. 419

The motion prevailed.

Senators Gast and Bennett moved that they be named co-sponsors of the following bill:

Senate Bill No. 500

The motion prevailed.

Senator Schuette entered the Senate Chamber.

Senate Bill No. 485, entitled

A bill to amend 1943 PA 202, entitled "Municipal finance act," by amending section 1b of chapter VII (MCL 137.1b), as amended by 1982 PA 469.

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. 587, entitled

A bill to provide for the creation of public employee health care funds; to provide for the administration of the funds; to authorize the investment of the assets of the funds; and to prescribe the powers and duties of investment fiduciaries and certain public officers and employees.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to provide for the creation of public employee health care funds; to provide for the administration of the funds; to authorize the investment of the assets of the funds or trusts; and to prescribe the powers and duties of investment fiduciaries and certain public officers and employees.

Pursuant to rule 3.202, the bill was laid over one day.

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

By unanimous consent the Senate proceeded to consideration of the following bill:

Senate Bill No. 451, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

The above bill was read a third time.

Senator Young entered the Senate Chamber.

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

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. 464

Yeas—37

Bennett	Gast	Leland	Shugars
Bullard	Goschka	McCotter	Sikkema
Byrum	Gougeon	McManus	Smith, A.
Cherry	Hammerstrom	Miller	Smith, V.
DeBeaussaert	Hart	Murphy	Steil
DeGrow	Hoffman	North	Stille
Dingell	Jaye	Peters	Van Regenmorter
Dunaskiss	Johnson	Rogers	Vaughn
Emerson	Koivisto	Schuetter	Young
Emmons			

Nays—1

Schwarz

Excused—0

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Schwarz's statement is as follows:

I would like the attention of the body because this is an important bill for a number of reasons, and I am neither unsympathetic nor unempathetic with what my good colleague from Brighton is trying to do here, which is to identify certain conditions which automatically become workers' comp situations with full-time firefighters. Some of the list, which includes all respiratory tract, bladder, skin, brain, kidney, blood, and lymphatic cancers, is a good list. I would include respiratory tract. I think you almost have to. These are in active firefighters who don't have a history of smoking to make it a little bit simpler.

But it's a little too wide otherwise, and I think it's a trial lawyer's delight. Bladder—questionable. Skin—there's probably not one individual in this chamber right now 50 years old or over who doesn't have a skin cancer somewhere. Skin cancers go from basal-cell carcinoma, which is of very, very low malignancy, through squamous carcinoma, which has a much higher malignancy, though malignant melanoma. So what do we mean by skin cancer?

Brain—there are probably 12 to 15 different kinds of brain tumors going from the very malignant gliomas to others that are perhaps only histologically malignant. Blood and lymphatic cancers would mean all leukemias and lymphomas, all Hodgkins would be compensable for members of fully paid fire departments employed 24 months or more.

I appreciate very much what the Senator is trying to do, and I don't disagree with some of this. I expect the body is going to vote for this anyhow, but I wish to go on record as indicating this is entirely too wide. This is a workers' comp and trial bar dream bill because they can come back on whatever municipality employs the firefighters for virtually any malignancy that a firefighter gets if they've been employed for 24 months and have a documentable record of not smoking.

So it would have been nice to rework this a little bit so it comports more with fact and what known causes there are of malignancies and other malignancies with no known cause. The bill is in good spirit, but as far as dealing with facts and statistical numbers for causative agents when they are known, it is far too wide.

Mr. President, I would like my remarks on this be printed in the Journal because I want it to be known that at least one member of this body was able to take a look at this critically and say it's too wide. It needs to be narrowed, and then we can run the bill when it's narrowed down.

Senator Rogers' statement is as follows:

I, too, agree with my good colleague and good friend, Senator and Dr. Joe Schwarz. This is an important bill, and there are some issues to be resolved. But my dad always told me, "Get a second opinion," and after all, this is the guy who thought the University of Michigan was going to win the football game last week.

So we have some differences of opinion, and I want to just cite some fact here, as well, from the Governor's council, the Michigan Environmental Science Board. They did an evaluation of the risk after the veto of the bill last year, and I quote from the document from the Governor's office, "Consequently, it is reasonable to conclude that firefighters, as a class, suffer greater exposure to toxic and carcinogenic chemicals than the general population." And they go on to say in their defense that "After quantification of that exposure and resulting dose on an individual basis, it's not currently possible to determine."

