

No. 38
STATE OF MICHIGAN
Journal of the Senate
89th Legislature
REGULAR SESSION OF 1998

Senate Chamber, Lansing, Tuesday, May 5, 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
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator Mike Rogers of the 26th District offered the following invocation:

Heavenly Father, as we embrace the people's business today, please grant us the humility in our strengths, the courage in our convictions and the recognition of our own weaknesses. Please, Lord, let us find celebration in our differences as we do Your work. In Jesus' name. Amen.

Motions and Communications

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:02 a.m.

10:04 a.m.

The Senate was called to order by the President, Lieutenant Governor Binsfeld.
During the recess, Senator Koivisto entered the Senate Chamber.

A quorum of the Senate was present.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Cisky introduced

Senate Bill No. 1099, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 128, 129, and 131 (MCL 389.128, 389.129, and 389.131), as added by 1998 PA 51.

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

Senators Shugars, Geake and Gougeon introduced

Senate Bill No. 1100, entitled

A bill to restrict the attendance of minors at certain music performances; to regulate the operation of certain music venues; and to prescribe penalties.

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

Senator DeBeaussaert introduced

Senate Bill No. 1101, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Senator DeBeaussaert introduced

Senate Bill No. 1102, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406k.

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

Senator DeBeaussaert introduced

Senate Bill No. 1103, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053d.

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

Senator DeBeussaert introduced

Senate Bill No. 1104, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 415a.

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

Senator Shugars introduced

Senate Bill No. 1105, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7218 (MCL 333.7218) and by adding section 7401a.

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

House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 Appropriations.

House Bill No. 5591, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 Appropriations.

House Bill No. 5592, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has passed the bill.

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

Senators Shugars and Bullard entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received:
Michigan Department of State

Administrative Rules
Notice of Filing

April 7, 1998

In accordance with the provisions of Section 46(1) of Act a306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:19 p.m. this date, administrative rule (98-4-3) for the Department of Treasury, Revenue Division, entitled "*Tobacco Products Tax*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The following communication was received:
Oakland County Michigan Works!

April 7, 1998

In accordance with Section 105(a) of the Job Training Partnership Act (JTPA), the Oakland County Michigan Works! Agency's Workforce Development Board and Chief Elected Official are submitting for your review and comment the enclosed summaries of the following documents:

1. The JTPA Title IIA Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
2. The JTPA Title IIC Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
3. The JTPA Title III Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
4. The JTPA Title IIA 5% Job Training Plan, which covers the period of July 1, 1998 through June 30, June 30, 1999; and
5. The JTPA Title IIB Job Training Plan, which covers the balance of Oakland County for the period of January 1, 1998 through December 31, 1998.

Thank you for your consideration of these summaries. If you have any comments, please address, in writing, to the following name and address: Mr. John Almstadt, Manager, Employment and Training Division, 1200 N. Telegraph Road, Department # 437, Pontiac, Michigan 48341-0437.

Sincerely,
John Almstadt, Manager
Employment and Training Division

The communication was referred to the Secretary for record.

The following communications were received:
Joint Committee on Administrative Rules

Certificates of Approval

Date: April 29, 1998
Subject: Trans. No. 98-16

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Revenue Division, pertaining to Income Tax, dated November 7, 1997.

Date: April 29, 1998
Subject: Trans. No. 98-17

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Bureau of Revenue, pertaining to Taxpayer Bill of Rights, dated October 24, 1997.

Date: April 29, 1998
Subject: Trans. No. 98-18

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 121. Livestock Diseases, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-19

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 145, Movement of Sheep, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-20

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 156. Disposition of Animals Exposed to Brucellosis, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-21

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 107. Contagious and Infectious Diseases in Poultry, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-22

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 114. Contagious and Infectious Livestock Diseases, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-23

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 117. Public Exhibition of Livestock, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-24

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 118. Reduction Plants for Disposal of Dead Animals, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-25

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 124. Tuberculin and Blood Testing, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-26

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 133. Public Exhibition of Poultry, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-27

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 135. Serums, Antigens, and Vaccines, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-28

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 140. Brucellosis-Free Herds, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-29

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 141, Approval of Calftlood Vaccination, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-30

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 142. Area Testing, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-31

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 152. Feedlots, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-32

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 401. Sediment Tests, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-33

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 403. Milk and Cream Sold for Direct Consumption, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-34

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 406. Cottage Cheese, dated January 27, 1998.

