

# JOURNAL OF THE SENATE

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No. 74

Senate Chamber, Lansing, Tuesday, October 14, 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 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  
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—excused  
Stallings—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Senator Christopher D. Dingell of the 7th District offered the following invocation:

Lord, we give thanks for the seasons. That of romance, planting and harvest are past. Deer hunters give thanks that theirs is here at last. We hunt deer because we love to and because we love the environs where deer are found, which are invariably beautiful. Because of all the television commercials, cocktail parties and assorted social posturing, we've had to endure that we will escape. Because in a world where most people seem to spend their lives doing things they hate, our hunting is at once an endless source of delight and an act of small rebellion. Because deer do not lie or cheat and cannot be bought or bribed or impressed by power, they respond only to quietude, humility and endless patience. Because we suspect that people are going along this way for the last time, we don't want to waste the trip. Mercifully there are no telephones in most deer blinds; because only in the woods can we find solitude without loneliness; because libations out of an old tin cup taste better out there. And finally, not because we regard hunting as being so terribly important, but because we suspect that so many of the other concerns are equally unimportant and nowhere near as much fun, we give thanks.

### Motions and Communications

Senator Berryman moved that Senator A. Smith be temporarily excused from today's session.  
The motion prevailed.

Senator Berryman moved that Senator V. Smith be excused from this week's sessions.  
The motion prevailed.

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

The motion prevailed.

Senator Posthumus' statement is as follows:

As the Senate Majority Leader, I would like to take a moment to welcome the viewers on our television this morning. This is the first session on Michigan Government Television or MGTV as it has been commonly referred to. I think we owe some thanks to the Michigan Cable Telecommunications Association and all of those who were involved in assisting to make these broadcasts because it is really a historic moment for this state, as the broadcast is going to go into about 1.25 million homes on 33 television systems across this state. What it means is that, as we debate issues here, it is going to give the citizens of our state a chance to directly become involved in the work of their state as they listen to our arguments. It's just one more step in our effort to continue to open up government to our people who helped send us here, and to make democracy work in Michigan. I invite all of the viewers from the state to become fellow participants in our legislative work. I urge you to follow the debate, look closely, and voice your opinions to your legislators.

You'll find as we work here, sometimes this will frustrate you as it does us. Sometimes it will infuriate you and other times it will probably bore you. But we represent the state of Michigan and all of its different attitudes and varying textures and tones, and wherever you are, we hope that you will become involved in your government because this is your government.

Senator Cherry's statement is as follows:

I, too, wanted to join the Majority Leader in his statement in welcoming the viewers in the state of Michigan to this historic moment, where the State Senate will now be open to public view on television. It is a momentous occasion and I do believe that historically we, as a nation, have benefitted from the cameras' eye on our Congress through CSPAN. I suspect and hope that the same will be true today and in future days as our public has an opportunity to view the proceedings of the Senate, and in the not so distant future, the House as well. I think it will bring more public attention to what we do here in state government and help our citizens make more informed decisions as they participate in our democracy on election day. I think they will benefit by the issues and debate that occurs here on the Senate floor and helps us all, citizens and legislators as well, to understand those issues—to make them matters of public discourse in our homes, our neighbors and our coffee shops. I think this state, both in terms of its institutions and its citizenry, will benefit by this new venture with Michigan MGTV. I, too, welcome Michigan viewers and hope they enjoy and learn from this experience that they will now have available to them.

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

October 1, 1997

In accordance with Public Act 304 of 1982, the attached 1996 Annual Report for the Michigan Utility Consumer

Representation Fund is transmitted to the Legislature.

The state's five largest utilities were required, under this Act, to contribute a total of \$813,000 to fund intervention participation in cost increase and reconciliation cases filed by utilities with the Michigan Public Service Commission.