My argument has always been that we should err on the side of firefighters. And again, this is after they've gone through all the process of going through all their other means of recouping compensation. This is the last resort. Do we err on the side of excluding them when we or the Governor's study doesn't even know? I argue, no, we don't do that to people who are risking their lives everyday. We need to err on the side of those individuals who are climbing in the windows to save our sons and daughters, and who are going into the factories and spraying the chemical fires when we don't even know what the reaction may be and what that does to their skin, to their respiratory tract, to their bladder, to the brain, and on and on and on.

I want to quote some other studies just for the good doctor.

The American Journal of Industrial Medicine concluded that there were higher rates of all cancers listed. In the study of the cancer incidence among Massachusetts firefighters, the American Journal of Industrial Medicine found higher rates and substantiated a connection in all of those cancers listed, and the Occupational Medicine Program at the University of Washington under the Northwest Firefighters Mortality Study found a link to firefighters in all those cancers listed.

Again, we have tightened the bill since the last time. We've said you've got to respond to a fire or you have to be a fire investigator for at least two years to qualify. We've tightened the language under being a smoker and being able to qualify. This is all about the unknown, and if we're going to make an error, let's err on the side of those risking their lives for our families every day in the state of Michigan. I would argue and urge the body's support of this bill.

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

Senate Bill No. 451

The motion prevailed.

The following bill was read a third time:

House Bill No. 4426, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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. 465

Yeas—38

Bennett
Bullard
Byrum

Gast
Goschka
Gougeon

McCotter
McManus
Miller

Shugars
Sikkema
Smith, A.

Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

Nays—0

Excused—0

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to impose a state tax on the transfer of an interest in real property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the tax; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Rogers 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 Goschka 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. 717, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 38e (MCL 208.38e), as added by 1996 PA 593.

House Bill No. 4817, entitled

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 2a and 9 (MCL 552.502a and 552.509), section 2a as added by 1996 PA 366 and section 9 as amended by 1998 PA 63, and by adding section 9a.

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 amendments, the following bill:

House Bill No. 4816, entitled

A bill to amend 1971 PA 174, entitled “Office of child support act,” by amending section 1 (MCL 400.231), as amended by 1998 PA 112, and by adding sections 6, 7, 8, and 9.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 6, following line 7, subsection (5), after the first “A” by striking out “CONTRACTOR, OFFICER, OR EMPLOYEE OF A CONTRACTOR” and inserting “CONTRACTOR OR SUBCONTRACTOR, OR AN OFFICER OR EMPLOYEE OF A CONTRACTOR OR SUBCONTRACTOR”.

2. Amend page 6, following line 7, subsection (5), after “FEES. A” by striking out “CONTRACTOR, OFFICER, OR EMPLOYEE OF A CONTRACTOR” and inserting “CONTRACTOR OR SUBCONTRACTOR, OR AN OFFICER OR EMPLOYEE OF A CONTRACTOR OR SUBCONTRACTOR”.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

By unanimous consent the Senate proceeded to consideration of the following bill:

Senate Bill No. 709, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 1996 PA 476.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Dingell offered the following amendments:

1. Amend page 5, line 8, after "property" by striking out "from" and inserting "BETWEEN OR AMONG IMMEDIATE FAMILY MEMBERS INCLUDING ALL OF THE FOLLOWING:

(i) FROM".

2. Amend page 5, following line 9, by inserting:

(ii) FROM A FATHER OR MOTHER, OR BOTH, TO HIS OR HER OR THEIR CHILD OR CHILDREN.

(iii) FROM AN INDIVIDUAL TO 1 OR MORE OF HIS OR HER SIBLINGS.".

The question being on the adoption of the amendments,

Senator V. Smith requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 466

Yeas—18

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

Nays—20

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

Excused—0

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. 467

Yeas—38

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.

