

No. 71
STATE OF MICHIGAN
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Senate Chamber, Lansing, Wednesday, December 2, 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 not was 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
Murphy—present
North—present
O'Brien—present
Peters—present

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

Senator Bill Bullard, Jr., of the 15th District offered the following invocation:

Dear Lord, Thank you for bringing us together on this beautiful morning.

In a season where we may reflect upon our blessings, we thank You for our colleagues, friends and family. Please give Your blessing that the voices we represent here today benefit from our debates and proceedings. Grant us the strength, patience and knowledge to keep their interest in mind as we strive to fulfill our many responsibilities.

Senators Berryman, A. Smith, Murphy and Vaughn entered the Senate Chamber.

Recess

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

The motion prevailed, the time being 10:04 a.m.

12:15 p.m.

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

During the recess, Senators V. Smith, Conroy, Young, Cherry, Steil, Hoffman, Geake, Stille, Cisky, Schuette, Shugars, Rogers, Bennett, Van Regenmorter, Emmons, Gast, Schwarz, Posthumus, North, Jaye, McManus, Gougeon, Bouchard and Dunaskiss entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 12:

House Bill Nos. 6034 6047

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, December 1:

House Bill Nos. 6006 6283

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

The motion prevailed.

Senator Gast's statement is as follows:

It's my pleasure, regrettable pleasure, to announce a gal that has put up with me for 25 years, and it's not my wife, but, it's been longer than that with her, but this lady came to work for me over in the House of Representatives and for between 25 and 27 years (somewhere in there) she has been my secretary, my appointments secretary, and you name it—she's done it. Beverly Hart has been an inspiration to our office. She's been a codification, if you will, of the increase of staff that we've had over the years and she is giving up the ship, she is going to leave. But again, anyone who can put up with me for 25 or 27 years has got to be an outstanding individual. I understand that.

I'd like to present this tribute to her and I'd like to read just the special tribute therefore part of it. This document is signed and dedicated to Beverly Anne Hart to thank her for many years of service to the state of Michigan and the Michigan Legislature. May her future be filled with health, happiness and ample time to enjoy traveling, fishing, gaming, genealogy and time with her family and other activities she may desire to pursue in her retirement. Signed by the Governor and myself.

Beverly, we will miss you. Come back and see us.

Senator Geake's first statement is as follows:

I, too, have actually two members of my staff who are retiring with me, and they are sitting up there in the balcony. I don't have a tribute for them today and we don't have any cake for them, but I do want to make you aware of the fact that they are leaving, and I would like a little attention, Mr. Chairman.

The first is my executive assistant Nancy Marshall. She has been with me since November of 1977, twenty years. And before that worked for Governor Romney, and for Governor Milliken after that, and then, of course, was with Dick

McLellan and Bill Whitbeck. She was a key person in Governor Engler's transition team and she is now retiring and moving to Raleigh, North Carolina. Nancy Marshall, we wish you well.

Senator Geake's second statement is as follows:

I have another staff member who is retiring with me. It's Mrs. Boots Halstead. Her first real name is a mystery that is known only to the Personnel Department. But, everyone knows her as "Boots" She's a relative newcomer to my staff, having only been with me for 13 years, and before me some of you will recall that she worked with Representative Roy Spencer for ten years and Dave Campbell and Shirley Johnson. She's retiring, she is going to be traveling, and she and her husband waste innumerable number of hours on the golf course, but we wish her well too, and we will miss her and her many years of service. As I say, thirteen years with me and finally six months ago she did get a parking space, and so those of you who stay here long enough, there is hope.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 386

House Bill No. 4259

House Bill No. 5261

House Bill No. 5317

The motion prevailed.

Senate Bill No. 5, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11151 (MCL 324.11151).

The House of Representatives has passed the bill 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.

Senator Young stated that had he been present when the votes were taken on December 1, on the motion to discharge the committee on Government Operations, he would have voted "yea":

Senate Joint Resolution K

Senator Young stated that had he been present when the votes were taken on December 1, on concurring in the House amendments and substitutes on the following bills, he would have voted "yea":

Senate Bill No. 623

Senate Bill No. 728

Senate Bill No. 1170

Senate Bill No. 152

Senate Bill No. 1088

Senator Young stated that had he been present when the votes were taken on December 1, on the passage of the following bills, he would have voted "yea":

