

No. 23

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, March 17, 1998.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Connie B. Binsfeld.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

Bennett—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Cherry—present
Cisky—present
Conroy—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Jaye—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—present
Peters—present
Posthumus—present

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



Senator Michael J. Bouchard of the 13th District offered the following invocation:

First of all, a little Irish proverb for us to ponder. An Irish proverb said that "You never plow a field by simply turning it over in your mind." Let us move forward today with diligence and plow it in reality as we address the needs of our people.

Let us pray in the words of those from Ireland who say: "God our Father, You have sent us Saint Patrick to preach Your glory to the people of Ireland. By the help of His prayers, may all Christians proclaim Your love to all men. Grant this through our Lord, Jesus Christ, Your Son, who lives and reigns with You, the Holy Spirit, one God, forever and ever." Amen.

Happy St. Patrick's Day.

Motions and Communications

Senator Cisky entered the Senate Chamber.

The following communication was received:
Department of Consumer and Industry Services

March 9, 1998

Pursuant to Section 328 of P.A. 104 of 1997, we are enclosing a copy of the Approval Study Report completed on Bay Pines Center, 2425 N. 39th Street, Escanaba, Michigan. This Approval Study Report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact me at 373-3892, or Don Reichle at 335-1954.

Sincerely,
Roy Murry, Director
Finance and Administrative Services

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

March 12, 1998

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit, Including the Provisions of the Single Audit Act, of the Michigan Department of Transportation, October 1, 1994 through September 30, 1996.

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Secretary for record.

Pursuant to rule 3.203, the Majority Leader made the following committee reassignment:

House Bill No. 5607

The bill was referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, March 16, for his approval the following bills:

Enrolled Senate Bill No. 714 at 3:13 p.m.

Enrolled Senate Bill No. 382 at 3:15 p.m.

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

Senate Bill Nos. 998 1001 1002 1003 1004 1005 1006 1008
House Bill Nos. 5638 5639 5640 5641 5642 5643 5644 5645 5646 5647 5649 5650 5651

The Secretary announced the printing and placement in the members' files on Monday, March 16 of:

Senate Bill Nos. 1009 1010 1011 1012 1013
Senate Joint Resolution Q
House Bill Nos. 5652 5653 5654 5655 5656 5657 5658 5659 5660 5661 5662 5663 5664 5665
5666 5667 5668 5669 5670 5671 5672 5673 5674 5675 5676 5677 5678 5679
5680 5681 5682 5683 5684 5685 5686 5687 5688 5689 5690
House Joint Resolution GG



Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:06 a.m.

10:07 a.m.

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

During the recess, Senator O'Brien entered the Senate Chamber.

A quorum of the Senate was present.

Senator DeGrow moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 4454

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Young introduced

Senate Bill No. 1014, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32704a.

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

Senator Young introduced

Senate Bill No. 1015, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13811 (MCL 333.13811), as added by 1990 PA 21.

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

Senator Young introduced

Senate Bill No. 1016, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 335a (MCL 750.335a).

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

Senator Young introduced

Senate Bill No. 1017, entitled

A bill to create the Michigan job training corps; to prescribe the powers and duties of a certain department; and to establish a fund and provide for the administration of that fund; and to make an appropriation.

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

Senator Young introduced

Senate Bill No. 1018, entitled

A bill to provide for the establishment and operation of a lottery in certain cities; to provide for referenda; to provide for the creation of lottery bureaus; to prescribe the powers and duties of lottery bureaus; to prescribe certain powers and duties of other state departments and agencies; to license and regulate sales agents; to create certain lottery funds; to provide for the distribution of lottery revenues and earnings; and to provide for penalties and remedies.

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



Senator Bouchard introduced

Senate Bill No. 1019, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204c (MCL 500.1204c), as amended by 1996 PA 466.

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

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.

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

11:07 a.m.

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

During the recess, Senators Stille, Bullard, Rogers, Van Regenmorter, North, Gast, Geake, Gougeon, Dunaskiss, Emmons, Schuette, Hoffman, Jaye, Steil, Bennett, McManus, Posthumus and Bouchard entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: March 12, 1998

Time: 11:50 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 828 (Public Act No. 18), being

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act," by amending section 7ff (MCL 211.7ff), as added by 1996 PA 469.

(Filed with the Secretary of State on March 12, 1998, at 4:34 p.m.)