Cherry	Hammerstrom	Murphy	Smith, V.
DeBeaussaert	Hart	North	Steil
DeGrow	Hoffman	Peters	Stille
Dingell	Jaye	Rogers	Van Regenmorter
Dunaskiss	Johnson	Schuette	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons	Leland		

Nays—0

Excused—0

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Schuette, McCotter, North, Emmons, Bennett, Hammerstrom, Shugars, Stille, Steil, Jaye, Gougeon, McManus, Koivisto, Byrum, A. Smith, Gast, Schwarz, DeBeaussaert, Miller and Rogers moved that they be named co-sponsors of the following bill:

Senate Bill No. 709

The motion prevailed.

By unanimous consent the Senate returned to the order of

General Orders

Senator Rogers 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 Goschka 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:

House Bill No. 4818, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 9, 11a, 32, 37, and 48 (MCL 552.602, 552.609, 552.611a, 552.632, 552.637, and 552.648), sections 2, 9, and 11a as amended by 1998 PA 334 and section 32 as amended by 1996 PA 301.

House Bill No. 4819, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 23 (MCL 552.23), as amended by 1983 PA 193, and by adding section 24.

House Bill No. 4820, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 2, 4, 7, and 9 (MCL 552.452, 552.454, 552.457, and 552.459), section 2 as amended by 1996 PA 5, section 4 as amended by 1990 PA 292, and section 7 as amended by 1983 PA 195, and by adding section 8a.

House Bill No. 4821, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and 722.729), section 1 as amended by 1998 PA 113 and section 19 as amended by 1983 PA 194, and by adding section 19a.

House Bill No. 4822, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 7, and 9 (MCL 722.22, 722.27, and 722.29), sections 2 and 7 as amended by 1998 PA 482.

House Bill No. 4823, entitled

A bill to amend 1952 PA 8, entitled "Revised uniform reciprocal enforcement of support act," by amending sections 3b, 14, 18, 23, and 31a (MCL 780.153b, 780.164, 780.168, 780.173, and 780.181a), section 3b as added and section 18 as amended by 1985 PA 172, section 14 as amended and section 31a as added by 1990 PA 241, and section 23 as amended by 1983 PA 192, and by adding section 14a.

House Bill No. 4824, entitled

A bill to amend 1985 PA 216, entitled "Interstate income withholding act," by amending sections 3, 5, and 10 (MCL 552.673, 552.675, and 552.680), section 3 as amended by 1996 PA 11 and section 5 as amended by 1990 PA 354, and by adding section 10a.

House Bill No. 4825, entitled

A bill to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending section 2 (MCL 552.152) and by adding section 6.

House Bill No. 4826, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165).

House Bill No. 4827, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2538 (MCL 600.2538), as added by 1993 PA 189.

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

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

Senate Bill No. 744, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 27.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 3, line 22, after "HOWEVER," by inserting "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6)."

2. Amend page 3, following line 23, by inserting:

"(6) IN A FISCAL YEAR IN WHICH THE TOTAL AMOUNT OF ALL ALLOCATIONS TO DISTRICTS UNDER THIS SECTION, AS CALCULATED USING THE MAXIMUM AMOUNT PRESCRIBED IN SUBSECTION (5), IS LESS THAN THE TOTAL AMOUNT APPROPRIATED UNDER THIS SECTION FOR THAT FISCAL YEAR, THE MAXIMUM AMOUNT ALLOCATED TO A PARTICULAR DISTRICT UNDER THIS SECTION IS \$3,000,000.00 INSTEAD OF THE MAXIMUM PRESCRIBED IN SUBSECTION (5). HOWEVER, THE MAXIMUM AMOUNT PRESCRIBED IN SUBSECTION (5) MAY ONLY BE EXCEEDED IF THE ALLOCATIONS TO ALL DISTRICTS WITH ALLOCATIONS LESS THAN THAT MAXIMUM ARE FULLY FUNDED. IF THE AMOUNT AVAILABLE FOR PAYING ADDITIONAL AMOUNTS ALLOWED UNDER THIS SUBSECTION IS NOT SUFFICIENT TO FULLY FUND ALL DISTRICTS THAT EXCEED THE MAXIMUM AMOUNT PRESCRIBED IN SUBSECTION (5), THEN THE ADDITIONAL AMOUNTS ALLOWED THOSE DISTRICTS UNDER THIS SUBSECTION SHALL BE PRORATED ON AN EQUAL PERCENTAGE BASIS." and renumbering the remaining subsections.