House Bill No. 4886

House Bill No. 5006

House Bill No. 4895

House Bill No. 5851

House Bill No. 4611

House Bill No. 5867

House Bill No. 5800

House Bill No. 5835

House Bill No. 5365

House Bill No. 5692
House Bill No. 5754
House Bill No. 4364
House Bill No. 4365
House Bill No. 5564
House Bill No. 5567
Senate Bill No. 1150
House Bill No. 4160
House Bill No. 5201
House Bill No. 5000
House Bill No. 5057
House Bill No. 5637
Senate Bill No. 774
House Bill No. 4139
Senate Bill No. 1143
House Bill No. 5924
Senate Bill No. 1038
Senate Bill No. 1357
Senate Bill No. 906

Senator Young stated that had he been present when the vote was taken on December 1 in concurring in the House substitute on the following bill, he would have voted “nay”:

Senate Bill No. 479

Senate Bill No. 375, entitled

A bill to amend 1921 PA 302, entitled “An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof,” by amending section 8 (MCL 388.558).

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

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.

Senate Bill No. 378, entitled

A bill to amend 1967 PA 291, entitled “An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected,” by amending sections 1 and 2a (MCL 390.891 and 390.892a), section 1 as amended by 1992 PA 229 and section 2a as amended by 1991 PA 42.

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

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.

Senate Bill No. 379, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending sections 3 and 6 (MCL 400.703 and 400.706), as amended by 1996 PA 194.

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. 380, entitled

A bill to amend 1990 PA 325, entitled “Michigan museum act,” by amending sections 110 and 210 (MCL 399.410 and 399.510).

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

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

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

The Senate agreed to the full title.

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

Third Reading of Bills

Senator DeGrow moved that consideration of the following bill and joint resolution be postponed for today:

Senate Bill No. 256

Senate Joint Resolution A

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1196, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

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. 805

Yeas—20

Bouchard	Dunaskiss	Jaye	Schuette
Bullard	Emmons	McManus	Schwarz
Cisky	Geake	Murphy	Shugars
DeGrow	Gougeon	North	Steil
Dingell	Hoffman	Rogers	Van Regenmorter

Nays—16

Bennett	Conroy	Koivisto	Smith, A.
Berryman	DeBeaussaert	Miller	Smith, V.
Byrum	Gast	O'Brien	Vaughn
Cherry	Hart	Peters	Young

Excused—0

Not Voting—2

Posthumus	Stille
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In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator DeGrow moved that Senator Posthumus be temporarily excused from the balance of today's session. The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1197, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475).

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 806

Yeas—19

Bouchard	Emmons	McManus	Shugars
Bullard	Gast	North	Steil
Cisky	Geake	Rogers	Stille
DeGrow	Gougeon	Schuetz	Van Regenmorter
Dunaskiss	Hoffman	Schwarz	

Nays—18

Bennett	DeBeaussaert	Miller	Smith, A.
Berryman	Dingell	Murphy	Smith, V.
Byrum	Hart	O'Brien	Vaughn
Cherry	Jaye	Peters	Young
Conroy	Koivisto		

Excused—1

Posthumus

Not Voting—0

In The Chair: Schwarz

The President, Lieutenant Governor Binsfeld, resumed the Chair.

Senator DeGrow moved to reconsider the vote by which the bill was defeated.

The question being on the motion to reconsider,

Senator DeGrow moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

Senator Posthumus entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1046, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803q.

The question being on the passage of the bill,

Senator Geake offered the following amendments:

1. Amend page 2, line 3, after "A" by inserting "\$30 CONSULATE IDENTIFICATION FEE FOR 1 SPECIAL REGISTRATION PLATE OR A \$35 CONSULATE IDENTIFICATION FEE FOR 2 OR MORE SPECIAL REGISTRATION PLATES AND".

2. Amend page 2, line 4, after “THE” by inserting “APPLICABLE CONSULATE IDENTIFICATION FEE AND THE”.

3. Amend page 2, line 18, after “A” by inserting “\$30 CONSULATE IDENTIFICATION FEE FOR 1 SPECIAL REGISTRATION PLATE OR A \$35 CONSULATE IDENTIFICATION FEE FOR 2 OR MORE SPECIAL REGISTRATION PLATES AND”.

The amendments were adopted, a majority of the members serving voting therefor.

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. 807**Yeas—35**

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

Nays—1

Stille

Excused—0**Not Voting—2**

Geake

Smith, V.

In The Chair: President

The Senate agreed to the title of the bill.