Date: March 12, 1998

Time: 11:58 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 352 (Public Act No. 20), being

An act to amend 1976 PA 220, entitled "An act to define the civil rights of individuals who have handicaps; to prohibit discriminatory practices, policies, and customs in the exercise of those rights; to prescribe penalties and to provide remedies; and to provide for the promulgation of rules," by amending the title and sections 101, 102, 103, 202, 203, 204, 205, 206, 208, 209, 210, 211, 302, 402, 403, 502, 504, 505, 506, 506a, 507, 604, and 606 (MCL 37.1101, 37.1102, 37.1103, 37.1202, 37.1203, 37.1204, 37.1205, 37.1206, 37.1208, 37.1209, 37.1210, 37.1211, 37.1302, 37.1402, 37.1403, 37.1502, 37.1504, 37.1505, 37.1506, 37.1506a, 37.1507, 37.1604, and 37.1606), the title and sections 103, 502, and 504 as amended and section 506a as added by 1992 PA 123, sections 102 and 606 as amended and sections 210 and 211 as added by 1990 PA 121, and sections 204 and 402 as amended and section 209 as added by 1980 PA 478.

(Filed with the Secretary of State on March 12, 1998, at 4:38 p.m.)



Date: March 12, 1998

Time: 12:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 353 (Public Act No. 21), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 29, 504, 509t, and 795 (MCL 168.29, 168.504, 168.509t, and 168.795), sections 29 and 504 as amended by 1989 PA 142, section 509t as added by 1994 PA 441, and section 795 as amended by 1992 PA 8.

(Filed with the Secretary of State on March 12, 1998, at 4:40 p.m.)

Date: March 12, 1998

Time: 12:02 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 355 (Public Act No. 22), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 115f (MCL 400.115f), as amended by 1994 PA 238.

(Filed with the Secretary of State on March 12, 1998, at 4:42 p.m.)

Date: March 12, 1998

Time: 12:04 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 357 (Public Act No. 23), being

An act to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates,” by amending section 205 (MCL 484.1205), as amended by 1994 PA 29.

(Filed with the Secretary of State on March 12, 1998, at 4:44 p.m.)

Date: March 12, 1998

Time: 12:06 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 358 (Public Act No. 24), being

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to



the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending sections 211a, 410, and 502 (MCL 550.1211a, 550.1410, and 550.1502), section 211a as added by 1993 PA 127 and section 502 as amended by 1997 PA 184.

(Filed with the Secretary of State on March 12, 1998, at 4:46 p.m.)

Date: March 12, 1998

Time: 12:08 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 359 (Public Act No. 25), being

An act to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; and to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property," by amending section 2b (MCL 123.952b).

(Filed with the Secretary of State on March 12, 1998, at 4:48 p.m.)

Date: March 12, 1998

Time: 12:10 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 360 (Public Act No. 26), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain



state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending sections 2027, 2121, 2264, 2925a, and 5208a (MCL 500.2027, 500.2121, 500.2264, 500.2925a, and 500.5208a), sections 2121 and 2925a as amended by 1980 PA 461 and section 5208a as added by 1981 PA 189.

(Filed with the Secretary of State on March 12, 1998, at 4:50 p.m.)

Respectfully,
John Engler
Governor

The following messages from the Governor were received and read:

March 13, 1998

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

Board of Health and Safety Compliance and Appeals

Mr. David S. Zurvalec, 4528 Oak Pointe Drive, Brighton, Michigan 48116, county of Oakland, as a member representing management in industry, succeeding himself, for a term expiring on March 18, 2002.

Mr. John K. Folts, 7326 Kessling Street, Davison, Michigan 48423, county of Genesee, as a member representing labor in industry, succeeding himself, for a term expiring on March 18, 2002.

March 13, 1998

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

Local Government Claims Review Board

Mr. Neil E. Wallace, 6539 Clarkston Road, Clarkston, Michigan 48346, county of Oakland, as a member representing local government, succeeding Ms. Bess H. Jordan of Battle Creek, whose term has expired, for a term expiring on March 26, 2001.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received on March 16, 1998, and read:

EXECUTIVE ORDER

No. 1998 - 2

**Underground Storage Tank Division
Michigan Department of Environmental Quality
Storage Tank Division**

Executive Reorganization

Whereas, Article V, Section 1, of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

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

Whereas, Executive Order No. 1997-2 transferred the Above Ground Storage Tank Program (MCL 29.5c) from the Fire Marshal Division of the Michigan Department of State Police to the Michigan Department of Environmental Quality; and



Whereas, other regulatory statutes and administrative rules govern the storage and handling of hazardous materials not regulated under MCL 29.5c; and

Whereas, it is in the best interest of Michigan citizens to ensure that the storage and handling of these other hazardous materials are conducted in a safe and environmentally responsible manner; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to regulate the storage and handling of these hazardous materials within one department of the Executive Branch of government.