Date: April 29, 1998
Subject: Trans. No. 98-35

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Consumer and Industry Services Department, Unemployment Agency Director's Office, pertaining to Employment Security, dated February 26, 1998.

Sincerely,
Senator Walter H. North
Chair

April 29, 1998

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 98-12, submitted by the Department of Corrections, pertaining to General Rules.

Sincerely,
Senator Walter H. North
Chair

The communications were referred to the Secretary for record.

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:
Meeting held on Wednesday, April 29, 1998, at 8:30 a.m., Rooms 402 and 403, Capitol Building
Present: Senators North (C), Van Regenmorter, Dingell and Byrum
Excused: Senator Schwarz

The following communication was received:
Office of the Auditor General

April 30, 1998

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Forensic Science Division, Michigan Department of State Police, April 1998.

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

The communication was referred to the Secretary of record.

The following communication was received:
Michigan Works! Region 7B Consortium

April 30, 1998

Enclosed is a copy of the 1998 (PY'98), Title IIA Biennial, Title IIC and Title IIB Summer Youth Employment Training Plans, for Michigan Works! Region 7B Consortium.

Should you have any questions, please feel free to contact this office.

Thank you,
Mark L. Berdan, Manager
Planning and Program Development

The communication was referred to the Secretary for record.

The following communication was received:
South Central Michigan Works!

May 1, 1998

In accordance with 20 CFR 628.425 of the Job Training Partnership (JTPA), enclosed please find South Central Michigan Works! Title IIA, Title IIA-5%, Title IIB, and Title IIC proposed plans for review and comment.

If you have any questions, please contact me at our toll free number 1-888-MI-WORKS or (517) 437-0990, extension 108. Thank you.

Sincerely,
Scott A. Menzel
Executive Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 30:
House Bill Nos. 5589 5591 5592

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, April 30, for his approval the following bills:

Enrolled Senate Bill No. 377 at 3:37 p.m.
Enrolled Senate Bill No. 384 at 3:39 p.m.
Enrolled Senate Bill No. 387 at 3:41 p.m.
Enrolled Senate Bill No. 388 at 3:43 p.m.
Enrolled Senate Bill No. 398 at 3:45 p.m.
Enrolled Senate Bill No. 400 at 3:47 p.m.
Enrolled Senate Bill No. 402 at 3:49 p.m.
Enrolled Senate Bill No. 415 at 3:51 p.m.
Enrolled Senate Bill No. 720 at 3:53 p.m.
Enrolled Senate Bill No. 800 at 3:55 p.m.
Enrolled Senate Bill No. 802 at 3:57 p.m.
Enrolled Senate Bill No. 1028 at 4:31 p.m.
Enrolled Senate Bill No. 794 at 4:33 p.m.

The Secretary announced the enrollment printing, certification and filing with the Secretary of State on Friday, May 1, of the following joint resolution:

Enrolled Senate Joint Resolution I at 10:40 a.m.

The Secretary announced the printing and placement in the members' files on Thursday, April 30 of:

Senate Bill Nos. 1085 1089 1090 1091

House Bill Nos. 5783 5784 5785 5786 5789 5790 5791 5792 5793

The Secretary announced the printing and placement in the members' files on Monday, May 4 of:

Senate Bill Nos. 1092 1093 1094 1095 1096 1097 1098

**House Bill Nos. 5794 5795 5796 5797 5798 5799 5800 5801 5802 5803 5804 5805 5806 5807
5808 5809 5810 5811 5812 5813 5814 5815 5816 5817 5818**

Messages from the Governor

The following messages from the Governor were received:

Date: April 30, 1998
Time: 6:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 1028 (Public Act No. 66), being

An act to amend 1992 PA 234, entitled "An act to establish a judges retirement system; to provide for the administration and maintenance of the retirement system; to create a retirement board; to prescribe the powers and duties of the retirement board; to establish certain reserves for the retirement system; to establish certain funds; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending sections 701, 702, 715, and 716 (MCL 38.2651, 38.2652, 38.2665, and 38.2666), as added by 1996 PA 523.