The Utility Consumer Participation Board grant recipients reported disallowed costs by the Michigan Public Service Commission for 1996 in the amount of \$12,551,000. This action was a result of intervention efforts either by grantees alone, or in conjunction with other parties. The Utility Consumer Participation Board awarded \$399,080 for 1996 intervention cases. The Attorney General's Office received \$386,175 for intervention by that Office on behalf of the utility ratepayers of Michigan.

The Attorney General's Office will send their P.A. 304 Annual Report under separate cover.

Sincerely,  
Matthew E. McLogan  
Chair

The communication was referred to the Secretary for record.

The following communications were received:

Office of the Auditor General

October 9, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of Grand Rapids Community College, October 1997.

October 10, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Community Mental Health Services Board of Lenawee County. An Agency Under Contract with the Department of Community Health, October 1997.

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

The communications were referred to the Secretary for record.

The following communication was received:

Office of the Senate Majority Leader

October 10, 1997

Pursuant to House Concurrent Resolution 34, I hereby appoint the following members to the special committee to study and make recommendations regarding Michigan's campaign finance laws:

Senator Robert Geake

Senator George McManus

Please make this communication part of the official Senate record.

Sincerely,  
Dick Posthumus  
Senate Majority Leader

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, October 9:  
**House Bill Nos. 4355 4655 4951**

The Secretary announced the enrollment printing and presentation to the Governor on October 13, for his approval the following bills:

**Enrolled Senate Bill No. 118 at 3:00 p.m.**

**Enrolled Senate Bill No. 119 at 3:02 p.m.**

**Enrolled Senate Bill No. 120 at 3:04 p.m.**

The Secretary announced the printing and placement in the members' files on Monday, October 6 of:

**Senate Bill Nos. 708 709 712 713 714 715 718 720**

The Secretary announced the printing and placement in the members' files on Monday, October 13 of:

Senate Bill Nos. 732 733 734 735 736 737 738 739 740 742  
 House Bill Nos. 5221 5222 5223 5224 5225 5226 5227 5236 5237 5238 5239 5240 5241  
**Messages from the Governor**

The following message from the Governor was received on October 13, 1997, and read:

EXECUTIVE ORDER  
 No. 1997 - 16

**Michigan Department of Consumer and Industry Services**

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

Whereas, Article V, Section 8, of the Constitution of the State of Michigan of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution.

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

1. Sections A.2. and A.3. of Executive Order 1997-13 are hereby rescinded in their entirety.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of October, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler  
 Governor

By the Governor:  
 Candice S. Miller  
 Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

October 10, 1997

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

**Athletic Board of Control**

Mr. Ronald Duane Moore, 613 Deauville, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing professionals, succeeding himself, for a term expiring on March 31, 2001.

Ms. Elizabeth Louise LaVallee, 806 Broadway, Davisburg, Michigan 48350, county of Oakland, as a member representing the general public, succeeding Ms. Margaret D. Sample of Detroit, whose term has expired, for a term expiring on March 31, 2001.

October 10, 1997

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

**Michigan Tax Tribunal**

Ms. Marie Elena Martell, 1718 Greencrest, East Lansing, Michigan 48823, county of Ingham, as a member representing attorneys and the general public, succeeding herself, for a term expiring on June 30, 2001.

Mr. Thomas G. Pegler, 30445 Sunderland Drive, Farmington Hills, Michigan 48331, county of Oakland, as a member representing CPAs, succeeding Ms. Carol Ann Dean of Grand Ledge, whose term has expired, for a term expiring on June 30, 2001.

October 10, 1997

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

**Michigan Strategic Fund Board of Directors**

Ms. Marilyn I. Barnett, 235 Harlan Drive, Bloomfield Hills, Michigan, county of Oakland, as a member representing women and small businesses, succeeding herself, for a term expiring on December 31, 1999.

October 10, 1997

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

**Central Michigan University Board of Trustees**

Ms. Melanie L. Reinhold Foster, 6340 Skyline Drive, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Mr. Frank A. Guido of Dearborn, for a term expiring on December 31, 2004.