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

Senate Bill No. 1197, entitled

A bill to amend 1987 PA 264, entitled “Health and safety fund act,” by amending sections 3 and 5 (MCL 141.473 and 141.475).

(This bill was defeated earlier today and the motion to reconsider the vote postponed. See p. 2024.)

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

Roll Call No. 808**Yeas—20**

Bouchard	Emmons	McManus	Schwarz
Bullard	Gast	North	Shugars

Cisky
DeGrow
Dunaskiss

Geake
Gougeon
Hoffman

Posthumus
Rogers
Schuette

Steil
Stille
Van Regenmorter

Nays—18

Bennett
Berryman
Byrum
Cherry
Conroy

DeBeaussaert
Dingell
Hart
Jaye
Koivisto

Miller
Murphy
O'Brien
Peters

Smith, A.
Smith, V.
Vaughn
Young

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4232, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 1995 PA 225, and by adding sections 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 9a.

The question being on the passage of the bill,

Senator Gougeon offered the following substitute:

Substitute (S-5).

The question being on the adoption of the substitute,

Senator Geake offered the following amendments to the substitute:

1. Amend page 4, line 10, after the first "OF" by striking out "ALLEGED OR".
2. Amend page 13, line 12, after "AND" by inserting "SHALL BE MADE BY PERSONAL SERVICE OR BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED AND DELIVERABLE TO THE ADDRESSEE ONLY. THE NOTICE".
3. Amend page 14, line 26, after "RELEASED," by striking out the balance of the line through "7(4)," on line 27.
4. Amend page 16, line 13, after "SEC. 7I." by inserting "(1)".
5. Amend page 16, following line 17, by inserting:

"(2) SECTIONS 7C TO 7I SHALL NOT BE ENFORCED AND THE FAMILY INDEPENDENCE AGENCY SHALL NOT UTILIZE OR IMPLEMENT THOSE PROVISIONS UNLESS THE FAMILY INDEPENDENCE AGENCY CONSULTS WITH AND RECEIVES ASSURANCES FROM THE FEDERAL GOVERNMENT, INCLUDING ANY NECESSARY FEDERAL WAIVERS, THAT UTILIZATION AND IMPLEMENTATION OF THOSE PROVISIONS DO NOT JEOPARDIZE THIS STATE'S RECEIPT OF FEDERAL MONEY."

Senator Geake moved that the question be divided and that a separate vote be taken on amendment No. 3.

The question being on the adoption of amendment No. 3,

Senator Geake withdrew amendment no. 3.

The question being on the adoption of amendment Nos. 1, 2, 4 and 5,

The amendments were adopted.

The question being on the adoption of the substitute as amended offered by Senator Gougeon,

The substitute, as amended, was adopted, a majority of the members serving voting therefor.

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. 809**Yeas—37**

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

Nays—1

Berryman

Excused—0**Not Voting—0**

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Senator Gougeon offered to amend the title to read as follows:

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 5, 7, and 18 (MCL 722.622, 722.625, 722.627, and 722.638), section 2 as amended by 1996 PA 581, section 5 as amended by 1994 PA 393, and section 7 as amended and section 18 as added by 1997 PA 168, and by adding sections 7c, 7d, 7e, 7f, 7g, 7h, 7i, and 9a; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Protest

Senator Berryman, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendments offered by Senator Geake and passage of House Bill No. 4232 and moved that the statement he made during the discussion of the amendments be printed as his reasons for voting "no."

The motion prevailed.

Senator Berryman's statement is as follows:

First of all, I want to thank my colleagues for paying attention to this issue. It is extremely important in not trying to defeat something or stop something that we feel can help children. The problem I have, Madam President, is that one where in too many cases we're not, and when I say we, the state and our protective service workers are being discouraged or having a higher standard that has to be met to substantiate abuse. We keeping raising that bar because we don't want to substantiate and if FIA does not have to give out information for non-substantiated cases, it's just going to encourage them to do more and more of non-substantiation, and it never gets investigated. And why I have some of those concerns and I think Rich Bearup has done an outstanding job, I'm sorry that he's leaving the Children's Ombudsman Office.

It is important that we do everything that we can to do what is right in the best interest of the child. When the Children's Ombudsman Office, itself, has difficulty in getting information from FIA, and that is their job is to

investigate child abuse and neglect, if that office is having a tough time getting information and FIA being uncooperative, what do you think outside of government is going to have difficulty with, trying to see if that child is actually being abused or not.

