

No. 55

JOURNAL OF THE SENATE

---

Senate Chamber, Lansing, Tuesday, June 24, 1997.

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—excused  
Bouchard—present  
Bullard—present  
Byrum—present  
Carl—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  
Koivisto—present  
McManus—present  
Miller—present  
North—present  
O'Brien—excused  
Peters—present  
Posthumus—present

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

Senator Mat J. Dunaskiss of the 16th District offered the following invocation:

Dear Lord, as we approach our country's Independence Day, we have a traditional family day. We ask for blessings on our family who give so much of their time so that we may serve. Let us give special thanks to all those who served their country, for their sacrifices, hardships as well as the truth and honor they so ably represented so we may have our freedoms today.

Most of all, let us remember and give thanks in Your name for the many blessings we receive. We pray this in Your 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 10:06 a.m.

10:26 a.m.

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

During the recess, Senators V. Smith, Miller, Cisky, Hoffman, Schuette, Shugars, Gougeon, Van Regenmorter, Carl, McManus, Bullard, Steil, Bennett, Gast, Cherry and Emmons entered the Senate Chamber.

A quorum of the Senate was present.

Senator DeGrow moved that Senator Bouchard be temporarily excused from today's session.  
The motion prevailed.

Senator DeGrow moved that Senator Stille be excused from today's session.  
The motion prevailed.

Senator V. Smith moved that Senators Stallings and Young be temporarily excused from today's session.  
The motion prevailed.

Senator V. Smith moved that Senators Berryman and O'Brien be excused from today's session.  
The motion prevailed.

The following communications were received:  
Colorado State House of Representatives

May 16, 1997

It is my pleasure to forward to you House Joint Resolution 97-1003 which was adopted by the First Regular Session of the 61st General Assembly of the State of Colorado.

This resolution respectfully urges the 105th Congress of the United States to consider the proposals in this resolution as "Intermodal Surface Transportation Efficiency Act of 1991" (ISTEA) comes under scrutiny for reauthorization.

May 16, 1997

It is my pleasure to forward to you House Joint Resolution 97-1011 which was adopted by the First Regular Session of the 61st General Assembly of the State of Colorado.

This resolution requests the United States Congress expeditiously pass, and propose to the legislatures of the several states for ratification, an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.

May 16, 1997

It is my pleasure to forward to you House Joint Resolution 97-1027 which was adopted by the First Regular Session of the 61st General Assembly of the State of Colorado.

This resolution urges the Congress of the United States to amend or repeal those specific provisions of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996" set forth in this Resolution that place undue burden and expense upon the several states, that impose insufficiently funded mandates upon the states in the establishment, modification, and enforcement of child support obligations, or that unjustifiably intrude into the personal lives of the law-abiding citizens of the United States of America.

Sincerely,  
Judith M. Rodrigue  
Chief Clerk of the House

The communications were referred to the Secretary for record.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:00 a.m. this date, administrative rule (97-6-1) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Prelicensure Education*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:02 a.m. this date, administrative rule (97-6-2) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Marine, Inland Marine, and Transportation Coverages*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:04 a.m. this date, administrative rule (97-6-3) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Electronic Data Processing Equipment Definition*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:06 a.m. this date, administrative rule (97-6-4) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Accident and Sickness Insurance Advertising*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:08 a.m. this date, administrative rule (97-6-5) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Advertisement of Life Insurance and Annuities*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:10 a.m. this date, administrative rule (97-6-6) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Life Insurance Contracts on Variable Basis*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:12 a.m. this date, administrative rule (97-6-7) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Accident and Sickness Insurance Advertising*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:14 a.m. this date, administrative rule (97-6-8) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*General Rules*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:16 a.m. this date, administrative rule (97-6-9) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*General Rules*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:18 a.m. this date, administrative rule (97-6-10) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Nonprofit Hospital Service Corporation Contract*," effective 15 days hereafter.

June 2, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:20 a.m. this date, administrative rule (97-6-11) for the Department of Consumer and Industry Services, Insurance Bureau, entitled "*Written Examination for Health and Accident Agents*," effective 15 days hereafter.