The Senate agreed to the substitute, as amended, 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. 4413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219e. Substitute (S-1).

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. 4598, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219f. Substitute (S-1).

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. 4670, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as added by 1998 PA 317.

Substitute (S-1).

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. 87

The resolution consent calendar was adopted.

Senator Gugeon offered the following resolution:

Senate Resolution No. 87.

A resolution to honor the outstanding efforts of the 1999 Michigan Harvest Gathering.

Whereas, In 1991, the Michigan Harvest Gathering was created to feed needy families across Michigan. Each year, the Michigan Harvest Gathering effort is lead by Michelle and John Engler and Cynthia and Bill Schuette, with the intent of providing food and assistance to those less fortunate families in Michigan; and

Whereas, Assisted by the tireless efforts of the Food Bank Council of Michigan, the Englers and Schuettes have worked with the Michigan Health and Hospital Association, McDonald's Corporation, Michigan agricultural community, major Michigan corporations, Michigan foundations, Michigan outdoor advertisers, Michigan Association of Broadcasters, Michigan Cable Telecommunications Association, state employees, and many other private entities to enrich Michigan families; and

Whereas, This outpouring of personal and corporate philanthropy has made a positive difference in so many lives; and

Whereas, Since its inception in 1991, the Michigan Harvest Gathering has raised nearly \$2.3 million and almost 3 million pounds of food for families in need. The Food Bank Council of Michigan has provided 5.2 million emergency meals to Michigan citizens over the last nine years as a result of this effort; and

Whereas, The Food Bank Council of Michigan has worked with 12 regional food bank offices and 2,400 local agencies in this endeavor; now, therefore, be it

Resolved by the Senate, That the state of Michigan recognize the 1999 Michigan Harvest Gathering, the Food Bank Council of Michigan, and its numerous sponsors and volunteers for their outstanding contributions to Michigan families. May these individuals know the sincere appreciation for their work and true dedication; and be it further

Resolved, That a copy of this resolution be transmitted to the Food Bank Council of Michigan so it may know of the support the Michigan Senate holds for this endeavor.

Senator Rogers 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.

Senate Resolution No. 82.

A resolution observing October 1999 as Child Health Month.

(This resolution was offered on September 29, rules suspended and consideration postponed. See Senate Journal No. 62, p. 1354.)

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Concurrent Resolution No. 22.

A concurrent resolution to memorialize the Congress of the United States to investigate antitrust violations in the agricultural processing industry.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 23.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to require price reporting for agricultural products.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 19.

A concurrent resolution to memorialize the Congress of the United States to support more flexibility for the states in the Welfare-to-Work program.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senators Cherry, Byrum, Murphy, Hart, Young, Vaughn, Goschka, A. Smith, DeBeaussaert, Emerson, Dingell, V. Smith, Koivisto, Miller and Leland offered the following resolution:

Senate Resolution No. 88.

A resolution to memorialize the Congress of the United States to finalize the federal budget for fiscal year 2000 without reductions from the Social Security Trust Fund.

Whereas, This year's negotiations to assemble the federal budget have included many proposals for spending cuts or shifting funding in order to achieve a balanced budget. An interim agreement has pushed the deadline for finalizing the fiscal year 2000 budget back three weeks beyond the October 1 start of the fiscal year; and

Whereas, At various points in the discussions on the budget, lawmakers have suggested cuts that could include reductions involving the Social Security Trust Fund. Some of these proposals are across-the-board reductions to federal programs. The possibility of cuts to Social Security has also surfaced as a bargaining tool, an alternative if other plans for cuts are not adopted; and

Whereas, Our country has made enormous strides in strengthening our economy and in extending this success to government finances. This accomplishment should make it easier to secure the future of Social Security and solve, rather than complicate, long-term challenges; and

Whereas, The Social Security System plays a unique role in our country. In addition to the obvious value it holds as a safety net with disability and survivor benefits and as a cornerstone of the retirement of millions of older Americans, Social Security is a measure of trust among our people. People have a right to believe that the promise of Social Security will be fulfilled across the generations and that this program will not be jeopardized by short-term decision making; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to finalize the federal budget for fiscal year 2000 without reductions from the Social Security Trust Fund; 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.