October 10, 1997

Please be advised of the following reappointments to office with the advice and consent of the Michigan Senate:

**Michigan Underground Storage Tank Financial Assurance Policy Board**

Dr. V. Harry Adrounie, 1905 N. Broadway, Hastings, Michigan 49058, county of Barry, as a member representing the general public, succeeding himself, for a term expiring on September 17, 1999.

Mr. Jeffery E. Weston, 37641 Dorchester Drive, Farmington Hills, Michigan 48331, county of Oakland, as a member representing petroleum refiner-supplier trade associations, succeeding himself, for a term expiring on September 17, 1999.

Mr. John Malium Dimmick, 57276 Sodaman Road, Marcellus, Michigan 49067, county of Cass, as a member representing independent petroleum wholesale distributor-marketer trade associations, succeeding himself, for a term expiring on September 17, 1999.

Mr. Terrell W. Burns, 11660 South Green Road, Riverdale, Michigan 48877, county of Gratiot, as a member representing service station dealers' trade associations, succeeding himself, for a term expiring on September 17, 1999.

Ms. Linda Mary Stout, 47595 Andrea Court, Shelby Township, Michigan 48315, county of Macomb, as a member representing local government, succeeding herself, for a term expiring on September 17, 1999.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

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

**Senate Bill No. 178**

**House Bill No. 4642**

**House Bill No. 4643**

The motion prevailed.

Senator A. Smith entered the Senate Chamber.

**Senate Bill No. 19, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32312a.

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

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

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

The Senate agreed to the full title of the bill.

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

### Third Reading of Bills

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

**House Bill No. 4509**

**House Bill No. 4773**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 633, entitled**

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

**Roll Call No. 504**

**Yeas—27**

Bennett	DeGrow	Hart	Schuetz
Bouchard	Dingell	Hoffman	Schwarz
Bullard	Dunaskiss	Koivisto	Shugars
Byrum	Emmons	McManus	Steil
Cisky	Gast	North	Stille
Conroy	Geake	Posthumus	Van Regenmorter
DeBeaussaert	Gougeon	Rogers	

**Nays—9**

Berryman	O'Brien	Smith, A.	Vaughn
Cherry	Peters	Stallings	Young
Miller			

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Berryman, Cherry, A. Smith and Miller, under their constitutional right of protest (Art. IV, Sec. 18), protested against the passage of Senate Bill No. 633.

Senators Berryman, Cherry and A. Smith moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Berryman's statement is as follows:

I rise as our Minority Floor Leader with concerns of this bill. It is very tough because politically it is very easy to vote for tough on crime issues. As the chair of the Judiciary Committee talks about, I did vote in favor of the no-knock which we passed a couple of years ago. But a few years ago, as I feel today, I think going the extra step to allow electronic surveillance is going too far.

This is not just wiretapping; this is electronic surveillance through a variety of media, including wiretapping, miniature listening devices, such as bugs, and a variety of other means. And they will say there is a penalty if someone violates this—if there is an abuse. The person would be guilty of a four-year felony and a \$2,000 fine. But I've been told there is an out for that individual who can show a good faith reliance on a court order or a legislative authorization would make this a legitimate defense for a violation.

In politics today, it is seen as a political faux pas to vote against anything which could be construed as getting tough on criminals. I don't think anyone here would not want to go after the truly guilty and the individuals who are causing the problem. But far too often, especially when we get into electronic surveillance and all the things that new electronic inventions can bring about, there is a greater and greater chance of innocent people having their privacy violated through, again, "Well, we made a mistake." I wish we would spend as much time being concerned with law-abiding

citizens as we do going after the criminal because every time we pass another tough on crime bill, law-abiding citizens are seeing their privacy issues and their rights being taken away.