June 17, 1997

In accordance with the provisions of Section 46(1) of Act 306, 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 10:03 a.m. this date, administrative rule (97-6-12EX) for the Michigan Department of State, Bureau of Elections, entitled "*Campaign Financing Emergency Rule Extended*," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The following communications were received:  
Office of the Auditor General

June 12, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of St. Clair County Community Mental Health Services, Department of Community Health.

June 16, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Driver Licensing and Vehicle Registration Processes, Bureau of Driver and Vehicle Records and Bureau of Branch Office Services, Department of State.

June 17, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Federal Cash Management Improvement Act Program, Department of Treasury.

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

The communications were referred to the Secretary for record.

The following communication was received:  
Department of Environmental Quality

June 13, 1997

I am submitting the enclosed list of projects approved for funding under the Michigan Great Lakes Protection Fund in compliance with Act 156 of the Public Acts of 1989. These projects were recommended by the Michigan Great Lakes Protection Fund Technical Advisory Board after extensive review. Funding for these projects was approved under the Department's FY 1997 appropriations. Also enclosed is a listing of the criteria used in assigning priority to the projects.

If you have any questions, please contact me at 335-4227.

Sincerely,  
Mark A. Coscarelli  
Manager  
Michigan Great Lakes Protection Fund  
Office of the Great Lakes

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 Wednesday, June 18:  
**House Bill Nos. 4666 4721 4732 4744**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, June 20:  
**House Bill Nos. 4055 4636 4791 4792 4793**

The Secretary announced the enrollment printing and presentation to the Governor on June 18, for his approval the following bill:

**Enrolled Senate Bill No. 128 at 10:32 a.m.**

The Secretary announced the printing and placement in the members' files on Monday, June 16 of:  
**Senate Bill Nos. 595 596 597 598 599 600 601 602 603 604 605 606 607 608**  
**609 610 611**

The Secretary announced the printing and placement in the members' files on Wednesday, June 18 of:  
**House Bill No. 4926**

The Secretary announced the printing and placement in the members' files on Thursday, June 19 of:  
**House Bill Nos. 4927 4931 4941**

The Secretary announced the printing and placement in the members' files on Friday, June 20 of:  
**House Bill Nos. 4924 4925 4928 4929 4930 4932 4933 4934 4935 4936 4937 4938**  
**House Joint Resolution Y**

The Secretary announced the printing and placement in the members' files on Monday, June 23 of:  
**House Bill Nos. 4939 4940 4942 4943 4944 4945 4946**

By unanimous consent the Senate proceeded to the order of  
**Messages from the House**

Senator Emmons asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Emmons' statement is as follows:

Tony Teeple has been an intern in my office has been an outstanding person as most graduates of Central Michigan University are. He will be moving on. His parents and grandfather are in the gallery today, and I'd ask them to stand. Erica Caliss, who is a dear friend of mine from Bad Axe is also up in the gallery.

We all want to thank Tony of the good service that he's put in in my office. He's been an outstanding intern and we wish him well in where he's going because we know with Tony's fine smile and his good personality and his good work habits, that he's going to be an asset to anyone who employees him, and we're just grateful to you Tony for the work you have done this year and thank your parents and Erica for coming down today to honor you.

Senator Young entered the Senate Chamber.

**Senate Bill No. 166, 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, 1998; 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.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 367**

**Yeas—10**

Byrum  
Cherry  
Conroy

DeBeaussaert  
Dingell  
Miller

Peters  
Smith, A.

Smith, V.  
Young

**Nays—18**

Bennett  
Bullard  
Carl  
Cisky  
DeGrow

Dunaskiss  
Emmons  
Gast  
Geake  
Gougeon

Koivisto  
McManus  
North  
Schwarz

Shugars  
Steil  
Van Regenmorter  
Vaughn

**Excused—5**

Berryman  
Bouchard

O'Brien

Stallings

Stille

**Not Voting—5**

Hart  
Hoffman

Posthumus

Rogers

Schuette

In The Chair: President

Senators Bouchard, Rogers and Posthumus entered the Senate Chamber.

Senator V. Smith moved that Senator Hart be temporarily excused from the balance of today's session. The motion prevailed.