(Filed with the Secretary of State on April 30, 1998, at 7:58 p.m.)

Date: May 4, 1998
Time: 2:15 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 362 (Public Act No. 67), being

An act to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 116 (MCL 330.1116), as amended by 1995 PA 290.

(Filed with the Secretary of State on May 4, 1998, at 4:25 p.m.)

Date: May 4, 1998
Time: 2:17 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 371 (Public Act No. 68), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or

parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 19a, 39a, 67b, 252d, 321a, 674, 675, 742, 803d, 803e, 803f, 803h, 803i, 803j, 803k, 803l, 803n, and 803o (MCL 257.19a, 257.39a, 257.67b, 257.252d, 257.321a, 257.674, 257.675, 257.742, 257.803d, 257.803e, 257.803f, 257.803h, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), section 19a as amended by 1996 PA 198, section 675 as amended by 1994 PA 432, section 39a as added by 1987 PA 257, sections 67b, 674, 803e, 803f, 803j, 803k, 803l, 803n, and 803o as amended by 1994 PA 104, sections 252d and 742 as amended by 1989 PA 89, section 321a as amended by 1996 PA 493, section 803d as amended by 1984 PA 175, section 803h as added by 1988 PA 419, and section 803i as amended by 1997 PA 12.

(Filed with the Secretary of State on May 4, 1998, at 4:27 p.m.)

Date: May 4, 1998

Time: 2:19 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 373 (Public Act No. 69), being

An act to amend 1956 PA 62, entitled “An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,” by amending section 1 (MCL 257.951), as amended by 1993 PA 225.

(Filed with the Secretary of State on May 4, 1998, at 4:29 p.m.)

Date: May 4, 1998

Time: 2:21 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 381 (Public Act No. 70), being

An act to amend 1965 PA 380, entitled “An act to organize the executive and administrative agencies of state government; to establish principal departments and department heads; to define the powers and duties of the principal departments and their governing agents; to allocate executive and administrative powers, duties, functions, and services among the principal departments; to provide for a method for the gradual implementation of the provisions of this act and for the transfer of existing funds and appropriations of the principal departments herein created and established,” by amending section 396 (MCL 16.496).

(Filed with the Secretary of State on May 4, 1998, at 4:31 p.m.)

Date: May 4, 1998

Time: 2:30 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 391 (Public Act No. 71), being

An act to amend 1984 PA 22, entitled “An act to establish the Michigan civilian conservation corps; to prescribe the powers and duties of certain state officers, agencies, and departments; to create and provide for the use of an endowment fund; and to provide for an appropriation,” by amending section 6 (MCL 409.306), as amended by 1985 PA 30.

(Filed with the Secretary of State on May 4, 1998, at 4:33 p.m.)

Date: May 4, 1998

Time: 2:32 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 392 (Public Act No. 72), being

An act to amend 1978 PA 454, entitled “An act to regulate rental agreements for residential premises; to prohibit the inclusion by lessors of certain clauses or provisions in residential rental agreements; to require the disclosure by lessors of certain information; to require the inclusion of certain provisions in residential rental agreements; to regulate the commercial sale of printed rental agreement forms; and to prescribe penalties,” by amending section 3 (MCL 554.633), as amended by 1991 PA 131.

(Filed with the Secretary of State on May 4, 1998, at 4:35 p.m.)

Date: May 4, 1998
Time: 2:34 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 393 (Public Act No. 73), being

An act to amend 1988 PA 112, entitled “An act to provide competitive opportunity in state procurements of goods, services, and construction for handicapper owned businesses; to provide powers and duties of the governor; to prescribe powers and duties of certain state departments and agencies; and to provide penalties,” by amending the title and sections 1, 2, 3, 4, and 5 (MCL 450.791, 450.792, 450.793, 450.794, and 450.795).

(Filed with the Secretary of State on May 4, 1998, at 4:37 p.m.)

