



# HOUSE BILL No. 5637

February 27, 1996, Introduced by Reps. Dalman, DeMars, Kukuk, Walberg, Horton, Hammerstrom, McBryde, Voorhees, Sikkema, Gustafson, Law, Bodem, Nye, Lowe, Geiger, DeLange, Cropsey, Bush, McManus, Ryan, Green and Jersevic and referred to the Committee on Judiciary and Civil Rights.

A bill to require establishment of parenting plans for minor children in certain circumstances; to provide the procedure for establishing and modifying parenting plans; and to prescribe the contents of parenting plans.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "parenting plan act".

3       Sec. 2. As used in this act:

4       (a) "Best interests of the child" means that term as defined  
5 in section 3 of the child custody act of 1970, Act No. 91 of the  
6 Public Acts of 1970, being section 722.23 of the Michigan  
7 Compiled Laws.

8       (b) "Custodial interference" means the crime established by  
9 section 350a of the Michigan penal code, Act No. 328 of the

1 Public Acts of 1931, being section 750.350a of the Michigan  
2 Compiled Laws.

3 (c) "Domestic violence" means that term as defined in sec-  
4 tion 1 of Act No. 389 of the Public Acts of 1978, being section  
5 400.1501 of the Michigan Compiled Laws.

6 (d) "Personal protection order" means an order issued under  
7 section 2650 or 2650a of the revised judicature act of 1961, Act  
8 No. 236 of the Public Acts of 1961, being sections 600.2650 and  
9 600.2650a of the Michigan Compiled Laws.

10 Sec. 3. In entering a decree of divorce, separate mainte-  
11 nance, or annulment, the court shall establish a parenting plan  
12 for a minor child of the marriage as provided in this act.

13 Sec. 4. (1) Except as otherwise provided in this act, in a  
14 custody dispute between a child's parents, the parents shall file  
15 with the court before a hearing or determination of the child's  
16 custody a proposed parenting plan that is agreed on by the par-  
17 ents and that conforms to the requirements of this act. If there  
18 is evidence of domestic violence between the parents or the par-  
19 ents do not agree on a parenting plan, each parent shall file and  
20 serve a proposed parenting plan on or before the earliest date of  
21 1 of the following:

22 (a) Thirty days after either parent files and serves a  
23 notice for trial.

24 (b) One hundred eighty days after commencement of the  
25 action. The parents may extend this period by stipulation.

26 (2) A parent who files a proposed parenting plan in  
27 compliance with this section may move the court for an order of

1 default adopting that parent's parenting plan if the other parent  
2 fails to file a proposed parenting plan as required in this  
3 section.

4       Sec. 5. (1) A parent submitting a proposed parenting plan  
5 shall attach a verified statement that the plan is proposed by  
6 that parent in good faith. Either parent may file and serve an  
7 amended proposed parenting plan according to the rules for amend-  
8 ing pleadings.

9       (2) If a mandatory settlement conference is provided by  
10 court rule, the parents shall attend a mandatory settlement  
11 conference. A judge or a friend of the court referee shall pre-  
12 side over the mandatory settlement conference and shall apply the  
13 criteria in sections 10 to 17. The parents shall in good faith  
14 review the proposed terms of the parenting plans and any other  
15 issues relevant to the action with the judge or referee. A fact  
16 or legal issue that is not then in dispute shall be entered as  
17 stipulated for purposes of final hearing or trial in the matter.

18       (3) The court shall not issue an order implementing a par-  
19 enting plan until the court holds a hearing on the plan. An  
20 action involving minor children governed by this act shall have  
21 precedence for hearing and assignment for trial over other civil  
22 actions.

23       Sec. 6. (1) A parenting plan shall have the following  
24 objectives:

25       (a) To provide for the child's physical care, including the  
26 specification of responsibility for health care expenses and  
27 health care coverage.

1 (b) To maintain the child's emotional stability.

2 (c) To provide for the child's changing needs as the child  
3 grows and matures, in a way that minimizes the need for future  
4 modifications to the parenting plan. This includes, but is not  
5 limited to, consideration of provision for the child's secondary  
6 and postsecondary education.

7 (d) To set forth the authority and responsibilities of each  
8 parent with respect to the child, consistent with the criteria in  
9 sections 10 to 17.