**Senate Bill No. 164, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 368**

**Yeas—7**

Byrum	Dingell	Smith, V.	Young
Cherry	Peters	Vaughn	

**Nays—24**

Bennett	DeBeaussaert	Gougeon	Rogers
Bouchard	DeGrow	Koivisto	Schuette
Bullard	Dunaskiss	McManus	Schwarz
Carl	Emmons	Miller	Shugars
Cisky	Gast	North	Steil
Conroy	Geake	Posthumus	Van Regenmorter

**Excused—5**

Berryman	O'Brien	Stallings	Stille
Hart			

**Not Voting—2**

Hoffman	Smith, A.
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In The Chair: President

**Senate Bill No. 172, entitled**

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 369**

**Yeas—10**

Cherry	Dingell	Smith, A.	Vaughn
Conroy	Miller	Smith, V.	Young
DeBeaussaert	Peters		

**Nays—22**

Bennett	DeGrow	Koivisto	Schuette
Bouchard	Dunaskiss	McManus	Schwarz
Bullard	Emmons	North	Shugars
Byrum	Gast	Posthumus	Steil
Carl	Geake	Rogers	Van Regenmorter
Cisky	Gougeon		

**Excused—5**

Berryman	O'Brien	Stallings	Stille
Hart			

**Not Voting—1**

Hoffman

In The Chair: President

Senator Hart entered the Senate Chamber.

**Senate Bill No. 342, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 411h and 411i (MCL 750.411h and 750.411i), section 411h as added by 1992 PA 260 and section 411i as added by 1992 PA 261.

(For text of amendments, see Senate Journal No. 54, p. 950.)

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 370****Yeas—33**

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

**Nays—0****Excused—4**

Berryman	O'Brien	Stallings	Stille
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**Not Voting—1**

Hoffman

In The Chair: President

The Senate agreed to the full title of the bill.

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

Senator Shugars moved that he be named co-sponsor of the following bill:

**Senate Bill No. 342**

The motion prevailed.

Senator DeGrow moved that Senator Hoffman be temporarily excused from today's session.

The motion prevailed.

**House Bill No. 4305, entitled**

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Price, Mathieu and McBryde as conferees.

**House Bill No. 4306, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending September 30, 1997; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Ciaramitaro, Emerson and Johnson as conferees.

**House Bill No. 4307, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Owen, Prusi and Geiger as conferees.

**House Bill No. 4308, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Emerson, Kelly and Oxender as conferees.

**House Bill No. 4309, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Hood, Tesanovich and Gilmer as conferees.

**House Bill No. 4310, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 6a, 11, 17b, 20, 20d, 20i, 24, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 95, 99, 101, 104a, 107, 108, 111, 147, 151, 167, and 169a (MCL 388.1606, 388.1606a, 388.1611, 388.1617b, 388.1620, 388.1620d, 388.1620i, 388.1624, 388.1626, 388.1631a, 388.1636, 388.1639, 388.1641, 388.1651a, 388.1652, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1658, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694, 388.1695, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1708, 388.1711, 388.1747, 388.1751, 388.1767, and 388.1769a), sections 6, 11, 17b, 20, 20d, 24, 31a, 36, 39, 41, 52, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 104a, 111, 147, and 167 as amended and sections 20i, 51a, 53a, 107, 108, and 169a as added by 1996 PA 300, sections 6a, 95, and 151 as amended by 1995 PA 130, and section 26 as amended by 1994 PA 283, and by adding sections 26a, 31b, 67, 68, 94a, 105a, 166d, and 166e; and to repeal acts and parts of acts.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Emerson, Kelly and Oxender as conferees.

**Senate Bill No. 167, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; 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 substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 371****Yeas—8**

Cherry	DeBeaussaert	Hart	Smith, A.
Conroy	Dingell	Peters	Young

**Nays—25**

Bennett	Dunaskiss	Koivisto	Schwarz
Bouchard	Emmons	McManus	Shugars
Bullard	Gast	North	Smith, V.
Byrum	Geake	Posthumus	Steil
Carl	Gougeon	Rogers	Van Regenmorter
Cisky	Hoffman	Schuette	Vaughn
DeGrow			

**Excused—4**

Berryman	O'Brien	Stallings	Stille
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**Not Voting—1**

Miller

In The Chair: President

Senator Byrum moved that Senator Miller be temporarily excused from the balance of today’s session. The motion prevailed.