Madam President, I know where your heart is, where your concern for kids is, somewhere you're leaving, I'm leaving, somewhere in the next year something is going to have to be done to have better oversight. Do I think this information just ought to go out to the general public? No, I don't. I voted "no" but I voted "no" for the reasons I stated. Should it go to the general public? No, where it could be misinterpreted if misinformation gets out. But, should there be an autonomous body or some kind of a reporting mechanism that gives that flexibility, yes, I think that needs to be there. I thought we had that with the Children's Ombudsman Office. But, when that individual has difficulty even getting the records from FIA, then it leads me to great concern.

That's why I voted against the amendment. I want to do everything I can, as I'm sure you do, Madam Governor to do a better job of protecting kids. I think we've given FIA one more out in a way of not producing information that I think they ought to make available.

The following bill was read a third time:

House Bill No. 4396, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513).

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. 810

Yeas—30

Bennett	Gast	North	Smith, A.
Byrum	Gougeon	O'Brien	Smith, V.
Cherry	Hart	Peters	Steil
Cisky	Hoffman	Posthumus	Stille
Conroy	Koivisto	Rogers	Van Regenmorter
DeBeaussaert	McManus	Schuette	Vaughn
Dingell	Miller	Schwarz	Young
Emmons	Murphy		

Nays—8

Berryman	Bullard	Dunaskiss	Jaye
Bouchard	DeGrow	Geake	Shugars

Excused—0

Not Voting—0

In The Chair: President

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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received

under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6069, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

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. 811

Yeas—38

Bennett	Dingell	McManus	Schwarz
Berryman	Dunaskiss	Miller	Shugars
Bouchard	Emmons	Murphy	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	Schuette	Young
DeGrow	Koivisto		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

The motion prevailed, 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 provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 71

Senate Resolution No. 178

The motion prevailed.

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

Senate Concurrent Resolution No. 102

The resolution consent calendar was adopted.

Senators Conroy and Cherry offered the following concurrent resolution:

Senate Concurrent Resolution No. 102.

A concurrent resolution renaming the Chevrolet Freeway in Genesee County the Chevrolet-Buick Freeway.

Whereas, Interstate 69, an east-west freeway in Genesee County, was designated the Chevrolet Freeway upon its completion in recognition of the contributions the Chevrolet Division of General Motors Corporation has made to the Flint community; and

Whereas, The cornerstone of the General Motors Corporation was originally the Buick Motor Company which moved to Flint in 1902. After assuming control of Buick, William C. Durant assisted race car driver Louis Chevrolet in the development of automobile engines, and, in 1911, organized the Chevrolet Motor Company which he moved to Flint in 1912; and

Whereas, Since that time, both the Chevrolet and Buick automobiles have become synonymous with Flint, with hundreds of thousands of dedicated auto workers having assembled virtually millions of these cars over the years. Indeed, in light of the fact that the auto industry continues to be the lifeblood of the Flint community, it would be most appropriate to rename Interstate 69 in Genesee County to the Chevrolet-Buick Freeway; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the portion of Interstate 69 in Genesee County be hereby designated as the Chevrolet-Buick Freeway; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation, the Board of Commissioners of the County of Genesee, the Mayor of the City of Flint, and the General Motors Corporation.

Senate Concurrent Resolution No. 100.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Two-Way Radio System and Microwave Backbone System Phase II.

The Secretary of the Senate made the following statement:

Madam President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 812

Yeas—38

Bennett	Dingell	McManus	Schwarz
Berryman	Dunaskiss	Miller	Shugars
Bouchard	Emmons	Murphy	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	Schuette	Young
DeGrow	Koivisto		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senators Emmons, North, Van Regenmorter and Schuette offered the following resolution:

Senate Resolution No. 244.

A resolution to commend Michigan State University Trustee John D. Shingleton.

Whereas, With the retirement of John D. Shingleton from his responsibilities with the Michigan State University Board of Trustees, this distinguished Spartan is bringing to a close another chapter in a lifetime of service to our state's largest institution of higher education. Mr. Shingleton has been part of the scene along the banks of the Red Cedar for more than fifty years, and his energies and talents have played a major role in its development as one of the nation's premier public universities; and

Whereas, A pilot in World War II who saw extensive action in the Pacific Theater, Jack Shingleton is a graduate of Michigan State who began his professional career as an assistant director of personnel in 1949. The years that have followed have seen Mr. Shingleton wear probably as many hats of responsibility with the university as anyone in its history; and