10 (e) To minimize the child's exposure to harmful parental  
11 conflict.

12 (f) To encourage the parents, where appropriate under  
13 sections 10 to 17, to meet their responsibilities to their minor  
14 children through agreements in the parenting plan, rather than by  
15 relying on judicial intervention.

16 (g) To otherwise protect the best interests of the child.

17 (2) The parenting plan shall contain provisions governing  
18 resolution of future disputes between the parents, allocation of  
19 decision making authority, parenting time, and the child's resi-  
20 dential schedule.

21 Sec. 7. (1) Unless precluded or limited by sections 10 to  
22 17, the court shall provide alternatives to court action for  
23 resolving disputes, which may include counseling, mediation, or  
24 arbitration by a specified individual or agency, including the  
25 friend of the court. An alternative dispute resolution process  
26 shall conform to all of the following:

1 (a) Preference shall be given to carrying out the parenting  
2 plan.

3 (b) Unless an emergency exists, the parents shall use the  
4 designated process to resolve disputes relating to implementation  
5 of their parenting plan, except for disputes related to financial  
6 support.

7 (c) A written record shall be prepared of an agreement  
8 reached in counseling or mediation and of each arbitration award,  
9 and shall be provided to each parent.

10 (d) If the court finds that a parent uses or frustrates the  
11 use of the dispute resolution process without good cause, the  
12 court shall award attorney fees and financial sanctions to the  
13 prevailing parent.

14 (e) A parent may appeal by right for court review of the  
15 dispute resolution process.

16 (2) The court shall set forth the requirements of subsection  
17 (1) in the order establishing the parenting plan.

18 Sec. 8. (1) The parenting plan shall allocate decision  
19 making authority to 1 or both parents regarding their child's  
20 education, health care, and religious upbringing. The parents  
21 may incorporate an agreement related to their child's care and  
22 growth in these specified areas, or in other areas, into their  
23 parenting plan, consistent with the criteria in sections 10 to  
24 17.

25 (2) Regardless of the allocation of decision making in the  
26 parenting plan, either parent may make emergency decisions  
27 affecting the child's health or safety. Each parent may make

1 decisions regarding the child's day-to-day care and control while  
2 the child is residing with that parent.

3 (3) If the parenting plan prescribes mutual decision making,  
4 but a mutual decision cannot be reached, the parents shall make a  
5 good-faith effort to resolve the issue through an alternative  
6 dispute resolution process.

7 Sec. 9. (1) A parenting plan shall include a residential  
8 schedule that designates in which parent's home each minor child  
9 shall reside on given days of the year, including provision for  
10 holidays, birthdays of family members, vacations, and other spe-  
11 cial occasions, consistent with the criteria in sections 10 to  
12 17.

13 (2) If a parent fails to comply with the parenting plan or a  
14 child support order, the other parent's obligations under the  
15 parenting plan or the child support order are not affected. The  
16 court may hold a parent who fails to comply with a parenting plan  
17 in contempt of court.

18 (3) A permanent parenting plan shall set forth the provi-  
19 sions of subsection (2) and sections 7(1)(a) to (c) and 8(2) and  
20 (3).

21 Sec. 10. The court shall not order an alternative dispute  
22 resolution process if the court finds that a limiting factor  
23 under sections 13 to 17 applies or that either parent is unable  
24 to afford the cost of the proposed dispute resolution process.  
25 If a dispute resolution process is not precluded or limited,  
26 then, in designating the process, the court shall consider all

1 relevant factors, including, but not limited to, all of the  
2 following:

3 (a) Differences between the parents that would substantially  
4 inhibit their effective participation in any designated process.

5 (b) The parents' wishes or agreements and, if the parents  
6 have entered into agreements, whether the agreements were made  
7 knowingly and voluntarily.

8 (c) Differences in the parents' financial circumstances that  
9 may affect their ability to participate fully in a given dispute  
10 resolution process.

11 Sec. 11. (1) The court shall approve an agreement of the  
12 parties allocating decision making authority or specifying rules  
13 in the areas listed in section 8(1) if the court finds both of  
14 the following:

15 (a) The agreement is consistent with a limitation on a  
16 parent's decision making authority mandated by sections 13 to  
17 17.

18 (b) The agreement is made knowingly and voluntarily.

19 (c) The agreement is in the best interests of the child.