I think this gives too much flexibility in latitude to law enforcement and the courts to intrude on individuals' homes and their private affairs. I don't think it is tight enough to ensure the privacy of law-abiding citizens. It is not an easy vote to vote against this because I want to get just as tough on criminals as anyone else. But I think we ought to be just as tough and just as determined to protect the rights of law-abiding citizens. I think this bill goes too far in giving the opportunity to take those rights away.

Senator Cherry's first statement, in which Senator A. Smith concurred, is as follows:

I rise in opposition to Senate Bill No. 633. Although, as I do so, I do want to commend the bill's sponsor for his concern and efforts to deal with the question of combating crimes, especially those associated with drugs. But it seems to me that this bill will be just a meager weapon in that war and when you consider the concerns that many have over the intrusiveness of government, the ability of government surveillance in their personal and private lives, for me the balance is struck in opposition to the bill. I think it's important to look at why the sponsor is putting the bill forward. He's arguing here that we need to have the bill so that we can effectively combat drug crimes in the state.

Not so long ago, we heard similar arguments on that point as it pertains to what is now called Michigan's lifer law. We have seen the committee and will be hearing on the floor in the not too distant future a debate on that bill and how it's failed to accomplish its purpose—and for good reason. By and large, these kingpins whom we are after are not located or limit their activities to the state of Michigan. This is an international business. Michigan is impacted as are all other states. By and large, the movers are from elsewhere. The drugs are from elsewhere. It's basically a crime that respects no state borders.

That is the reason why the federal government has given its enforcement agencies the ability to wiretap—because that agency can expand and operate in a variety of states. It can operate on the international level and is well-suited to combat the so-called kingpins. What Michigan's proposed law would do is give our local police agencies that power, but it would obviously restrict their operations in the state of Michigan. In that respect, I question its ability to reach the drug kingpin. I do believe that this is a power the federal government has and uses wisely and effectively and it ought to be confined there. We don't need our local police agencies conducting surveillance into the individual lives of our citizens when, in fact, the federal government has this power, works with the state of Michigan with drug enforcement teams and seems to do a fairly effective job in tracking down those kinds of international operations that manifest themselves here in the state of Michigan. I would hate to see us vote to approve this bill today and then come back here a year or two later and have the same debate on this wiretap bill, as we're going to have on the lifer law in a couple of days.

I think it's also important to understand that while wiretapping was very effective a few years ago because much of our communication was via the telephone, in today's world, communication is changing dramatically. We now see the Internet and, in fact, to simply put our surveillance on the telephone is going to redirect communications. I think we need to understand that and I don't believe that our police agencies are equipped to deal with that shifting communication base.

This is not just a question about combating crime. It's also a question about the privacy of our citizens. If, in fact, this was an extremely effective crime-fighting tool that promised significant results, I would vote in support of it. But I doubt and question the kind of results it's going to produce and, in that light, I have severe concerns about infringing on the privacy of our citizens. I would hope that we would look seriously at that question, and on that basis, I intend to vote "no" on Senate Bill No. 633 this morning.

Senator Cherry's second statement is as follows:

Again I rise in opposition to Senate Bill No. 633. In doing so, I don't question the motivations of those who are advocating this legislation, but I do take issue with their arguments, which is basically we need to get tough on crime. This bill does that and secondly, the rights of the normal citizen will not be impaired as we utilize this weapon.

The issue here is not just a matter of getting tough—it's a matter of being effective. I think if we look at the record, we'll see that the effectiveness of this tool is questionable. For instance, there are 37 states in this nation that have this wiretapping power that we're debating right now. None of those states have a less significant drug problem than the state of Michigan—none of them do. In fact, Florida, which has this provision, continues to be on an import/export basis, the major base of operations for the drug trade in this nation. This weapon has not proven to be all that effective for our sister states. It's important to remember as well that the tool itself will consume resources; you can't conduct a wiretap for less than \$30,000 to \$60,000 per tap.