Senator Miller entered the Senate Chamber.

**Senate Bill No. 168, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; 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 substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 372**

**Yeas—10**

Byrum	Dingell	Miller	Smith, V.
Cherry	Hart	Peters	Young
Conroy	Koivisto		

**Nays—23**

Bennett	DeGrow	Hoffman	Schwarz
Bouchard	Dunaskiss	McManus	Shugars
Bullard	Emmons	North	Smith, A.
Carl	Gast	Posthumus	Steil
Cisky	Geake	Rogers	Vaughn
DeBeaussaert	Gougeon	Schuette	

**Excused—4**

Berryman	O’Brien	Stallings	Stille
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**Not Voting—1**

Van Regenmorter

In The Chair: President

**Senate Bill No. 169, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 373****Yeas—8**

Cherry  
Conroy

Dingell  
Hart

Peters  
Smith, A.

Vaughn  
Young

**Nays—24**

Bennett  
Bouchard  
Bullard  
Carl  
Cisky  
DeBeaussaert

DeGrow  
Dunaskiss  
Emmons  
Gast  
Geake  
Gougeon

Hoffman  
Koivisto  
McManus  
Miller  
North  
Posthumus

Rogers  
Schuette  
Schwarz  
Shugars  
Steil  
Van Regenmorter

**Excused—4**

Berryman

O'Brien

Stallings

Stille

**Not Voting—2**

Byrum

Smith, V.

In The Chair: President

Senator Byrum moved that Senator V. Smith be temporarily excused from the balance of today's session.  
The motion prevailed.

**Senate Bill No. 171, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 374****Yeas—11**Byrum  
Cherry  
ConroyDeBeaussaert  
Dingell  
HartKoivisto  
Peters  
Smith, A.Vaughn  
Young**Nays—22**Bennett  
Bouchard  
Bullard  
Carl  
Cisky  
DeGrowDunaskiss  
Emmons  
Gast  
Geake  
Gougeon  
HoffmanMcManus  
Miller  
North  
Posthumus  
RogersSchuette  
Schwarz  
Shugars  
Steil  
Van Regenmorter**Excused—5**Berryman  
O'Brien

Smith, V.

Stallings

Stille

**Not Voting—0**

In The Chair: President

Senator V. Smith entered the Senate Chamber.

**Senate Bill No. 173, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 375****Yeas—0****Nays—34**Bennett  
Bouchard  
Bullard  
Byrum  
Carl  
CherryDeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast  
GeakeKoivisto  
McManus  
Miller  
North  
Peters  
PosthumusSchwarz  
Shugars  
Smith, A.  
Smith, V.  
Steil  
Van Regenmorter

Cisky  
Conroy  
DeBeaussaert

Gougeon  
Hart  
Hoffman

Rogers  
Schuette

Vaughn  
Young

**Excused—4**

Berryman

O'Brien

Stallings

Stille

**Not Voting—0**

In The Chair: President

**Senate Bill No. 174, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 376**

**Yeas—13**

Byrum  
Cherry  
Conroy  
DeBeaussaert

Dingell  
Hart  
Koivisto

Miller  
Peters  
Smith, A.

Smith, V.  
Vaughn  
Young

**Nays—21**

Bennett  
Bouchard  
Bullard  
Carl  
Cisky  
DeGrow

Dunaskiss  
Emmons  
Gast  
Geake  
Gougeon

Hoffman  
McManus  
North  
Posthumus  
Rogers

Schuette  
Schwarz  
Shugars  
Steil  
Van Regenmorter

**Excused—4**

Berryman

O'Brien

Stallings

Stille

**Not Voting—0**

In The Chair: President

**Senate Bill No. 305, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 160a. The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 160b.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 526, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

Senators DeGrow and Emmons offered the following amendments to the substitute:

1. Amend page 4, line 19, after “AFTER” by striking out “JANUARY 1, 1992” and inserting “DECEMBER 31, 1991”.

2. Amend page 5, line 2, by striking out “1992” and inserting “1991”.

The amendments to the substitute were adopted.