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

House Concurrent Resolution No. 44.

A concurrent resolution to change the scope of the Professional Studies and Classroom Building project at the University of Michigan-Flint.

Whereas, The University of Michigan-Flint Professional Studies and Classroom Building project was authorized with a total cost of \$33,123,000 by 1996 PA 480 and Senate Concurrent Resolution No. 71 of 1998; and

Whereas, The University of Michigan-Flint has estimated that the total cost to complete the Professional Studies and Classroom Building project has increased to \$35,623,000; and

Whereas, The University of Michigan-Flint has agreed to fund the increase in the project cost of \$2,500,000, with the state commitment remaining at \$25,942,200; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the University of Michigan-Flint Professional Studies and Classroom Building project to an amount not to exceed \$35,623,000 (State Building Authority share \$25,942,100; State General Fund/General Purpose share \$100; the University of Michigan-Flint share \$9,680,800); and that the legislature intends to continue to appropriate funds for construction subject to limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes in the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the University of Michigan-Flint.

The House of Representatives has adopted the concurrent resolution.

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 further consideration of the concurrent resolution be postponed for today.

The motion prevailed.

House Concurrent Resolution No. 51.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority and Central Michigan University relative to the Central Michigan University Park Library Addition and Remodeling.

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

Whereas, The site for the Central Michigan University Park Library Addition and Remodeling (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Central Michigan University Park Library Addition and Remodeling shall not exceed \$50,000,000 (the Authority share is \$37,499,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$12,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$37,499,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$3,859,000 and \$6,693,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

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

The House of Representatives has adopted the concurrent resolution.

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 further consideration of the concurrent resolution be postponed for today.

The motion prevailed.

House Concurrent Resolution No. 52.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority and Bay de Noc Community College relative to the Bay de Noc Community College General Campus Renovations and Additions.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Bay de Noc Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the General Campus Renovations and Additions (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Bay de Noc Community College General Campus Renovations and Additions shall not exceed \$3,715,000 (the Authority share is \$1,857,400, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$1,857,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,857,400, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$171,000 and \$281,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Bay de Noc Community College, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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 further consideration of the concurrent resolution be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

Senators McManus, Goschka, Jaye and Gougeon asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McManus' statement is as follows:

I can't tell you how exciting a time it is for me and the farm community in this state when they take a look at the sensitivity that this Senate has afforded to the farm problem that exists today. Last week we moved Senate Bill No. 205 as a part of an agricultural package. Today, unanimously, we passed Senate Bill No. 709 as a second bill in the farm package.

While the rest of the United States and Washington are floundering around, trying to figure out what to do on the farm package, we in Michigan are moving ahead. I am particularly pleased this morning that this passage was bipartisan, and hopefully, it will be bicameral before we're done.

This whole farm problem is big! We have moved with a Michigan initiative, which essentially involves cutting taxes, cutting unnecessary regulations, and moving the value added. Remember our livestock initiative and our Project GREEN.

I want to compliment you all this morning. The farm community I'm sure will be ecstatic over the fact that we're doing something to try and give them some assistance. Now lots of legislatures and the feds and so on think all of the answers rest in either their state capital or in the national capital. That's not the way we went at it. We went out and asked the people, "What do you think the problems are and what do you think we can do about it?" We held hearings around the state, and I have covered that with you before. And we are moving on the people's agenda for the protection of agriculture and agricultural land in this state. So compliment yourselves today on the fact that you've done something to try and preserve this beautiful state and its environment and also ensure our children and our grandchildren will have a domestic food supply.

Senator Goschka's statement is as follows:

I want very much to echo Senator McManus' comments.

I believe that Senate Bill No. 709, which I have authored and which this body passed unanimously, will go a long way, indeed, protecting farmland by preserving farmland and by giving to our children a domestic food supply. This is a proud day for Michigan because the state Senate has recognized an obvious problem in the state of Michigan, the fact that we are losing much of our agricultural farmland.