Whereas, Jack Shingleton's illustrious career with MSU has seen him working with a university project in India, assisting the secretary of the Board of Trustees, serving as acting director of intercollegiate athletics, assisting President Emeritus John Hannah, and heading alumni programs on an interim basis. He is, however, best known across the country for his exceptional efforts in the area of placement services. His vigor and vision helped propel MSU to the forefront of college placement programs. As a result of his accomplishments and the knowledge he has shared through publications and organizations, he has contributed significantly to similar efforts all across the country; and

Whereas, Since 1991, Mr. Shingleton has channeled his talents through the MSU Board of Trustees, which he chaired in 1998. His perspective and understanding of the university have proven invaluable in shaping the Michigan State University that will serve our state and nation far into the future; now, therefore, be it

Resolved by the Senate, That we commend Michigan State University Trustee John D. Shingleton upon the occasion of his retirement; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Shingleton and his family as evidence of our admiration and best wishes.

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

Senator DeGrow moved that the rule be suspended.

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

The resolution was adopted.

Senator DeGrow 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.

Senators Byrum and Emmons offered the following concurrent resolution:

Senate Concurrent Resolution No. 103.

A concurrent resolution to commend Michigan State University Trustee John D. Shingleton.

Whereas, With the retirement of John D. Shingleton from his responsibilities with the Michigan State University Board of Trustees, this distinguished Spartan is bringing to a close another chapter in a lifetime of service to our state's largest institution of higher education. Mr. Shingleton has been part of the scene along the banks of the Red Cedar for more than fifty years, and his energies and talents have played a major role in its development as one of the nation's premier public universities; and

Whereas, A pilot in World War II who saw extensive action in the Pacific Theater, Jack Shingleton is a graduate of Michigan State who began his professional career as an assistant director of personnel in 1949. The years that have followed have seen Mr. Shingleton wear probably as many hats of responsibility with the university as anyone in its history; and

Whereas, Jack Shingleton's illustrious career with MSU has seen him working with a university project in India, assisting the secretary of the Board of Trustees, serving as acting director of intercollegiate athletics, assisting President Emeritus John Hannah, and heading alumni programs on an interim basis. He is, however, best known across the country for his exceptional efforts in the area of placement services. His vigor and vision helped propel MSU to the forefront of college placement programs. As a result of his accomplishments and the knowledge he has shared through publications and organizations, he has contributed significantly to similar efforts all across the country; and

Whereas, Since 1991, Mr. Shingleton has channeled his talents through the MSU Board of Trustees, which he chaired in 1998. His perspective and understanding of the university have proven invaluable in shaping the Michigan State University that will serve our state and nation far into the future; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we commend Michigan State University Trustee John D. Shingleton upon the occasion of his retirement; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Shingleton and his family as evidence of our admiration and best wishes.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

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

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

By unanimous consent the Senate returned 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, Lieutenant Governor Binsfeld, designated Senator Hoffman 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. 1314, entitled

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254); and to repeal acts and parts of acts.

House Bill No. 5793, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9303, 9304, 9305, 9307, 9308, 9310, 9312, and 9313 (MCL 324.9301, 324.9302, 324.9303, 324.9304, 324.9305, 324.9307, 324.9308, 324.9310, 324.9312, and 324.9313), as added by 1995 PA 60, and by adding section 9304a; and to repeal acts and parts of acts.

House Bill No. 6007, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21543 (MCL 324.21543).

House Bill No. 5938, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2518 (MCL 339.2518), as amended by 1998 PA 90.

Senate Bill No. 1362, entitled

A bill to amend 1996 PA 462, entitled "Enhanced access to public records act," by amending sections 2 and 3 (MCL 15.442 and 15.443).

Senate Bill No. 887, entitled

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

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:

House Bill No. 5254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 1996 PA 133.

Substitute (S-1).

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

1. Amend page 2, line 27, by striking out the first "OR".

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 amendment, the following bill:

House Bill No. 5278, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 509 (MCL 324.509).

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

1. Amend page 2, line 24, after "No." by striking out "727" and inserting "728".

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

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

House Bill No. 5717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c.

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

1. Amend page 2, line 5, by striking out subsections (2) and (3) and inserting:

"(2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$250.00."

2. Amend page 2, line 14, after "WHO" by striking out the balance of the line through "DEATH" on line 17 and inserting "OPERATES A SNOWMOBILE IN A CARELESS, RECKLESS, OR NEGLIGENT MANNER CAUSING THE DEATH OR SERIOUS IMPAIRMENT OF BODILY FUNCTION".