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

1. All the statutory authority, powers, duties, functions and responsibilities, including but not limited to the functions of rulemaking, budgeting, procurement and related management functions of the following programs:

a. Promulgation and enforcement of administrative rules pertaining to the storage and handling of flammable and combustible liquids; liquefied petroleum gases; compressed natural gas vehicular fuel systems; and the production, storage and handling of liquefied natural gas (Section 3c(2) of Act No. 207 of Public Acts of 1941, as amended, being Section 29.3c(2) of the Michigan Compiled Laws); and

b. The Aboveground Storage Tank Program, Sections 5d, 5e, 5j, 5k, 5l, 5m, 5n and 5o of Act No. 207 of the Public Acts of 1941, as amended, being Sections 29.5d, 5e, 5j, 5k, 5l, 5m, 5n and 5o of the Michigan Compiled Laws; are hereby transferred from the Department of State Police to the Department of Environmental Quality by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All the statutory authority, powers, duties, functions and responsibilities granted to the Director of the Department of State Police, the Department of State Police and the State Fire Safety Board in Section 2 and Section 3c of Act No. 207 of the Public Acts of 1941, as amended, being Sections 29.2 and 29.3c of the Michigan Compiled Laws, which are related to the functions transferred by this Order and paragraph B.1. of Executive Order 1997-2, are hereby transferred to the Director of the Department of Environmental Quality by a Type II transfer, as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

3. The Underground Storage Tank Division created by Executive Order 1994-7 and placed within the Department of Environmental Quality by Executive order 1995-18, is hereby renamed the "Storage Tank Division."

4. The Director of the Michigan Department of Environmental Quality shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Michigan Department of Environmental Quality, and all related prescribed functions of rule-making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, are transferred to the Director of the Michigan Department of Environmental Quality.

5. The Director of the Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

6. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available to or to be made available to the activities, powers, duties, functions and responsibilities transferred to the Michigan Department of Environmental Quality by this Order are transferred to the Michigan Department of Environmental Quality.

7. The Director of the Michigan Department of State Police and the Director of the Michigan Department of Environmental Quality shall immediately initiate coordination to facilitate the transfers and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Michigan Department of Environmental Quality.

8. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year

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

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

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

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of March, in the Year of our Lord, One Thousand Nine Hundred Ninety-eight.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

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



Messages from the House

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

Senate Bill No. 361

Senate Bill No. 371

Senate Bill No. 373

Senate Bill No. 377

Senate Bill No. 381

Senate Bill No. 384

Senate Bill No. 386

Senate Bill No. 387

Senate Bill No. 388

Senate Bill No. 400

Senate Bill No. 362

The motion prevailed.

Senate Bill No. 200, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 329a. The House of Representatives has amended the bill as follows:

1. Amend page 2, following line 4, by inserting:

"(3) THIS SECTION DOES NOT PROHIBIT A PROSECUTION UNDER THE COMMON LAW OFFENSE OF ASSISTING IN A SUICIDE, BUT A PERSON SHALL NOT BE CONVICTED UNDER BOTH THIS SECTION AND THAT COMMON LAW OFFENSE FOR CONDUCT ARISING OUT OF THE SAME TRANSACTION.

Enacting section 1. This amendatory act takes effect June 1, 1998."

The House of Representatives has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title. Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator DeGrow 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 Geake as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 700, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174 and 16221 (MCL 333.16174 and 333.16221), section 16174 as amended by 1993 PA 80 and section 16221 as amended by 1996 PA 594.

Senate Bill No. 1007, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 839.

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:

Senate Bill No. 945, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57j.

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

1. Amend page 1, line 3, after "COUNTIES." by inserting "BEFORE IMPLEMENTING THE LEARNFARE DEMONSTRATION PROJECTS, THE FAMILY INDEPENDENCE AGENCY SHALL ADOPT GUIDELINES FOR GOOD CAUSE EXCEPTIONS FOR THE PURPOSES OF THIS SECTION AND GUIDELINES SETTING FORTH THE CASE MANAGEMENT SERVICES TO BE PROVIDED PURSUANT TO THIS SECTION."



2. Amend page 2, line 24, by striking out all of subparagraphs (i) and (ii) and inserting:

“(i) FOR THE NEXT MONTH AFTER THE FINDING, THE ADULT RECIPIENT RESPONSIBLE FOR THE CHILD INVOLVED IN THE FINDING SHALL NOT BE INCLUDED IN THE ELIGIBLE GROUP IN DETERMINING THE RECIPIENT’S FAMILY INDEPENDENCE ASSISTANCE. THE ELIMINATION OF THE ADULT RECIPIENT FROM THE ELIGIBLE GROUP SHALL NOT ELIMINATE THE ADULT RECIPIENT’S REQUIREMENT UNDER THE WORK FIRST PROGRAM OR THE ADULT RECIPIENT’S, CHILD’S, OR CHILDREN’S ELIGIBILITY FOR MEDICAID.