The question being on concurring in the House substitute, as amended,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 377**

**Yeas—34**

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

**Nays—0**

**Excused—4**

Berryman	O’Brien	Stallings	Stille
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**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.  
The Senate agreed to the full title of the bill.

**House Bill No. 4520, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "An act to create a liquor control commission for the control of the alcoholic beverage traffic within the state of Michigan, and to prescribe its powers, duties and limitations; to provide for the control of the alcoholic liquor traffic within the state of Michigan and the establishment of 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 thereto; to provide for the licensing and taxation thereof, and the disposition of the moneys received under this act; to prescribe liability for retail licensees under certain circumstances; 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 the confiscation and disposition of property seized under the provisions of this act; to provide a referendum in certain cases; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date," by amending section 17h (MCL 436.17h), as amended by 1996 PA 379.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 3, line 9, after "UNIVERSITY," by inserting "WALKER CISLER CENTER AT LAKE SUPERIOR STATE UNIVERSITY."

The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the full title.  
Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Dingell introduced

**Senate Bill No. 612, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," (MCL 24.201 to 24.328) by adding section 24a.

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

Senators Bullard, Rogers, Cisky and Hoffman introduced

**Senate Bill No. 613, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 222 (MCL 257.217 and 257.222), section 217 as amended by 1996 PA 59 and section 222 as amended by 1993 PA 300.

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

Senators Cisky, Gougeon, Schwarz, Rogers, Schuette, Gast, Steil, Hoffman, DeGrow, McManus, Vaughn, Miller, Hart, Dingell, Conroy, Byrum, Koivisto, North, Bennett, Dunaskiss, Peters, Stallings, V. Smith, O'Brien, DeBeaussaert, Bullard, Berryman, Cherry, Bouchard, Stille and Shugars introduced

**Senate Bill No. 614, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding sections 128, 129, 130, and 131.

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

Senators Dunaskiss, Shugars, Bullard, Emmons and McManus introduced

**Senate Bill No. 615, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 202, 203, and 402 (MCL 37.2202, 37.2203, and 37.2402), section 202 as amended by 1991 PA 11 and section 402 as amended by 1993 PA 216.

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

Senator Dingell introduced

**Senate Bill No. 616, entitled**

A bill to amend 1994 PA 358, entitled "An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 2 (MCL 287.892).

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



Senator Steil introduced

**Senate Bill No. 617, entitled**

A bill to make appropriations to the Michigan future teachers program fund.

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

Senator Geake introduced

**Senate Bill No. 619, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

The bill was read a first and second time by title.

Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

On which motion Senator Cherry requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

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

Senator Cherry asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Cherry's statement is as follows:

I initially called for the yeas and nays because I wanted to be able to vote "no" and make a "no" vote statement. We just suspended the rules to allow the introduction of this bill and allow for it to remain on the floor for the body's consideration at a later date. The explanation that was given here was that there was a July 1 deadline so it was important that we expedite this bill and not allow it to go to committee. I would like to remind the body that there is also a five-day rule on the bill moving between houses. So we can do whatever we want to do today. We're still not going to make this July 1 deadline because of the two five-day rules.

It's a very spurious reason to use a July 1 deadline as a reason to suspend the rules because we're not going to meet it anyway. More importantly, this is an old issue. It's been around for some time. We've known for three years, three years about this federal deadline. The federal government communicated this to us back in April. It reminded us for the last time and here we are in June now talking about being up against the wall. We're up against the wall because of our own inaction. There are people out there who would really like to see a hearing on this bill to get to the bottom of why we are not proceeding on this conversion as we ought to. Quite frankly, there's a very good reason why we've been held up. The reason is because the people who receive the contract to do the MESA computer conversion have messed it all up.

