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Senate passes Durant 'compromise'

BY TIM RICHARD
STAFF WRITER

It's called a "compromise," but the Legislature's deal to settle the Durant lawsuit of 84 school districts is closer to what Democrats have advocated.

The state Senate voted 34-0 Nov. 5 to approve two bills embodying terms that settle the 17-year-old lawsuit against the state.

The House will not adopt these, predicted Senate majority floor leader Dan DeGrow, R-Port Huron. "We'll have a conference committee (three senators, three representatives to iron out differences between the chambers' two versions).

"We'll have them (the conference reports) before us next week," DeGrow predicted.

The Michigan Supreme Court at mid-year ruled the state under three governors had shorted 84 mostly suburban school districts on aid for special education and other items. Price tag: \$211 million.

In addition, state officials calculate that other districts which

weren't plaintiffs could put in claims that will run about \$768 million.

The compromise — a tributary to DeGrow, Rep. Bob Emerson, D-Flint, and the Engler administration's budget director Mark Murray — calls for:

■ Lump sum payment next April 1 of \$211 million to the 84 plaintiff districts. Engler had proposed paying them across three years from interest on the "rainy day" fund. Instead, the Legislature will dip into the \$1.2 billion fund's principal.

■ A \$350 million bond issue for 472 non-plaintiff school districts that would provide about half of what they are due. They would be paid the balance over 10 years. Engler had proposed a \$780 million bond issue whose proceeds would be earmarked for capital improvement, not salaries.

■ \$250 million in "at-risk" funds for schools this year and \$260 million next year. Engler had vetoed the money pending a solution of how to pay off the Durant plaintiffs.

Lawmakers will drop Engler's

proposal to recalculate how school personnel pensions would be calculated. Engler proposed a "defined contribution" plan rather than a "defined benefit" plan.

In public hearings conducted by Rep. Eileen DeHart, D-Westland, retired teachers blistered Engler's proposal to raise the assumed rate of earnings from 8 to 8.5 percent and to recalculate the value of pension fund investments as of Sept. 30, 1997, the height of the bull market in stocks.

During Senate debate, Democrats tried to raise the ante for at-risk districts by \$10 million, but their amendments were rejected on party-line votes.

Two bills implementing the deal were sent to the House. One is HB 5083, an amendment to the management and budget act tapping the budget stabilization ("rainy day") fund. The other is Senate Bill 178, covering the school aid amendments.

The Senate's work was practically devoid of debate. An agreeable Sen. Dianne Byrum, D-Onondaga, praised lawmakers

for "finally stepping up to the plate to settle the issue."

Durant case winners include the school districts of Birmingham, West Bloomfield, Farmington, Novi, Walled Lake, South Lyon, Huron Valley and Troy in Oakland County; Livonia, South Redford, Northville and Plymouth-Canton in Wayne County; and Waverly in Eaton and Ingham counties.

Sudden frost drops leaves, busies crews

BY VIVIAN DEGAN
STAFF WRITER

Just when it seemed the foliage was going to hang on 'til winter, temperatures and leaves dropped in droves within a day or two this week.

Unseasonably mild weather, causing trees to stay dressed much longer than usual, has naturalists and property managers guessing about the effects of the late fall. Oakland County trees kept their leaves about three to four weeks longer than the typical season, and the sudden frost comes with less likelihood of a return to a moderate climate.

While some experts suggest the delayed fall could cause moldy golf courses, sewer drainage problems and more tree damage in spring, city managers said the late cleanup shouldn't be much of a problem.

"The leaves stayed on the trees longer because we didn't have a strong frost," said Matthew Hackett, a naturalist with Dinosaur Hill Nature Preserve in Rochester, on Tuesday. "But Wednesday morning, after the frost last night, the Sugar Maples dropped all their leaves, causing a beautiful golden carpet around the forest. We also have that golden effect from the Tamarack trees in the swampy areas, a very beautiful scene."

The Tamarack is a conifer but not an evergreen because its needles yellow and drop for the winter.

Greg Patchan, horticulture agent for Michigan State University's Oakland County Extension Service, said trees typically prepare for the winter freeze by adjusting to fall's variable climate. The swing from some frosty nights to warmer days and back is better than a sudden shift. "It's difficult to predict now, but when there is a big plummet in temperatures like there was this year, plants have more difficulty adjusting and more winter injury. There could be more die-back in spring, with some dead branches or some that don't leaf out at all," Patchan said.

Nature has also played jester with the schedules of local municipal services. Some cities that provide leaf pickup may have crews on overtime this week, while they were idle in October.

But is it a budget concern? "We collect yard waste through the third week in December, so there hasn't been much impact on us, other than inconvenience, but it is unusual to still be collecting leaves this late," said Ellen Marshall, Beverly Hills village clerk.

Ken Johnson, Rochester city manager, said it's too early to tell about the budget, but that he would be concerned if snow plows and leaf blowers were competing at the same time. "Our crews were not operating quite as much as usual in October, but we have budgeted several weekends of overtime to handle leaves, so our budget hasn't been a problem yet," Johnson said. "Basically, our hope is that there is no snow to plow, because as people pile their leaves at the curb for the vacuum, the plows would blow them all over again and that would be a mess."

For more information about trees, or the effect of the weather or pests on trees, Hackett recommends "A Book of Michigan Trees," by Barnes and Wagner, a book readily available at libraries and bookstores. It offers a description and location of the big trees around specific sites in the state.

Patchan recommends calling the MSU Garden Help Line, available Tuesday and Thursday, 9 a.m. to 4 p.m., closed for lunch, at (248) 858-0902.

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