(ii) FOR ANY MONTH THEREAFTER IN WHICH THE CHILD INVOLVED IN THE FINDING HAS MORE THAN 2 UNEXCUSED ABSENCES FROM SCHOOL, AS DETERMINED BY THE FAMILY INDEPENDENCE AGENCY, IN THE NEXT MONTH THE ADULT RECIPIENT RESPONSIBLE FOR THE CHILD INVOLVED IN THE FINDING SHALL NOT BE INCLUDED IN THE ELIGIBLE GROUP IN DETERMINING THE RECIPIENT’S FAMILY INDEPENDENCE ASSISTANCE. THE ELIMINATION OF THE ADULT RECIPIENT FROM THE ELIGIBLE GROUP SHALL NOT ELIMINATE THE ADULT RECIPIENT’S REQUIREMENT UNDER THE WORK FIRST PROGRAM OR THE ADULT RECIPIENT’S, CHILD’S, OR CHILDREN’S ELIGIBILITY FOR MEDICAID.”.

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.

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

Senate Bill No. 184, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

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:

Senate Bill No. 866, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950a (MCL 600.2950a), as amended by 1997 PA 115.

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:

Senate Bill No. 874, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950 (MCL 600.2950), as amended by 1997 PA 115.

Substitute (S-1).

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

1. Amend page 1, line 6, after “the” by inserting “FAMILY DIVISION OF”.
2. Amend page 11, line 19, after “the” by inserting “FAMILY DIVISION OF”.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 789

Senate Bill No. 256

Senate Bill No. 830

Senate Bill No. 865

Senate Bill No. 897

The motion prevailed.



The following bill was read a third time:

House Bill No. 4289, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 200, 201, 204, and 211a (MCL 750.200, 750.201, 750.204, and 750.211a) and by adding section 209a.

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. 113

Yeas—37

Bennett	Dingell	Koivisto	Schwarz
Berryman	Dunaskiss	McManus	Shugars
Bouchard	Emmons	Miller	Smith, A.
Bullard	Gast	North	Smith, V.
Byrum	Geake	O’Brien	Steil
Cherry	Gougeon	Peters	Stille
Cisky	Hart	Posthumus	Van Regenmorter
Conroy	Hoffman	Rogers	Vaughn
DeBeaussaert	Jaye	Schuetz	Young
DeGrow			

Nays—0

Excused—0

Not Voting—1

Stallings

In The Chair: President

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”.

The Senate agreed to the full title.

The following bill was announced:

Senate Bill No. 948, entitled

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” (MCL 432.201 to 432.226) by adding section 11a.

(This bill was defeated on March 12 and the motion to reconsider the vote postponed. See Senate Journal No. 22, p. 365.)

The question being on the motion to reconsider the vote by which the bill was defeated,

The motion prevailed.

The question being on the passage of the bill,

The bill was defeated, 3/4 of the members serving not voting therefor, as follows:

Roll Call No. 114

Yeas—28

Bennett	Dingell	Hoffman	Rogers
Bouchard	Dunaskiss	Jaye	Schuetz



Bullard	Emmons	Koivisto	Schwarz
Byrum	Gast	McManus	Shugars
Cisky	Geake	Miller	Steil
DeBeussaert	Gougeon	North	Stille
DeGrow	Hart	Posthumus	Van Regenmorter

Nays—9

Berryman	O'Brien	Smith, A.	Vaughn
Cherry	Peters	Smith, V.	Young
Conroy			

Excused—0**Not Voting—1**

Stallings

In The Chair: President

Protests

Senators Berryman, Conroy, A. Smith and V. Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 948 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Berryman’s statement, in which Senators Conroy and A. Smith concurred, is as follows:

I also rise to speak in opposition to this bill. I find it unbelievable in this body that we would want to spy on our neighbors. Forget assistance. This is anybody and everybody—every senior busload of seniors from my district that goes up to Mount Pleasant, that goes up North. This information is already given to the IRS, this information is already given to Treasury. Why does the Gaming Board need to know what a senior in my district won, what a teacher in my district won, what a priest who went up and went gambling for the weekend, what he won? Why does the Gambling Board need to be spying on the citizens in this state and why are they so interested in what my constituents are winning or losing, in this case winning at casinos. We talk about heavy-handed government, too big of a bureaucracy, government knowing too much about you—this is about the Gaming Board having knowledge about everyone in the state of Michigan who goes out and makes a bet and wins, they are going to be given a list. Someone on the other side tell me why they need to know? Treasury knows it, the IRS knows it. Why does the Gaming Board need to know?