We have again, another instance of a private contractor responsible for state computerization, who has messed up the project. The reason we don't want to have a hearing on this bill is to bring to light, again, how these private contractors dealing with state computerization can't get it right. I think that's kind of sad. We could have introduced a bill, had it referred to committee, not suspended the rules, had the hearing and perhaps then passed the legislation. We would not have put ourselves any later than we'll be anyway because of the five-day rule on introduction and the five-day rule that the second house can't consider the bill until five days have elapsed.

I'm most chagrined here that what we've done is we've been asked to expedite a process under the pretense that we needed it to meet a deadline, when in fact it's not possible to meet the deadline and by expediting it in this fashion, we are not able to hold a hearing on the bill and bring certain important questions to light. I think that is inappropriate. Had we gotten to a roll call vote on this I would have voted "no." That did not occur, but at the same time, I wanted to point out to the body that we may think we're expediting this but in fact our own rules will prevent us in succeeding in passing this bill and having it signed into law by July 1.

Senator Stallings entered the Senate Chamber.

**House Bill No. 4055, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11118a.

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. 4328, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28.

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.

Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4636, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20129a (MCL 324.20129a), as added by 1995 PA 71.

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.

Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

**House Bill No. 4666, entitled**

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 10a.

The House of Representatives has passed the bill by a 3/4 vote 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 Gaming and Casino Oversight.

**House Bill No. 4721, entitled**

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 6a.

The House of Representatives has passed the bill by a 3/4 vote 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 Gaming and Casing Oversight.

**House Bill No. 4732, entitled**

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 6c.

The House of Representatives has passed the bill by a 3/4 vote 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 Gaming and Casing Oversight.

**House Bill No. 4744, entitled**

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 18.

The House of Representatives has passed the bill by a 3/4 vote 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 Gaming and Casing Oversight.

**House Bill No. 4791, entitled**

A bill to provide regulations and prohibitions concerning certain dangerous exotic animals; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of certain dangerous exotic animals; and to prescribe penalties and provide remedies.

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 Agriculture and Forestry.

**House Bill No. 4792, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 429.

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 Agriculture and Forestry.

**House Bill No. 4793, entitled**

A bill to provide regulations and prohibitions concerning wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf-dog crosses; and to prescribe penalties and provide remedies.

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 Agriculture and Forestry.

By unanimous consent the Senate returned to the order of

**Messages from the House****Senate Bill No. 225, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 353d.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 2, after "1997" by striking out "ONLY".
2. Amend page 2, line 6, after "THE" by striking out the balance of the sentence and inserting "APPROPRIATE MATERIALS BASED ON ACCEPTED ENGINEERING STANDARDS. NOTHING IN THIS ACT SHALL PRECLUDE THE USE OF ANY DEPARTMENT APPROVED CONSTRUCTION METHOD OR MATERIAL."
3. Amend page 2, line 15, after "BE" by striking out the balance of the sentence and inserting "CONSIDERED A WORK PROJECT, AND SHALL NOT BE RETURNED TO THE STATE FOR DEPOSIT IN THE FUND, SHALL REMAIN AVAILABLE FOR EXPENDITURE FOR THE PURPOSES FOR WHICH APPROPRIATED."

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

Pursuant to rule 3.202, the bill was laid over one day.

**House Bill No. 4307, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has appointed Rep. Rison to replace Rep. Prusi as conferee.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The Secretary announced that the Majority Leader has made the appointment of the following conference committees:

**House Bill No. 4305** - Senators Gast, DeGrow and Vaughn.

**House Bill No. 4306** - Senators Geake, Schwarz and Conroy.

**House Bill No. 4307** - Senators Cisky, Hoffman and Vaughn.

**House Bill No. 4308** - Senators DeGrow, Schwarz and Conroy.

**House Bill No. 4309** - Senators Schwarz, Cisky and Koivisto.

**House Bill No. 4310** - Senators DeGrow, Schwarz and Conroy.

The conference committee appointments were approved, a majority of the members serving voting therefor.

**Messages from the Governor**

The following messages from the Governor were received:

Date: June 11, 1997

Time: 6:35 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 51 (Public Act No. 19), being**

An act to amend 1994 PA 451, entitled "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," by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

(Filed with the Secretary of State on June 12, 1997, at 2:15 p.m.)