20 (2) The court shall order sole decision making to 1 parent  
21 if the court finds any of the following:

22 (a) A limitation on the other parent's decision making  
23 authority is mandated by sections 13 to 17.

24 (b) Both parents are opposed to mutual decision making.

25 (c) One parent is opposed to mutual decision making and the  
26 opposition is reasonable based on the criteria in subsection  
27 (3).

1 (3) Except as provided in subsections (1) and (2), the court  
2 shall consider the following criteria in allocating decision  
3 making authority:

4 (a) The existence of a limitation under sections 13 to 17.

5 (b) The history of participation of each parent in decision  
6 making in each of the areas listed in section 8(1).

7 (c) Whether the parents have a demonstrated ability and  
8 desire to cooperate with one another in decision making in each  
9 of the areas listed in section 8(1).

10 (d) The parents' geographic proximity to one another to the  
11 extent that it affects their ability to make timely mutual  
12 decisions.

13 Sec. 12. (1) The court shall order residential or parenting  
14 time provisions for a child based on the best interests of the  
15 child that encourage each parent to maintain a loving, stable,  
16 and nurturing relationship with the child, consistent with the  
17 child's developmental level and the family's social and economic  
18 circumstances. The child's residential schedule or parenting  
19 time shall be consistent with sections 13 to 17. If the limita-  
20 tions of sections 13 to 17 are not dispositive of the child's  
21 residential schedule or parenting time, the court shall consider  
22 the following factors, giving the greatest weight to the factor  
23 in subdivision (a):

24 (a) The relative strength, nature, and stability of the  
25 child's relationship with each parent, including whether a parent  
26 has taken greater responsibility for performing parenting  
27 functions relating to the child's daily needs.



1 (b) An agreement by the parties, provided it was entered  
2 into knowingly and voluntarily.

3 (c) Each parent's past and potential for future performance  
4 of parenting functions.

5 (d) The child's emotional needs and developmental level.

6 (e) The child's relationship with siblings and with other  
7 significant adults, as well as the child's involvement with his  
8 or her physical surroundings, school, or other significant  
9 activities.

10 (f) The parents' wishes and the child's wishes if the child  
11 is sufficiently mature to express reasoned and independent pref-  
12 erences as to his or her residential schedule or parenting time.

13 (g) Each parent's employment schedule. The residential  
14 schedule or parenting time shall accommodate those employment  
15 schedules.

16 (2) The court may order that a child frequently alternate  
17 his or her residence between the parents' households for brief  
18 and substantially equal intervals of time only if the court finds  
19 all of the following:

20 (a) The provisions are in the best interests of the child.

21 (b) No limitation exists under sections 13 to 17.

22 (c) Either of the following:

23 (i) The parents have agreed to the provisions and the agree-  
24 ment was knowingly and voluntarily entered into.

25 (ii) The parents have a satisfactory history of cooperation  
26 and shared performance of parenting functions and the parents are  
27 available to each other, especially in geographic proximity, to

1 the extent necessary to ensure their ability to share performance  
2 of the parenting functions.

3       Sec. 13. A parenting plan shall not require mutual decision  
4 making or designation of an alternative dispute resolution pro-  
5 cess if the court finds that a parent has engaged in any of the  
6 following conduct:

7       (a) Willful abandonment that continues for an extended  
8 period of time or substantial refusal to perform parenting  
9 functions.

10       (b) Physical, sexual, or a pattern of emotional abuse of a  
11 child.

12       (c) A history of acts of domestic violence or an assault or  
13 sexual assault that causes grievous bodily harm or the fear of  
14 that harm.

15       Sec. 14. (1) Subject to subsection (3), a parent's parent-  
16 ing time with his or her child shall be limited if the court  
17 finds that the parent has engaged in any of the following  
18 conduct:

19       (a) Willful abandonment that continues for an extended  
20 period of time or substantial refusal to perform parenting  
21 functions.

22       (b) Physical, sexual, or a pattern of emotional abuse of a  
23 child.

24       (c) A history of acts of domestic violence or an assault or  
25 sexual assault that causes grievous bodily harm or the fear of  
26 that harm.

1       (2) Subject to subsection (3), a parent's parenting time  
2 with his or her child shall be limited if it is found that the  
3 parent resides with an individual who has engaged in any of the  
4 following conduct:

5       (a) Physical, sexual, or a pattern of emotional abuse of a  
6 child.