Everyone in the state of Michigan who needs to know for tax purposes, is already being identified. You want to put everyone’s name, it just isn’t about assistance, it’s everyone that wins more than “X” number of dollars, you’re going to be put on a list and everyone is going to know what they wagered and how much they won. That is government which is too intrusive. That is government that scares the “Sam Hill” out of everybody. Just because you go out and that happens to be your form of entertainment (it may not be mine), but it may be for the many people who live in my district. I have busloads of seniors who go to Mount Pleasant and go to the casinos. Now, because they may be lucky enough win, now you want to allow the Gaming Board to put their name on the list. What other reasons does this list need to be developed for when others in the state are already being identified by Treasury and the IRS. Who else needs to know and for what reasons?

I cannot understand why there is such a urge by the other side of the aisle to have government become so intrusive, so big, so heavy-handed that Mrs. White back in Adrian, who went to Mount Pleasant happened to win at the casino



in Mount Pleasant. That's when they think the government is scary. Government is too big, government is too overbearing, too intrusive, and, boy, in this case, they are absolutely right.

Senator V. Smith's first statement is as follows:

This bill was before us last week. It is an amendment to an initiated law, and it needs a three-fourths vote for passage. I oppose this bill, and I am asking that those that were in opposition continue to be in opposition to this bill. I think that this bill goes too far, and I think that it goes too far for a number of reasons.

When we were in committee, I pointed out that we are requiring and asking that those who receive public assistance in Michigan to go to work, and to make sure that they work a certain portion in order to continue to be eligible for their benefits. So if you are working, and you are making dollars from that employment, how do you distinguish what dollars are what? How do you know whether the dollars were dollars that they earned working, or whether the dollars were received from the state? I think that presents a problem in itself.

One thing that also presents a problem is the fact that this bill goes back three years. So you could have received public assistance for one year, been gainfully employed and taking care of your family for the last two years, hit a windfall in a Michigan casino, and then because you received public assistance for one year, you are going to have to give up 50 percent of whatever you won. So let's say that you got the public assistance for one year. I don't know how much that is, but I know we don't give them a whole lot of money. Let's say they were really lucky at the casino and won \$50,000. Does that mean that they have to give \$25,000 back because they got \$10,000 worth of public assistance in one year? Under the language on this bill they would.

I don't think this bill is really thought out, I think its punitive, and the thing that bothers me the most is that we want to go after women and children, because that is what this bill is about. Women and children. It seems to make the assumption that all women and children who see hard times in Michigan and who need some basic safety net in order to make sure that the children are fed, that they are all welfare queens. It says that we think that all of you have been on assistance since your great-grandmother's time and we are going to make sure that you are not on public assistance anymore. So, here is what we are going to do: if you win any money, we want to take it from you. I won't even begin to talk about some of these other bills that are pending, waiting in line.

I just think that the three year time line, in terms of going back three years, is a mistake. If we do this, you should have at least taken the three year time line out. We asked the committee to do that, but it was not inclined to do so. Now we have this bill in front of us. I would hope that the body turns it down. I hope this bill does not go forward, and I hope that we stop trying to punish women and children in the state of Michigan.

Senator V. Smith's second statement is as follows:

My apologies to the Senator from the 13th District; he was right and I was wrong. I do think that all the bills in this package are related because they all put requirements that the state Department of Treasury will have to comply with in order to have this bill be effective so that three year provisions—going back three years—is a requirement that was in Senate Bill No. 947. It is required to be upheld if Senate Bill No. 948 does pass with this initiated act.

One thing that I had not thought of were the remarks made by my colleague from the 17th District. As I think about it, the fact that if we amend this initiated law and 13 Indian-run gaming casinos I am told are voluntarily complying with the requirement that this initiated law would require, then anyone in the state of Michigan who has winnings over \$1,000 would be reported automatically to the Department of Treasury. If I heard my colleague from the 17th District correctly, that is an awfully wide net to throw in order to make sure you catch whatever ADC mothers might be receiving food stamps in this state because that's where this is targeted. Is this the type of intrusion that you want to put into law, where any constituents in your particular district has to have this reported to the Department of Treasury? What if one of your senior citizens is up there gambling in Sault Ste. Marie had lost \$700 before they won on the slot machines for \$1,000—they might have really only been up \$300 but we're going to require that the \$1,000 is sent to the Department of Treasury. Treasury is going to ask that that senior to pay taxes on the whole \$1,000. What if that senior failed to report it? Does that mean that the Treasury Department is supposed to initiate a fraud investigation? These are all possibilities and I wonder if this is really the intent that you want to get into. What happens if one of your good little seniors comes up to you and says they're prosecuting me because I failed to put this on my state income taxes?