Most importantly, those who engage in this trade know they are targets. They know that they will be the ones who the federal government or the state would attempt to wiretap. What's amazing about this electronic technology is not only its ease of use, but its ease of prevention. For a simple \$500 to \$1,000, these targets of wiretap can sweep their phones for their facilities and be free and clear of that wiretapping surveillance. It's a simple investment by a business person who has got a ton of money resulting from their crimes.

When you contrast that, Madam President, their ability to circumvent the wiretap and look at what kind of danger it imposes on our citizens, I know that the proponents of legislation are concerned about that and have, in fact, put certain provisions in the bill to prevent that. But, in fact, those provisions did not stop police agencies in Ohio and Illinois from conducting illegal and unauthorized wiretapping within the past 10 years. And we ourselves know at the federal level that the FBI was bound to have conducted illegal wiretaps of prominent dissidents, like Martin Luther King, a number of anti-Vietnam war activists, feminist organizations and many others. Most recently, the agency had probably gathered information on thousands of Americans opposed to President Reagan's Central American policies, including the Maryknoll Sisters Roman Catholic Order of Chicago. They have gathered illegal intercepts by local union activists. Even the women's rape crisis center in Norfolk, has been illegally wiretapped. During the Persian Gulf War, this national agency gathered illegal intelligence on innocent Arab-Americans. This has been a technological surveillance tool that has been abused by those who have had it in their power to conduct it.

On top of that, we need to look at what happens when it's not abused, when it's properly used. The administrative office of the U.S. Courts tells us that only one of six calls intercepted by a federal wiretap involves incriminating evidence—only one in six. The average wiretap will listen to 2,000 calls from 175 different people before adequate evidence of criminality is gathered. For each hour of incriminating conversation, hundreds and sometimes thousands of hours of innocent conversations are monitored. You see, even when we know there's a good cause for a wiretap, even when we've isolated the wiretap down to the individual who is deserving of surveillance, we cast a net that gathers in thousands of innocent people.

When you look at the effectiveness of wiretap compared to the danger it poses to our citizens, it seems to me that we ought to be very cautious before we give local agencies this power.

Senator A. Smith's statement is as follows:

I rise to oppose the passage of Senate Bill No. 633. We've seen, over the last probably half decade, the rise and the intensification of fanatical groups in this country. They grow because they touch a kernel of genuine belief in the population at large. One of the concerns that the population at large has spoken very eloquently to is their feeling that they are losing their rights to privacy.

This bill certainly goes a long way to increase that fear on the part of the general citizens in the state of Michigan—that state government and its police agencies are going to have an increased authority to reach into their daily lives whether by mistake or because they call someone else who may be the subject of a wiretap. Illegal wiretaps may not be on point, except that illegal wiretaps are done by agencies that are legally authorized to do them and they exceed their authority. They can't get the wiretaps that they want, so they go without judicial authorization or prosecutorial authorization and they exceed their authority. That's what Americans are afraid of. That's what Michigan citizens are worried about.

If you're going after the kingpins, we do that in this state with a troika of law enforcement agencies—the federal, the state and local. The federal authorities have the right to proceed and achieve a wiretap. This bill, on the other hand, has a lot more potential to affect the lives of everyday citizens who do no wrong, either by mistaken or unavoidable intrusion of a wiretap on their existence. I urge your rejection of the bill.

Senator Miller's statement is as follows:

I voted "no" on the bill because I feel that if we want to expand wiretapping, we have enough techniques and law enforcement on the federal level and I think that we need to put an end to this ever-rising growth in drug expansion amongst all our people. But I also feel that if we're going to have an invasion of someone's privacy, I think we need to take the most, utmost extreme measures to protect people's rights, their liberties and, most of all, the family privacy of conversations that take place in a home.

If we want to fight crime, which we should and everyone on this floor takes time to combat the ever-increasing elements of crime, we need to get more authorities at the federal level. We have the FBI. We have the DEA. We have many law enforcement agencies that have the tools now. I just want to make sure that we do not need to expand the police protection at a local level that's going to fight the invasion of privacy of people on the local level. That's the reason I voted "no" on that particular bill and I wholeheartedly urge that we use other solutions and methods to find ways to fight the drug problem that exists today.