7       (b) A history of acts of domestic violence or an assault or  
8 sexual assault that causes grievous bodily harm or the fear of  
9 that harm. This subsection does not apply if subsection (3)  
10 applies.

11       (3) If a parent is convicted as an adult of a violation of  
12 any of sections 520b to 520e or of section 520g of the Michigan  
13 penal code, Act No. 328 of the Public Acts of 1931, being sec-  
14 tions 750.520b to 750.520e and 750.520g of the Michigan Compiled  
15 Laws, the court shall restrain the parent from contact with a  
16 child that would otherwise be allowed under this chapter. If a  
17 parent resides with an adult who has been convicted, or with a  
18 juvenile who has been adjudicated, of a violation of any of sec-  
19 tions 520b to 520e or of section 520g of the Michigan penal code,  
20 Act No. 328 of the Public Acts of 1931, being sections 750.520b  
21 to 750.520e and 750.520g of the Michigan Compiled Laws, the court  
22 shall restrain the parent from contact with the parent's child  
23 except contact that occurs outside that adult's or juvenile's  
24 presence.

25       Sec. 15. (1) The limitations imposed by the court under  
26 section 14(1) and (2) shall be reasonably calculated to protect  
27 the child from physical, sexual, or emotional abuse or harm that

1 could result if the child has contact with the parent requesting  
2 parenting time. If the court expressly finds, based on the evi-  
3 dence, that limitation on the parenting time with the child does  
4 not adequately protect the child from the harm or abuse that  
5 could result if the child has contact with the parent requesting  
6 parenting time, the court shall restrain the parent requesting  
7 parenting time from all contact with the child.

8       (2) The court shall not enter an order under subsection (1)  
9 allowing a parent to have contact with a child if the parent is  
10 found by clear and convincing evidence in a civil action or by a  
11 preponderance of the evidence in an action under the juvenile  
12 code, chapter XIIIA of Act No. 288 of the Public Acts of 1939,  
13 being sections 712A.1 to 712A.31 of the Michigan Compiled Laws,  
14 to have sexually abused the child. The court shall not enter an  
15 order allowing a parent to have contact with the child if the  
16 parent resides with an individual who is found by clear and con-  
17 vincing evidence in a civil action or by a preponderance of the  
18 evidence in an action under chapter XIIIA of Act No. 288 of the  
19 Public Acts of 1939 to have sexually abused a child.

20       (3) If the court limits parenting time under section 14(1)  
21 and (2) by requiring supervised contact between the child and the  
22 parent, the court shall not approve of a supervisor for contact  
23 between a child and a parent who has engaged in physical, sexual,  
24 or a pattern of emotional abuse of the child unless the court  
25 finds, based upon the evidence, that the supervisor accepts that  
26 the harmful conduct occurred and is willing to and capable of  
27 protecting the child from harm. The court shall revoke court

1 approval of the supervisor upon finding, based on the evidence,  
2 that the supervisor has failed to protect the child or is no  
3 longer willing to or capable of protecting the child.

4       Sec. 16. If the court expressly finds, based on the evi-  
5 dence, that contact between the parent and the child will not  
6 cause physical, sexual, or emotional abuse or harm to the child  
7 and that the probability that the parent's or another  
8 individual's harmful or abusive conduct will recur is so remote  
9 that it would not be in the child's best interests to apply the  
10 limitations of sections 14(1) and (2) and 15(1) and (3), or if  
11 the court expressly finds the parent's conduct did not have an  
12 impact on the child, then the court need not apply those  
13 limitations. The weight given to the existence of a personal  
14 protection order as to domestic violence is within the discretion  
15 of the court. This section does not apply if sections 14(3) and  
16 15(1) apply.

17       Sec. 17. (1) The court may preclude or limit the parenting  
18 plan if a parent's involvement or conduct could have an adverse  
19 effect on the best interests of the child as evidenced by the  
20 existence of any of the following factors:

21       (a) A parent's neglect or substantial nonperformance of par-  
22 enting functions.

23       (b) A long-term emotional or physical impairment that inter-  
24 feres with the parent's performance of parenting functions.