Senator A. Smith's statement is as follows:

The Senator from the 13th District makes this sound like it's so easy. The government already has this information. If the government already has this information, they can make it available to the FIA, and we don't need to institute the Gaming Board. The real crux of the matter with the Gaming Board is that my tax return with Treasury is not FOIAble. Any information given to the Gaming Board becomes FOIAble. The lists then become available to anybody, for any purpose and I think that's what the Senator from the 17th District was raising. Once the Board has this information, a Freedom of Information Act can be executed with the Board and that information becomes available to campaign accounts, to FIA, to any other number of individuals who may be interested for whatever purpose in the list of those who are not only gambling, but gambling and winning. I urge rejection of the bill.



Resolutions

Senator DeGrow moved that consideration of the following resolutions be postponed for today:

Senate Resolution No. 71

Senate Resolution No. 134

The motion prevailed.

Senate Resolution No. 130.

A resolution to urge automobile manufacturers to build cars with inside trunk release mechanisms.

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Resolution No. 145.

A resolution to support the establishment of a national lighthouse center and museum at Mackinaw City.

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Resolution No. 147.

A resolution to memorialize the Congress of the United States to provide full funding for harbor maintenance and lamprey control in the Great Lakes and to urge other Great Lake states to join in this effort.

The question being on the adoption of the resolution,

The resolution was adopted.

House Concurrent Resolution No. 83.

A concurrent resolution to urge the Department of Education to encourage gun safety education.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

Senate Resolution No. 159

The resolution consent calendar was adopted.

Senators Schuette, Van Regenmorter, Steil and Gast offered the following resolution:

Senate Resolution No. 159.

A resolution to honor Judge Thomas J. Eggleston.

Whereas, For his 27 years of dedicated and loyal service to the people of the state of Michigan, it is with the utmost respect and admiration that we honor Judge Thomas J. Eggleston as he retires from the Newaygo County Probate Court, effective April 1, 1998. It is a privilege to honor Judge Eggleston for his devotion to the youth of Newaygo County and the people of the state of Michigan; and

Whereas, Judge Thomas J. Eggleston attended the University of Detroit School of Law in 1964, graduating fourth in his class. He then began his career as an attorney for the Chrysler Corporation in Detroit. Looking for experience in a trial court setting, he left the Chrysler Corporation in 1969 in order to join the prosecutor's office in his home county of Kent; and

Whereas, After serving as a Kent County assistant prosecutor for two years, Thomas Eggleston became the first lawyer to be elected as Newaygo County Probate Judge; and

Whereas, Spending the previous 27 years on the bench, Judge Thomas J. Eggleston has had a profound impact on the Probate Court in Newaygo County. Under his tenure, he proposed to the Board of Commissioners the establishment of a county mental health board. Since its implementation, this board has served the mentally ill and developmentally disabled of Newaygo County; and

Whereas, The activity of juvenile cases in Newaygo County has increased from 100 cases per year to 600 per year today. Judge Thomas J. Eggleston has served the people with consistency and honor; now, therefore, be it

Resolved by the Senate, That in recognition of his outstanding service to the people of the state of Michigan, tribute be accorded to Judge Thomas J. Eggleston, Newaygo County Probate Judge; and be it further

Resolved, That a copy of this resolution be provided to Judge Thomas J. Eggleston and the Newaygo County Probate Court as evidence of our esteem.



Statements

Senators Hart, Dingell, Gougeon, Bouchard, A. Smith and Berryman asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hart's statement is as follows:

Last week, votes were taken on several welfare bills. Had I been here, I would have voted on Senate Bills Nos. 947 and 949. I believe that welfare recipients should use their state aid only to feed and shelter themselves and their families. If they misuse this money by gambling it away in the casino, then they should most definitely repay the state. These bills protect the taxpayers whose hard earned tax dollars go to help less fortunate Michigan citizens. They are good bills that I can easily support. When the votes were taken last week, I had an excused absence from Senate session.

My constituents and I were victimized by a state republican party press release, to my district concerning my absence from the debate and vote. That release was intentional mis-information, and therefore, a cheap political shot. The voters in my district deserve the truth. The truth is, on March 12, I was under the care of my physician; treated for the flu—that many of us are all too familiar with. Had I been here, I would have supported these bills. That is the truth. The press release issue last week, sets a new standard for distortion—trickery and deception. And I expect an apology from the person or persons who misrepresented the truth.