Date: June 11, 1997  
Time: 6:42 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 229 (Public Act No. 20), being**

An act to amend 1965 PA 232, entitled "An act relating to the marketing of agricultural commodities; to provide for marketing programs, agreements, referendums by producers, assessments on producers, and commodity committees; and to prescribe the functions of the department of agriculture relative thereto including powers of enforcement of this act; and to prescribe penalties," by amending section 8 (MCL 290.658), as amended by 1996 PA 216.

(Filed with the Secretary of State on June 12, 1997, at 2:17 p.m.)

Date: June 11, 1997  
Time: 6:44 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 230 (Public Act No. 21), being**

An act to amend 1957 PA 4, entitled "An act to provide for the incorporation of municipal authorities to acquire, own and operate water supply and transmission systems; to provide a municipal charter therefor; and to prescribe the powers and functions thereof," by amending section 17 (MCL 121.17).

(Filed with the Secretary of State on June 12, 1997, at 2:19 p.m.)

Date: June 11, 1997  
Time: 6:46 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 233 (Public Act No. 22), being**

An act to amend 1846 RS 16, entitled "Of the powers and duties of townships, the elections and duties of township officers, and the division of townships," by amending section 77 (MCL 41.77), as amended by 1989 PA 77.

(Filed with the Secretary of State on June 12, 1997, at 2:21 p.m.)

Date: June 11, 1997  
Time: 6:48 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 234 (Public Act No. 23), being**

An act to amend 1966 PA 331, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; and to repeal certain acts and parts of acts," by amending section 142 (MCL 389.142), as amended by 1984 PA 299.

(Filed with the Secretary of State on June 12, 1997, at 2:23 p.m.)

Date: June 18, 1997  
Time: 10:33 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 322 (Public Act No. 28), being**

An act to designate the first Monday following February 4 as Mrs. Rosa L. Parks day in the state of Michigan.

(Filed with the Secretary of State on June 18, 1997, at 10:55 a.m.)

Date: June 18, 1997  
Time: 10:35 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 140 (Public Act No. 29), being**

An act to amend 1994 PA 451, entitled “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,” by amending section 3101 (MCL 324.3101) and by adding sections 3131, 3132, and 3133.

(Filed with the Secretary of State on June 18, 1997, at 10:57 a.m.)

Respectfully,  
John Engler  
Governor

The following messages from the Governor were received and read:

June 19, 1997

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

**Board of Plumbing**

Mr. James W. Barnhart, 5040 Thorncroft, Royal Oak, Michigan 48073, county of Oakland, as a member representing journeyman plumbers, succeeding himself, for a term expiring on June 30, 2000.

June 19, 1997

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

**Employment Relations Commission**

Mr. C. Barry Ott, 1924 Newton Avenue, Grand Rapids, Michigan 49506, county of Kent, as a member representing Republicans, succeeding himself, for a term expiring on June 30, 2000.

June 19, 1997

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

**Michigan Corn Marketing Committee**

Mrs. Pearl Kay Wirbel, 4240 Stark Road, Hope, Michigan 48628, county of Midland, as a member representing growers from District 9, succeeding Mr. Robert John Rosenow of Prescott, whose term has expired, for a term expiring on March 5, 2000.

Mr. Earl F. Collier, 2574 127 Avenue, Allegan, Michigan 49010, county of Allegan, as a member representing growers from District 1, succeeding himself, for a term expiring on March 5, 2000.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

### Committee Reports

#### COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submits the following:  
Meeting held on Wednesday, May 21, 1997, at 12:00 Noon, Elijah Myers Room, Capitol Building  
Present: Senators McManus (C), Emmons, Schwarz and Conroy

#### COMMITTEE ATTENDANCE REPORT

The Trial Court Assessment Commission submits the following:  
Meeting held on Friday, June 13, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building  
Present: Senator Van Regenmorter (C)  
Excused: Senator Dingell

**Scheduled Meeting**

Natural Resources and Environmental Quality Appropriations Subcommittee - Wednesday, June 25, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1725).

Senator DeGrow moved that the Senate adjourn.  
The motion prevailed, the time being 11:54 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, June 25, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.