25       (c) A long-term impairment resulting from drug, alcohol, or  
26 other substance abuse that interferes with the performance of  
27 parenting functions.

1 (d) The absence or substantial impairment of emotional ties  
2 between the parent and the child.

3 (e) The abusive use of conflict by the parent that creates  
4 the danger of serious damage to the child's psychological  
5 development.

6 (f) A parent withholds from the other parent access to the  
7 child for a protracted period without good cause.

8 (g) Other factors the court expressly finds adverse to the  
9 best interests of the child.

10 (2) In entering a parenting plan, the court shall not draw a  
11 presumption from the provisions of a temporary parenting plan.

12 (3) In determining whether conduct described in this section  
13 has occurred, the court shall apply the civil rules of evidence,  
14 proof, and procedure.

15 Sec. 18. A parent seeking a temporary order relating to  
16 parenting shall file and serve a proposed temporary parenting  
17 plan by motion. If contesting the proposed temporary parenting  
18 plan, the other parent shall file and serve a responsive proposed  
19 parenting plan. Either parent may move to have a proposed tempo-  
20 rary parenting plan entered as part of a temporary order. The  
21 parents may enter an agreed temporary parenting plan at any time  
22 as part of a temporary order. The proposed temporary parenting  
23 plan may be supported by relevant evidence and shall be accom-  
24 panied by an affidavit that states at a minimum all of the  
25 following:

1 (a) The name, address, and length of residence with the  
2 individual or individuals with whom the child has lived for the  
3 preceding 12 months.

4 (b) The performance by each parent during the last 12 months  
5 of the parenting functions relating to the daily needs of the  
6 child.

7 (c) The parents' work and child care schedules for the pre-  
8 ceding 12 months.

9 (d) The parents' current work and child care schedules.

10 (e) Any of the circumstances set forth in sections 13 to 17  
11 that are likely to pose a serious risk to the child and that war-  
12 rant limitation on the award to a parent of temporary residence  
13 or parenting time with the child pending entry of a permanent  
14 parenting plan.

15 Sec. 19. (1) At a hearing on a motion brought under section  
16 18, the court shall enter a temporary parenting order incorporat-  
17 ing a temporary parenting plan that includes all of the  
18 following:

19 (a) A schedule for the child's parenting time with each  
20 parent when appropriate.

21 (b) Designation of a temporary residence for the child.

22 (c) Allocation of decision making authority, if any. Absent  
23 allocation of decision making authority consistent with  
24 section 11, neither party shall make a decision for the child  
25 other than those relating to day-to-day or emergency care of the  
26 child, which shall be made by the party who is present with the  
27 child.

1 (d) Temporary support for the child.

2 (e) A personal protection order, if applicable.

3 (2) A parent may make a motion for an order to show cause  
4 and the court may enter a temporary order, including a temporary  
5 parenting plan, upon a showing of necessity.

6 (3) A parent may move for amendment of a temporary parenting  
7 plan, and the court may order amendment to the temporary parent-  
8 ing plan, if the amendment conforms to the limitations of  
9 sections 13 to 17 and is in the best interests of the child.

10 (4) If a proceeding for divorce, separate maintenance, or  
11 annulment is dismissed, any temporary order or temporary parent-  
12 ing plan is vacated.

13 Sec. 20. (1) After considering the affidavit required by  
14 section 18 and other relevant evidence presented, the court shall  
15 order a temporary parenting plan that is in the best interests of  
16 the child. In making this determination, the court shall give  
17 particular consideration to each of the following:

18 (a) Which parent has taken greater responsibility during the  
19 last 12 months for performing parenting functions relating to the  
20 daily needs of the child.

21 (b) Which parenting arrangements will cause the least dis-  
22 ruption to the child's emotional stability while the action is  
23 pending.

24 (2) The court shall also consider the factors used to deter-  
25 mine a residential schedule or parenting time in a permanent par-  
26 enting plan.



1       Sec. 21. (1) The court may interview the child in chambers  
2 to ascertain the child's wishes as to the child's residential  
3 schedule in a proceeding for divorce, separate maintenance, or  
4 annulment. In its discretion, the court may permit counsel to be  
5 present at the interview.

6       (2) The court may seek the advice of professional personnel,  
7 whether or not they are employed on a regular basis by the  
8 court. The advice given shall be in writing and shall be made  
9 available by the court to counsel upon request. Counsel may call  
10 for cross-examination a professional consulted by the court.