Senator Dingell's statement is as follows:

Last week, I introduced a resolution which I don't believe has been read in—Senate Joint Resolution Q, which will oppose a constitutional amendment to the Michigan Constitution—which would guarantee the current formula for revenue sharing be followed for all future years. The resolution would make sure that revenue sharing for our local government increases at the same rate that the rest of the budget increases. Traditionally, revenue sharing to cities, villages, townships and counties, rises and falls with the rest of the budget. In recent years, we've seen a rather significant raid on revenue sharing. It happened each time the rest of the state's budget increased—this is wrong. It affects the largest city to the smallest township and pays for fire, police protection and other services which our citizens rely on. Local governments are already hard-pressed providing these kinds of services and not knowing how much they can count on; in the way of help from the state. It is an economic burden that they should not have to face.

Revenue sharing is one area of the budget that is the least reliable in recent years, and cities are therefore, quite often, last in line due to what we've been doing to them here. Many communities have ended up cutting services to the public at the last minute in an unplanned and irrational fashion. This leaves communities and our people scrambling to come up with the funds to provide basic fire and police services. This is just plain not fair and we need to do something about it. We need to lock in place our current revenue sharing formula so that government at the local level can be conducted in a rational and reasonable fashion.

Senator Gougeon's statement is as follows:

Friday, March 13, 1998, marked the one-year anniversary of this body's bipartisan 30-vote majority passage of Senate Bill Nos. 188 and 193. These two bills created a procedure for individuals receiving cash assistance from the Family Independence Agency to reimburse the state of Michigan up to 50 percent of any lottery winnings they enjoy over \$1,000. The message we sent was a simple one. If you are receiving state aid and choose to spend that money on lottery tickets instead of food, clothing and other necessities, then we would like you to repay some or all of your debt to the taxpayers of this great state, should you be lucky enough to win. The House of Representatives had one full year to debate and act on Senate Bill Nos. 188 and 193. I, for one, think it is quite long enough. Therefore, I rise today to call for House action and passage of Senate Bill Nos. 188 and 193.

Senator Bouchard's statement is as follows:

I rise for the purposes of a statement. It relates to Senate Bill No. 948, that we just recently had before us, and was defeated by receiving only 28 yeas votes out of 38 Senators present. I would say to the good Senator from the 6th District, certainly, we don't like any issue to have a taste of politics injected into it but, I believe, it makes one suspect, when a Senator, who on Thursday voted for a bill, today changes his vote. It's a one sentence bill. There's no change whatsoever in the bill—basically denying that one vote that they brought to the table by subtracting another one.

I think we will all, hopefully, have the opportunity to protect the tax payers by enacting this sooner rather than later. Oftentimes, we focus on the tree and miss the forest. The forest is we're asking taxpayers for their money that they work to earn, that they have to take away from their children, their table, their house to give to other people in time of need. Somehow, we spin that argument on its head and say that we are punishing the recipients who are gambling with it. To me, that's absurdity at its highest and I look forward to opportunity when we have another opportunity to rectify this and pass the bill.



Senator A. Smith's statement is as follows:

It was always my understanding that part of the process here on this floor was open discussion so that perhaps we could change individual's minds or understanding of legislation that's before the body. I didn't think we did this just for an exercise to hear our own voices.

When the arguments are convincing and someone changes his or her mind, I don't think it's appropriate for us to take them to task for having listened and having become convinced that the arguments that were put forward on any given day were substantive enough to cause them to change their vote.

Senator Berryman's statement is as follows:

Just to my good friend from the 13th District, I'm not going to let the debate end on that this is protecting the taxpayers' money for individuals who are on assistance and shouldn't gamble. If they do, they should pay it back. I don't think there's a disagreement here, certainly not a disagreement with me. But this goes far beyond that.

This talks about individuals who are not on assistance, who are taxpayers. This goes to privacy. There's no reason to amend the Gaming Act to produce lists, to put individuals' names on a list for taxpayers who have never been on assistance or may have one time been on assistance. So, if you talk about someone who's trying to protect the taxpayers, I think the people who voted "no" did a much better job of protecting the taxpayers of this state by protecting their right to privacy.

That goes a whole lot further than a political statement of trying to go after someone because they once happened to be on assistance. This again, goes much, much further than that. It's about taxpayers who have a job, who are paying taxes. It's about privacy—privacy that is being eroded time and time and time again. Somewhere that has to stop. Fortunately with this bill, Senate Bill No. 948, this chamber finally spoke and said that invasion of privacy has gone too far.

Committee Reports

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 493, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40106a.