3. Amend page 2, line 20, by striking out all of subsection (2) and inserting:

"(2) AS USED IN THIS SECTION, "SERIOUS IMPAIRMENT OF BODILY FUNCTION" INCLUDES, BUT IS NOT LIMITED TO, 1 OR MORE OF THE FOLLOWING:

(A) LOSS OF A LIMB OR USE OF A LIMB.

(B) LOSS OF A HAND, FOOT, FINGER, OR THUMB OR USE OF A HAND, FOOT, FINGER, OR THUMB.

(C) LOSS OF AN EYE OR EAR OR USE OF AN EYE OR EAR.

(D) LOSS OR SUBSTANTIAL IMPAIRMENT OF A BODILY FUNCTION.

(E) SERIOUS VISIBLE DISFIGUREMENT.

(F) A COMATOSE STATE THAT LASTS FOR MORE THAN 3 DAYS.

(G) MEASURABLE BRAIN DAMAGE OR MENTAL IMPAIRMENT.

(H) A SKULL FRACTURE OR OTHER SERIOUS BONE FRACTURE.

(I) SUBDURAL HEMORRHAGE OR SUBDURAL HEMATOMA."

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 amendments, the following bill:

House Bill No. 5792, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 22.

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

1. Amend page 1, line 6, after "YEARS" by striking out the balance of the line through "YEARS" on line 7.

2. Amend page 2, line 9, by striking out all of subsection (4) and renumbering the remaining subsection.

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 amendment, the following bill:

House Bill No. 5924, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621).

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

1. Amend page 2, line 7, after the first "than" by striking out "18" and inserting "12".

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

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

House Bill No. 4742, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1998 PA 366. Substitute (S-2).

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

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

House Bill No. 5053, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1997 PA 193.

Substitute (S-3).

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. 5875, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 56a (MCL 211.56a).

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. 5967, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

Substitute (S-3).

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

1. Amend page 6, line 6, by striking out "Tangible" and inserting "AFTER DECEMBER 31, 1993, TANGIBLE".
2. Amend page 6, line 6, after "consumed" by striking out the balance of the sentence and inserting "IN PRODUCING ONLY COPYRIGHTED MOTION PICTURE FILMS OR NEWSPAPERS BUT NOT BECOMING A COMPONENT PART OF THE COPYRIGHTED MOTION PICTURE FILMS OR NEWSPAPERS IS SUBJECT TO THE TAX AND TANGIBLE PERSONAL PROPERTY USED OR CONSUMED IN PRODUCING PERIODICALS AND THAT PERCENTAGE OF THE VALUE OF TANGIBLE PERSONAL PROPERTY USED OR CONSUMED IN PRODUCING AN ADVERTISING SUPPLEMENT THAT BECOMES A COMPONENT PART OF A NEWSPAPER OR PERIODICAL IS EXEMPT FROM THE TAX UNDER THIS SUBDIVISION."

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. 5968, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1997 PA 194. Substitute (S-3).

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

1. Amend page 8, line 14, after "film." by striking out "Tangible" and inserting "AFTER DECEMBER 31, 1993, TANGIBLE".

2. Amend page 8, line 15, after "sumed" by striking out the balance of the sentence and inserting "IN PRODUCING ONLY COPYRIGHTED MOTION PICTURE FILMS OR NEWSPAPERS BUT NOT BECOMING A COMPONENT PART OF THE COPYRIGHTED MOTION PICTURE FILMS OR NEWSPAPERS IS SUBJECT TO THE TAX AND TANGIBLE PERSONAL PROPERTY USED OR CONSUMED IN PRODUCING PERIODICALS AND THAT PERCENTAGE OF THE VALUE OF TANGIBLE PERSONAL PROPERTY USED OR CONSUMED IN PRODUCING AN ADVERTISING SUPPLEMENT THAT BECOMES A COMPONENT PART OF A NEWSPAPER OR PERIODICAL IS EXEMPT FROM THE TAX UNDER THIS SUBDIVISION."

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. 5127, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1996 PA 167.

Substitute (S-2).

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

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

House Bill No. 5511, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2965.

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. 78, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15d of chapter IV (MCL 764.15d), as added by 1987 PA 256.

Substitute (S-2).

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

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

Senate Bill No. 1231, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22209a.

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

1. Amend page 1, line 6, after "if" by striking out "both of" and inserting "ALL".
2. Amend page 1, following line 10, by inserting:

"(C) THE HOSPITAL HAS EXACTLY TWO OPERATING ROOMS."