11       Sec. 22. (1) Except as otherwise provided in subsection  
12 (3), the court shall not modify an earlier custody order or a  
13 parenting plan unless it finds by clear and convincing evidence,  
14 upon the basis of facts that have arisen since the earlier order  
15 or plan or that were unknown to the court at the time of the  
16 order or plan, that a substantial change has occurred in the cir-  
17 cumstances of the child or the nonmoving party and that the modi-  
18 fication is in the best interests of the child and is necessary  
19 to serve the best interests of the child.

20       (2) In applying these standards, the court shall retain the  
21 residential schedule established by the order or parenting plan  
22 unless any of the following is true:

23       (a) The parents agree to the modification.

24       (b) The child has been integrated into the family of the  
25 petitioner with the consent of the other parent in substantial  
26 deviation from the parenting plan.

1 (c) The child's present environment is detrimental to the  
2 child's physical, mental, or emotional health and the harm likely  
3 to be caused by a change of environment is outweighed by the  
4 advantage of a change to the child.

5 (d) The court has found the nonmoving parent in contempt of  
6 court at least twice within 3 years because the parent failed to  
7 comply with the residential schedule or parenting time provisions  
8 in the court-ordered parenting plan, or the parent has been con-  
9 victed of custodial interference.

10 (3) The court may order adjustments to a parenting plan upon  
11 a showing of a substantial change in circumstances of either  
12 parent or of the child, and without consideration of the factors  
13 set forth in subsection (2), if the proposed modification is only  
14 1 or more of the following:

15 (a) Modification of the dispute resolution process.

16 (b) Minor modification in the residential schedule that does  
17 not do either of the following:

18 (i) Change the residence the child is scheduled to reside in  
19 the majority of the time.

20 (ii) Exceed 24 full days in a calendar year or 5 full days  
21 in a calendar month.

22 (c) Based on a change of residence or an involuntary change  
23 in work schedule by a parent that makes the residential schedule  
24 in the parenting plan impractical to follow.

25 (4) A conviction of custodial interference constitutes a  
26 substantial change of circumstances for the purposes of this  
27 section.

1 (5) If the court finds that a petition to modify an earlier  
2 order or parenting plan is brought in bad faith, the court shall  
3 assess the attorney fees and court costs of the nonmoving parent  
4 against the moving party.

5 Sec. 23. (1) A parent seeking a temporary custody order or  
6 a temporary parenting plan or modification of a custody order or  
7 parenting plan shall submit, together with his or her petition,  
8 an affidavit setting forth facts supporting the requested order  
9 or modification and shall give notice, together with a copy of  
10 his or her affidavit, to other parties to the proceedings, who  
11 may file opposing affidavits. The court shall deny the petition  
12 unless it finds that adequate cause for hearing the motion is  
13 established by the affidavits, in which case it shall set a date  
14 for hearing on an order to show cause why the requested order or  
15 modification should not be granted.

16 (2) A parent may file a petition for modification of a par-  
17 enting plan only in the county of the court that issued the order  
18 implementing that plan. If the affidavit filed with a petition  
19 for modification of a parenting plan does not allege facts that  
20 constitute a substantial change of circumstances, the court may  
21 summarily dismiss the petition.

22 Sec. 24. Solely for the purposes of other state or federal  
23 statutes or other legal requirements that require a designation  
24 or determination of legal or physical custody for purposes such  
25 as, by way of example and not limitation, tax exemptions or  
26 health care benefits, the court may designate in the parenting  
27 plan or by separate order a child's legal or physical custodian

1 or custodians. This designation does not affect either parent's  
2 rights and responsibilities under the parenting plan. In the  
3 absence of such a designation, the parent with whom the child is  
4 scheduled to reside the majority of the time shall be considered  
5 the child's custodian for those purposes.

6 Sec. 29. This act shall not take effect unless all of the  
7 following bills of the 88th Legislature are enacted into law:

8 (a) House Bill No. 4432.

9 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 5635 (request  
10 no. 05704'95).

11 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. 5636 (request  
12 no. 05706'95 a).

13 (d) Senate Bill No. \_\_\_\_\_ or House Bill No. 5634 (request  
14 no. 05707'95).