Date: May 4, 1998
Time: 2:36 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 394 (Public Act No. 74), being

An act bill to amend 1969 PA 317, entitled “An act to revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,” by amending sections 700a, 701a, 901, 905, 911, 915, 921, and 925 (MCL 418.700a, 418.701a, 418.901, 418.905, 418.911, 418.915, 418.921, and 418.925), sections 700a and 701a as added by 1993 PA 198 and sections 921 and 925 as amended by 1985 PA 103.

(Filed with the Secretary of State on May 4, 1998, at 4:39 p.m.)

Date: May 4, 1998
Time: 2:38 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 395 (Public Act No. 75), being

An act to amend 1967 PA 204, entitled “An act to create metropolitan transportation authorities; to define their powers and duties, including the creation of transportation districts; to provide for the withdrawal of counties from the authorities; to require the state to guarantee payment of certain claims against certain transportation authorities and to give the state a lien in satisfaction of payment; and to permit the creation of certain councils,” by amending section 4a (MCL 124.404a), as added by 1988 PA 481.

(Filed with the Secretary of State on May 4, 1998, at 4:41 p.m.)

Date: May 4, 1998
Time: 2:40 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 396 (Public Act No. 76), being

An act to amend 1981 PA 230, entitled “An act to create a bureau of community services and a commission on economic and social opportunity within the department of labor to reduce the causes, conditions, and effects of poverty and promote social and economic opportunities that foster self-sufficiency for low income persons; to provide for the designation of community action agencies; and to prescribe the powers and duties of the bureau, the commission, and the community action agencies,” by amending section 11 (MCL 400.1111).

(Filed with the Secretary of State on May 4, 1998, at 2:40 p.m.)

Date: May 4, 1998
Time: 2:42 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 397 (Public Act No. 77), being

An act to amend 1983 PA 173, entitled “An act to promote the delivery of services by community-based organizations pursuant to the job training partnership act; and to provide for criteria for the selection of service providers,” by amending section 1 (MCL 421.151), as amended by 1990 PA 146.

(Filed with the Secretary of State on May 4, 1998, at 4:45 p.m.)

Date: May 4, 1998
Time: 2:44 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 399 (Public Act No. 78), being

An act to amend 1957 PA 261, entitled “An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies,” by amending section 13a (MCL 38.1013a), as amended by 1981 PA 123.

(Filed with the Secretary of State on May 4, 1998, at 4:47 p.m.)

Date: May 4, 1998
Time: 2:46 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 401 (Public Act No. 79), being

An act to amend 1984 PA 218, entitled “An act to provide for the regulation of third party administrators; to provide for the licensure of administrative service managers; to provide for certain powers and duties for certain state agencies and officers; to provide for the confidentiality of certain personal data; and to prescribe penalties for a violation of this act,” by amending sections 40 and 44 (MCL 550.940 and 550.944).

(Filed with the Secretary of State on May 4, 1998, at 4:49 p.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received and read:

April 30, 1998

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

Local Government Claims Review Board

The Honorable Nancy L. Crandall, City of Norton Shores 4814 Henry Street, Norton Shores, Michigan 49441, county of Muskegon, as a member representing local government, succeeding Ms. Carol E. Bannister of Fraser, whose term has expired, for a term expiring on March 26, 1999.

Mr. A. Thomas Clay, 1195 Haslett Road, Williamston, Michigan 48895, county of Ingham, as a member representing the general public, succeeding Ms. Susan H. Bailey of Flushing, whose term has expired, for a term expiring on March 26, 1999.

Mr. Christopher M. Murray, 365 McKinley, Grosse Pointe Farms, Michigan 48236, county of Wayne, as a member representing the general public, succeeding Mr. Willie Paul Mayhue of Grand Rapids, whose term has expired, for a term expiring on March 26, 2000.

Mr. Stanley D. Steinborn, 3051 Signature Boulevard Apartment, A, Ann Arbor, Michigan 48103, county of Washtenaw, as a member representing the general public, succeeding Mr. Robert Derengoski of East Lansing, whose term has expired, for a term expiring on March 26, 2000.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:09 a.m.

10:20 a.m.