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. 1058, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30103 and 32512 (MCL 324.30103 and 324.32512), as added by 1995 PA 59.

Substitute (S-4).

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. 130, entitled

A bill to amend 1967 PA 288, entitled "Subdivision control act of 1967," by amending sections 241, 241a, 242, 243, 244, 245, and 246 (MCL 560.241, 560.241a, 560.242, 560.243, 560.244, 560.245, and 560.246), sections 241 and 241a as amended by 1993 PA 67 and section 243 as amended by 1992 PA 214; and to repeal acts and parts of acts.

Substitute (S-2).

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

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

Senate Bill No. 445, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending the title and sections 1, 2, 3, 4, 6, 7, 9, 13, 14, 15, 16, 17, 21, 22, and 23 (MCL 252.301, 252.302, 252.303, 252.304, 252.306, 252.307, 252.309, 252.313, 252.314, 252.315, 252.316, 252.317, 252.321, 252.322, and 252.323), section 4 as amended by 1990 PA 153, and by adding sections 7a and 21a.

Substitute (S-5).

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

1. Amend page 10, line 1, after "act" by striking out the comma and "EXCEPT THAT" and inserting a period and "HOWEVER, EXCEPT AS PROVIDED IN SUBDIVISION (A)."

2. Amend page 11, line 21, by striking out "VEGETATION" and inserting "TREES OR SHRUBS".

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 the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5254

House Bill No. 5278

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

Senator DeGrow moved that Senator Dunaskiss be excused from the balance of today's session.

The motion prevailed.

The following bill was read a third time:

House Bill No. 5254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 1998 PA 117.

The question being on the passage of the bill,

Senator A. Smith moved that Senator Cherry be temporarily excused from the balance of today's session.

The motion prevailed.

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

Roll Call No. 813

Yeas—35

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

Nays—0

Excused—2

Cherry

Dunaskiss

Not Voting—1

Gast

In The Chair: President

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5278, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 509 (MCL 324.509).

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. 814**Yeas—36**

Bennett
Berryman
Bouchard
Bullard
Byrum
Cisky
Conroy
DeBeaussaert
DeGrow

Dingell
Emmons
Gast
Geake
Gougeon
Hart
Hoffman
Jaye
Koivisto

McManus
Miller
Murphy
North
O’Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0**Excused—2**

Cherry

Dunaskiss

Not Voting—0

In The Chair: President

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The Senate agreed to the full title.

Introduction and Referral of Bills

Senator Schuette introduced

Senate Bill No. 1372, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 60 (MCL 211.60), as amended by 1993 PA 291.

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 Schuette introduced

Senate Bill No. 1373, entitled

A bill to create an urban homestead program for certain vacant land; to empower certain local governmental units to create and administer urban homestead programs for vacant land; to prescribe the powers and duties of certain state and local governmental units; and to provide for the disposition of personal and real property.

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 Stille introduced

Senate Bill No. 1374, entitled

A bill to amend 1972 PA 230, entitled “State construction code act of 1972,” by amending the title and sections 2, 3, 7, 8, 9, 9a, and 22 (MCL 125.1502, 125.1503, 125.1507, 125.1508, 125.1509, 125.1509a, and 125.1522), the title as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 3 as amended by 1984 PA 189, section 8 as amended by 1994 PA 128, section 9 as amended by 1994 PA 22, and section 9a as added and section 22 as amended by 1980 PA 371.

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

Senator Stille introduced

Senate Bill No. 1375, entitled

A bill to provide for a waiver of tuition at a college or university in this state for Michigan national guard members; to prescribe duties for certain state officials; and to provide for an appropriation.

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

House Bill No. 6006, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11503, 11506, and 11547 (MCL 324.11503, 324.11506, and 324.11547), section 11503 as amended by 1996 PA 359 and section 11506 as amended by 1996 PA 392.

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

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

House Bill No. 6034, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7 (MCL 722.627), as amended by 1997 PA 168.

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

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

House Bill No. 6047, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 6283, entitled

A bill to amend 1996 PA 462, entitled "Enhanced access to public records act," by amending sections 2 and 3 (MCL 15.442 and 15.443).

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Statements

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

The motion prevailed.