With the recommendation that the bill pass.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Byrum and Dingell

Nays: Senator Hoffman

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 968, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 2 (MCL 28.422), as amended by 1994 PA 338.

With the recommendation that the bill pass.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 974, entitled

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

With the recommendation that the bill pass.

Dave Jaye
Chairperson



To Report Out:

Yeas: Senators Jaye, McManus and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 964, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40109a.

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

Dave Jaye

Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Byrum and Dingell

Nays: None

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 965, entitled

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

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

Dave Jaye

Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Byrum and Dingell

Nays: Senator Hoffman

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 975, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43510 and 43513 (MCL 324.43510 and 324.43513), as amended by 1996 PA 585; and to repeal acts and parts of acts.

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

Dave Jaye

Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Hoffman, Byrum and Dingell

Nays: None

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 981, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51701 and 51702 (MCL 324.51701 and 324.51702), as added by 1995 PA 57.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

Dave Jaye

Chairperson

To Report Out:

Yeas: Senators Jaye, McManus and Dingell

Nays: None

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



The Committee on Hunting, Fishing and Forestry reported

Senate Resolution No. 154.

A resolution to urge the United States Department of Interior and the Fish and Wildlife Service to expand the boundaries for the late season Canada Goose hunt.

(For text of resolution, see Senate Journal No. 20, p. 335.)

With the recommendation that the resolution be adopted.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Hoffman, Byrum and Dingell

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Tuesday, March 10, 1998, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Jaye (C), McManus, Hoffman, Byrum and Dingell

The Committee on Appropriations reported

Senate Bill No. 773, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 241a, 242, 244, 247, 248, 251, 303, 305, 342, 344, 350, 350a, 350d, 350e, 352, 355, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 451, 454, 461, 462, 484, 485, 486, 488, 492, and 493 (MCL 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1241a, 18.1242, 18.1244, 18.1247, 18.1248, 18.1251, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350d, 18.1350e, 18.1352, 18.1355, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1488, 18.1492, and 18.1493), sections 115, 203, 205, 217, 221, 244, 247, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 241a, 350a, 350d, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, 486, and 488 as added by 1986 PA 272; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-3) 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, Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, Vaughn and DeBeaussaert

Nays: Senator A. Smith

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

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 944, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57b (MCL 400.57b), as added by 1995 PA 223.

With the recommendation that the bill pass.

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

Joel Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Bouchard and Geake

Nays: Senators V. Smith and Peters

The bill was referred to the Committee of the Whole.



The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 957, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10c.

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.

Joel Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Bouchard and Geake

Nays: Senators V. Smith and Peters

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 12, 1998, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Gougeon (C), Bouchard, Geake, V. Smith and Peters

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submits the following:

Public hearing held on Tuesday, March 10, 1998, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Geake (C), Schwarz, McManus, Conroy and A. Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Wednesday, March 11, 1998, at 1:10 p.m., Room 210, Farnum Building

Present: Senators Schuette (C), Shugars, Jaye, O'Brien and Peters

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submits the following:

Meeting held on Wednesday, March 11, 1998, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), DeGrow and Vaughn

COMMITTEE ATTENDANCE REPORT

The Subcommittee on School Aid (K-12) and Department of Education submits the following:

Meeting held on Wednesday, March 11, 1998, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators DeGrow (C), Schwarz and Conroy

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:

Meeting held on Wednesday, March 11, 1998, at 3:30 p.m., Room 404, Capitol Building

Present: Senators McManus (C), Gast, Hoffman, Koivisto and A. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, March 12, 1998, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), DeGrow, Geake, Schwarz, McManus, Conroy, Koivisto and Young



COMMITTEE ATTENDANCE REPORT

The Special Committee on Campaign Finance submits the following:
Meeting held on Thursday, March 12, 1998, at 2:00 p.m., Room 424, Capitol Building
Present: Senators Geake (C), McManus, Byrum and Dingell

COMMITTEE ATTENDANCE REPORT

The Trial Court Assessment Commission submits the following:
Meeting held on Friday, March 13, 1998, at 10:00 a.m., 8th Floor Conference Room, Farnum Building
Present: Senators Van Regenmorter and Dingell

Scheduled Meetings

Economic Development, International Trade and Regulatory Affairs Committee - Wednesdays, March 18 and March 25, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Hunting, Fishing and Forestry Committee - Wednesday, March 18, at 1:00 p.m., Room 110, Farnum Building (3-7670).

Natural Resources and Environmental Affairs Committee - Thursday, March 19, at 11:00 a.m., 8th Floor Conference Room, Farnum Building (3-7350).

Retirement Appropriations Subcommittee - Thursday, March 19, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1801).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 12:24 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, March 18, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