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

During the recess, Senators McManus, Jaye, Geake, Steil, Cisky, Van Regenmorter, Stille, Gougeon and Bennett entered the Senate Chamber.

Senators Dunaskiss, Emmons, Gast and Bouchard entered the Senate Chamber.

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.

President, Lieutenant Governor Binsfeld, designated Senator Dingell as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 1079, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194, and by adding section 51b.

Substitute (S-2).

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

1. Amend page 4, line 14, by striking out all of enacting section 1.

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:

Senate Bill No. 1080, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

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

1. Amend page 1, line 6, by striking out all of enacting section 1.

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 amendment, the following bill:

Senate Bill No. 1081, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

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

1. Amend page 1, line 6, by striking out all of enacting section 1.

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 amendment, the following bill:

Senate Bill No. 1082, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.

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

1. Amend page 1, line 6, by striking out all of enacting section 1.

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 amendment, the following bill:

Senate Bill No. 1083, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

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

1. Amend page 1, line 5, by striking out all of enacting section 1.

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 joint resolution:

Senate Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 2/3 of the members of each house to impose certain taxes or to make certain modifications to certain taxes.

Substitute (S-3).

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

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

“(4) NO BILL TO WITHDRAW, TRANSFER, OR EXPEND FUNDS FROM THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND OR ITS SUCCESSOR SHALL BECOME LAW WITHOUT THE CONCURRENCE OF NOT LESS THAN 3/5 OF THE MEMBERS ELECTED TO AND SERVING IN EACH HOUSE.”.

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

During the Committee of the Whole Senators North, Hoffman and Posthumus entered the Senate Chamber.

Senator DeGrow moved that rule 2.106 be suspended to allow the conference committees to meet during Senate session.

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

Resolutions

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

Senate Resolution No. 183

The resolution consent calendar was adopted.

Senators Conroy, A. Smith, Bennett, Miller, Peters, Byrum, Vaughn, Cherry, V. Smith, O'Brien, DeGrow, Emmons, North, Berryman, Hart, Young, Gougeon, McManus, Koivisto, Schwarz and Cisky offered the following resolution:

Senate Resolution No. 183.

A resolution recognizing the week of May 3 - 9, 1998, as National PTA Teacher Appreciation Week.

Whereas, A strong, effective system of free public school education for all children and youth is essential to our democratic system of government; and

Whereas, Michigan has made considerable progress in the social, technological, and scientific fields due to our system of free and universal public education; and

Whereas, Much of this progress can be attributed to the qualified and dedicated teachers entrusted with the educational development of our children to their full potential; and

Whereas, Teachers should be accorded high public esteem, reflecting the value the community places on public education; and

Whereas, We in the Michigan Senate are keenly aware of the importance and impact of teachers on children; and

Whereas, It is appropriate that teachers be recognized for this dedication and commitment to educating their students; now, therefore, be it

Resolved by the Senate, That we share in the recognition of Michigan teachers during Teacher Appreciation Week; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan PTA, the Michigan Education Association and the Michigan Federation of Teachers as a reflection of our admiration for teachers.

Statements

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

The motion prevailed.

Senator Conroy's statement is as follows:

This week is the 14th annual National PTA Teacher Appreciation Week and today is National Teacher Day. National Teacher Day was first proclaimed by the 81st Congress back in 1953. The tradition of recognizing teachers continues today. Michigan's public school teachers deserve our esteem and respect.

Today I want to recognize the Michigan public school teachers for their dedication and commitment to educating Michigan's youth. Few other professionals have touch so many lives. When someone is asked to name the two or three most influential people in their lives, they almost always name a teacher. This week is a good time to recognize the contributions of teachers and to thank them for the difference they have made in each of our lives.

I have submitted Senate Resolution No. 183 recognizing this as National Parent-Teacher Association Appreciation Week. I welcome your co-sponsorship on Senate Resolution No. 183.

Senator Gougeon's statement is as follows:

Fellow colleagues, under current law it only takes a simple majority—that's 50 percent plus one vote, in the State Senate and the State House to raise taxes on the hard-working people of Michigan.