Senator Hoffman's first statement is as follows:

Today, I rise in support of House Bill No. 5924, which ensure that dental specialists have a voice on their licensing board by adding two seats to the Board of Dentistry. I'll vote in support of this bill and urge my colleagues to do so as well. However, I wish to remind my colleagues that the profession of dental hygiene continues to have inadequate representation on this board. As we vote today to address the concerns of 1018 dental specialists in this state, let us not forget about the 8147 dental hygienists, one of which, if I may add, is my wife, are currently waiting for a legislative remedy to the unequal, unfair regulatory structure which currently exists over it's profession.

Senator Hoffman's second statement is as follows:

Let me go to the next item that I wanted to address under statements. That deals with a package of three bills which we passed today that only took five years to get past this legislative body. It was actually the last item on my agenda when I was chairman of the Natural Resources and Environmental Affairs Committee, and that was the forest-recreation package. I want to thank this body for your support, in fact, your loyal support. We've run it through here three times, now we have sent it back to the House for concurrence, and hopefully, on to the Governor. My belief is this time the Governor won't veto the bills (the three bills) and what we will be able to do is expand Michigan's forest-recreational opportunities by creating private leases, private leasing authorities so that if folks want to go out and start a canoe livery or a horse livery or a mountain bike livery, whatever, or operate a concession stand on state forest land, they can. The state would reap the benefits of that and expand our four million acres of public lands for the public citizens of our state to enjoy. We have the largest state forest land in the nation; over four million acres, and it is probably one of our greatest underutilized state resources.

With this legislation that we finally got passed, hopefully our citizens will be able to go on out there and enjoy our forests like they do our state parks.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: November 24, 1998

Time: 9:38 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 485 (Public Act No. 387), being

An act to repeal 1953 PA 173, entitled "An act to provide for the regulation of garbage and the feeding of garbage to swine; to provide for the powers and duties of the Michigan department of agriculture with respect thereto; and to prescribe penalties for the violations of the provisions of this act," (MCL 287.401 to 287.409).

(Filed with the Secretary of State on November 24, 1998, at 2:54 p.m.)

Date: November 24, 1998

Time: 9:40 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 1173 (Public Act No. 388), being

An act to amend 1939 PA 141, entitled “An act to permit the director of the department of agriculture of this state to regulate the storage, warehousing, buying, and selling of farm produce within this state; to provide for the licensing, regulation, and bonding of grain dealers; to provide for warehouse receipts and price later agreements and their priority; to provide for the creation of security interests; to provide for the establishment of an inspection service and personnel for licensed grain dealers; and to provide penalties for the violation of this act,”. by amending section 7a (MCL 285.67a), as amended by 1992 PA 238.

(Filed with the Secretary of State on November 24, 1998, at 2:56 p.m.)

Date: November 30, 1998

Time: 4:27 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 1030 (Public Act No. 391), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,”. (MCL 436.1101 to 436.2303) by adding section 906.

(Filed with the Secretary of State on December 1, 1998, at 9:07 a.m.)

Respectfully,
John Engler
Governor

The following messages from the Governor was received and read:

November 17, 1998

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

Self-Insurers' Security, Second Injury, Silicosis, and Logging Industry Board of Trustees

Mr. Richard F. Zapala, 1915 Creek Landing, Haslett, Michigan 48840, county of Ingham, as a member representing insurers, succeeding himself, for a term expiring on April 30, 2002.

November 20, 1998

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

Michigan Board of Nursing

Mrs. Geraldine Ann Vollmer, 8915 Manton, Plymouth, Michigan 48170, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2002.

Mrs. Margaret Anne Hedlund, 2020 Holiday Lane, Lansing, Michigan 48917, county of Eaton, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2002.

Mrs. Judith A. DePodesta, 7520 Northland Drive, NE, Rockford, Michigan 49341, county of Kent, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2002.

Ms. Joan C. Larson, 5015 Elmhurst Avenue, Royal Oak, Michigan 48073, county of Oakland, as a member representing the general public, succeeding Mrs. Dolores A. Bohle of St. Clair Shores, whose term has expired, for a term expiring on June 30, 2002.

Dr. Louis J. Prues, 1047 Audubon, Grosse Pointe, Michigan 48230, county of Wayne, as a member representing the general public, succeeding Ms. Tondria M. Canty of Detroit, whose term has expired, for a term expiring on June 30, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Scheduled Meetings

Conference Committee on House Bill No. 4738 - Tuesday, December 8, at 9:30 a.m., Room 427, Capitol Building (3-7946).

Conference Committee on House Bill No. 4740 - Tuesday, December 8, at 9:30 a.m., Room 427, Capitol Building (3-7946).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 2:58 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Thursday, December 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.