Senate Bill No. 709, I believe, will be the new farmland preservation act. Everyone here should be proud that they have stood tall, not just for farmers, but for protecting and preserving farmland. I thank this entire body for their unanimous support, and together I believe that we will be fighting a fight that we can win—that we must win—for our farmers, their families, for our families, for farmland preservation, and for a domestic food supply.

Senator Jaye's statement is as follows:

Mr. Chairman and Senate colleagues, for the record, I wanted it to be very clear that the cost of exempting all family-run businesses from a property tax increase is \$1.8 million per year for all commercial and industrial properties. The cost of exempting property tax increases for a home that is owned by a family member that they give as a gift to their child or grandchild or niece or nephew would be \$5.4 million.

The bill as originally introduced would have protected all family-owned businesses that then were transferred to a family member. It was changed in this chamber to strike-out all the other family-owned businesses from protection from a property tax increase, and it added in corporate farms. I think one of the ironic aspects of allowing corporate farms to be able to have protections against property tax increases is they may be gobbling up any current family-run farms that may actually lead to an acceleration of the decline of the number of family farms in the state of Michigan.

I take as a good faith statement by the bill supporters and the bill sponsors that they are going to be looking at legislation to exempt all family-run businesses, which are the backbone of this country and have been the route to leave the inner city—they have been the road for prosperity for immigrants and for poor people alike—to say that a small business should be afforded the same protection whether they're involved in agriculture or shelter or health or transportation or a restaurant or any other food-processing activity. I'm going to be very aggressive in advocating the priority be given to protecting all family-run businesses from a property tax increase as well as protecting families who want to invest in their future, their children and their grandchildren, by transferring the homestead to them without having a huge property tax increase.

Senator Gougeon's statement is as follows:

I just wanted speak on Senate Resolution No. 87 that has already passed and recognize some individuals and organizations today for the great work that they have done with the food Harvest Gathering.

Since 1991, the Michigan Harvest Gathering has raised nearly \$2.3 million and almost 3 million pounds of food for families in need in the state of Michigan. The Food Bank Council of Michigan has provided 5.2 million emergency meals to Michigan citizens over these last nine years as a result of that effort.

I think today we should recognize Bill and Cynthia Schuette for the effort they've put in and John and Michelle Engler for the effort they've put in, the Food Bank Council of Michigan, the Michigan Health and Hospital Association, McDonald's Corporation, the Michigan agricultural community, and many, many other major Michigan corporations and foundations, including Michigan outdoor advertisers, the Michigan Association of Broadcasters, the Michigan Cable Telecommunications Association, many state employees, and other private entities that have all pitched in for this enormous effort. So I wanted to take this opportunity to thank them all for this philanthropy and good work.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Bullard introduced

Senate Bill No. 797, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 54 (MCL 559.154), as amended by 1982 PA 538.

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 Bullard introduced

Senate Bill No. 798, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

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

Senator Rogers introduced

Senate Bill No. 799, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811d.

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

Senator Rogers introduced

Senate Bill No. 800, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20912 (MCL 333.20912), as added by 1990 PA 179.

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

Senators Schwarz, North, Rogers, Peters and Dingell introduced

Senate Bill No. 801, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1998 PA 536.

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

Senator Stille introduced

Senate Bill No. 802, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32 (MCL 388.1632), as added by 1999 PA 119.

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

Senators Emmons and McCotter introduced

Senate Bill No. 803, entitled

A bill to amend 1970 PA 74, entitled "Corner recordation act," by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; 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 Local, Urban and State Affairs.

Senators Johnson and Sikkema introduced

Senate Bill No. 804, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21513 (MCL 333.21513), as amended by 1993 PA 79.

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

Senators Rogers and Hammerstrom introduced

Senate Bill No. 805, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act," by amending section 1 (MCL 388.851) and by adding section 1b.

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.

Scheduled Meetings

Administrative Rules Joint Committee - Thursday, October 21, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-6476).

Banking and Financial Institutions Committee - Thursday, October 14, at 1:00 p.m., Room 210, Farnum Building (3-1801).

Human Resources, Labor, Senior Citizens and Veterans Affairs Committee - Thursday, October 14, at 9:45 a.m., Elijah Myers Room, 2nd Floor, Capitol Building (3-2420).

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 11:43 a.m.

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