Senate Joint Resolution A, if passed, will put on the ballot an initiative that would require a 3/5 majority vote of elected officials in both Houses to vote in a tax increase. This super-majority makes it harder for the Legislature to raise taxes. I think it forces us to examine our priorities and make difficult choices and live within a budget—just like our constituents have to do every day. The toughest choice we have to make as legislators is one that the super-majority resolution would force us to face. How can we solve our problems without just throwing more tax payer money at them and hoping that they will go away? Some opponents of this notion take issue with the fact that it would remove some of the flexibility that lawmakers currently have in deliberating upon tax increases. To them I say, my point exactly. The average family must live within their means and this means making tough choices in how they spend their hard earned money.

We, as elected members of the Michigan Legislature, need to hold ourselves to that same standard. Quite simply, as SJR A asks the voters the basic question: Do you support making it harder on the Michigan Legislature to vote to raise your taxes? A recent poll shows that 56 percent of Michigan voters support this measure and would like to see it on the ballot. With the passage of SJR A, the Michigan Senate stands ready to tighten its financial belt one very significant notch.

Committee Reports

The Committee on Local, Urban and State Affairs reported

House Bill No. 4447, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 4 (MCL 42.4), as amended by 1990 PA 12.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 4857, entitled

A bill to authorize the department of police to convey certain state owned property in Berrien county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 5289, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 320 and 703 (MCL 484.1320 and 484.1730), section 320 as added and section 703 as amended by 1994 PA 29.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, April 29, 1998, at 1:09 p.m., Room 100, Farnum Building

Present: Senators Stille (C), Dunaskiss, Bennett, Hart and O'Brien

The Committee on Government Operations reported

Senate Bill No. 1026, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 315, 319, and 323 (MCL 257.315, 257.319, and 257.323), section 319 as amended by 1996 PA 587 and section 323 as amended by 1994 PA 449.

With the recommendation that the bill pass.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Bill No. 1008, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 1 (MCL 691.1401), as amended by 1986 PA 175.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 2, line 26, after "ACTIVITY" by inserting "PERFORMED ON PUBLIC OR PRIVATE PROPERTY".

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

Senate Bill No. 1086, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204f.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Bill No. 1087, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204c.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Bill No. 1088, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204d.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 4875, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204e.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

House Bill No. 4884, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204b.

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.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

House Bill No. 4886, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204a.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

House Bill No. 5006, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 204 (MCL 4.1204).

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

Senate Resolution No. 172.

A resolution to memorialize the Congress of the United States to increase funding to the Equal Employment Opportunity Commission to handle the backlog of individual cases.

(For text of resolution, see Senate Journal No. 33, p. 632.)

With the recommendation that the resolution be adopted.

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

House Concurrent Resolution No. 42.

A concurrent resolution to urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers and to memorialize the Congress of the United States to enact recommended legislation.

(For text of resolution, see Senate Journal No. 11, p. 150.)

With the recommendation that the following substitute (S-1) be adopted and that the concurrent resolution then be adopted:

A concurrent resolution to urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers, to settle pending claims, and to memorialize the Congress of the United States to enact legislation to waive the statute of limitations for discrimination cases.

Whereas, In many situations, the difficulties facing family farming operations are numerous and challenging. The number of farms has declined steadily for many years, both in Michigan and throughout the entire country. For Black farmers across this nation, however, the obstacles to survival are staggering. Recent investigations through the Congressional Black Caucus and organizations like the National Black Farmers Association have revealed the extent of discrimination against African American farm operations. These civil rights violations were contained in recommendations of a task force within the United States Department of Agriculture; and

Whereas, Access to capital, a vital component of any farming operation, has been denied to many Black farmers. When not denied outright, through loans refused and ultimate foreclosures, loans for Black farmers often take far longer to be approved. The result of a delay for a farm loan is often financial ruin; and

Whereas, According to the National Black Farmers Association, the USDA foreclosed on 1,000 Black farms in the last several months. Black farmers are losing land at a rate of 9,000 acres a week. At this rate, according to the chair of the Congressional Black Caucus, Black farms will vanish by the year 2000; and

Whereas, The USDA, through its civil rights study group, has identified specific legislative changes to combat discrimination in its policies and programs. Any delay in implementing needed changes and in revamping the department's response to Black farmers is too long; and

Whereas, In April 1998, the Justice Department ruled that most of the approximately 2,000 cases brought by Black farmers with complaints of discrimination between 1983 and 1996 would expire due to the statute of limitations. It is essential that Congress take actions to enable the federal government to respond appropriately to the legitimate claims of these citizens; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers, to settle pending claims, and to memorialize the Congress of the United States to enact legislation to waive the statute of limitations for the discrimination cases brought against the Department of Agriculture between 1983 and 1996; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Agriculture, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

House Concurrent Resolution No. 60.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to create a moratorium on new national, state, and local taxes on the Internet.

(For text of resolution, see Senate Journal No. 33, p. 637.)

With the recommendation that the concurrent resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Wednesday, April 29, 1998, at 1:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Bullard (C), Emmons, Miller and Hart

Excused: Senator Hoffman

The Committee on Transportation and Tourism reported

Senate Bill No. 663, entitled

A bill to designate a bridge on highway M-120 within the city of North Muskegon as the Bud Jaeger bridge; and to prescribe the duties of the state transportation department.

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.

Walter North
Chairperson

To Report Out:

Yeas: Senators North, Stille and O'Brien

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Bill No. 814, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1997 PA 8.

With the recommendation that the bill pass.

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

Walter North
Chairperson

To Report Out:

Yeas: Senators North, Stille, Jaye and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 4765, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 207a.

With the recommendation that the bill pass.

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

Walter North

Chairperson

To Report Out:

Yeas: Senators North, Stille, Jaye and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5426, entitled

A bill to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Walter North

Chairperson

To Report Out:

Yeas: Senators North, Stille and O'Brien

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Resolution No. 169.

A resolution to memorialize the Congress of the United States to refrain from imposing any special taxes on sport utility vehicles.

(For text of resolution, see Senate Journal No. 33, p. 630.)

With the recommendation that the resolution be adopted.

Walter North

Chairperson

To Report Out:

Yeas: Senators North, Stille and O'Brien

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submits the following:

Meeting held on Wednesday, April 29, 1998, at 3:00 p.m., Room 405, Capitol Building

Present: Senators North (C), Stille, Jaye and O'Brien

Excused: Senator Hart

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 956, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 4 (MCL 722.22 and 722.24), section 2 as amended by 1990 PA 245 and section 4 as amended by 1996 PA 19.

With the recommendation that the substitute (S-4) 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, Geake, V. Smith and Peters

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 30, 1998, at 1:00 p.m., Room 100, Farnum Building

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

Excused: Senator Bouchard

COMMITTEE ATTENDANCE REPORT

The Joint Task Force on Revenue Sharing submits the following:

Meeting held on Thursday, April 30, 1998, at 8:30 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Steil (C), Gast and V. Smith

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 30, 1998, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senator Cisky (C)

Excused: Senators Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committees on Senate Bill Nos. 796, 797, 798, 799 and 803 submit the following:

Meeting held on Thursday, April 30, 1998, at 2:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Geake (C), Cisky and Peters

COMMITTEE ATTENDANCE REPORT

The Trial Court Assessment Commission submits the following:

Meeting held on Friday, May 1, 1998, at 10:00 a.m., 8th Floor Conference Room, Farnum Building

Excused: Senators Van Regenmorter and Dingell

Scheduled Meetings

Families, Mental Health and Human Services Committee - Thursday, May 7, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Government Operations Committee - Thursday, May 7, at 9:00 a.m., Room 210, Farnum Building (3-1758).

Human Resources, Labor and Veterans Affairs Committee - Thursday, May 7, at 1:00 p.m., 210 Farnum Building (3-2420).

Judiciary Committee - Monday, May 18, at 6:00 p.m., Muskegon Area Intermediate School Building, 630 Harvey Street, Muskegon (3-6920).

Scheduled Meetings Changed

Agriculture Appropriation Subcommittee - Tuesday, May 12, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1725).

Natural Resources and Environmental Quality Appropriation Subcommittee - Tuesday, May 12, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1725).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 12:16 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, May 6, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.