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

The motion prevailed.

Senator Cisky's first statement is as follows:

The Fourth Amendment of the United States Constitution states that the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated and no warrants shall issue, but upon probable cause supported by oath or affirmation and particularly describing the place to be searched and the person or things to be seized. What we have here is the wiretap bill—Senate Bill No. 633. It's



designed as a severe remedy for a very severe problem—that being our drug problem in America. This bill would only allow searches and seizures on wires for drug activities specifically, high activity and high drug traffickers. I would constitute that this is a model bill on the Fourth Amendment because any police agency having probable cause would have to go to the state’s Attorney General and ask for application. Once that threshold had been met, the Attorney General has assured me that it will be for severe high level drug traffickers which we are not able to get now. You can go to a circuit court judge or you can go to an appellate court judge for that warrant.

There is a 30-day time limit which can only be redone twice. Two 30 days and then only after that, if you were to have additional probable cause to maintain the wiretap. The State Police will also monitor this process to make sure that everything is in accordance with proper procedure and police work. There is also a penalty for law enforcement should they abuse their privilege it’s up to \$1,000 a day fine for civil. I would ask the body to approve this legislation.

Senator Cisky’s second statement is as follows:

I believe it is proper to point out that one of the roles of government is to protect the citizens. If you are not selling drugs, you don’t have anything to worry about. In my almost 30 years in the criminal justice profession as a police officer and a professor of criminal and constitutional law, I believe that this is probably a model for other fourth Amendment cases. I want to thank my colleagues Senator Bouchard, a former police officer, and also Senator Rogers, a former FBI agent, for coming to my aid; I appreciate your support. I’ve got some statistics and I am not going to bore you with the entire page that I have, but I think a couple of them are pretty powerful. According to the evaluation performed by the justice research associates, substance abuse by prisoners sentenced to the Department of Corrections for all crimes has been estimated at over 80%. In 1996, there are about 8,250 convictions for drug-related offenses, nearly 2,200 (26%) which resulted in prison sentences. It’s a very serious problem. Give the police the tools they need to do the job.

The following bill was read a third time:

**Senate Bill No. 549, entitled**

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

The question being on the passage of the bill,

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

**Roll Call No. 505**

**Yeas—36**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 567, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 744a.

The question being on the passage of the bill,

Senators DeBeaussaert and Geake offered the following amendments:

1. Amend page 2, line 15, after "OFFICIALS." by inserting "THIS SUBDIVISION DOES NOT PROHIBIT A VOTER FROM POSSESSING OR PLACING ON THE BALLOT STICKERS BEARING THE NAMES OF CANDIDATES THAT ARE USED TO VOTE FOR A WRITE-IN CANDIDATE.".

2. Amend page 3, line 14, after "LOCATED" by inserting "THAT WILL BE USED BY VOTERS TO GAIN ACCESS TO THE POLLING PLACE".

3. Amend page 4, line 3, after "AUTHORIZED" by inserting "UNDER THIS SUBSECTION".

4. Amend page 4, line 4, after "PERSON" by striking out the balance of the sentence and inserting "OR FROM PERSONAL PROPERTY OF ANOTHER PERSON. A CHALLENGER MAY REPORT THE PRESENCE OF UNAUTHORIZED CAMPAIGN MATERIALS FOUND ON THE BODY OR PERSONAL PROPERTY OF ANOTHER PERSON TO AN ELECTION INSPECTOR.".

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

Senator Conroy offered the following amendment:

1. Amend page 3, line 23, by striking out subsection (4) and renumbering the remaining subsections.

The question being on the adoption of the amendment,

Senator Conroy requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 506**

**Yeas—15**

Berryman	DeBeaussaert	Miller	Stallings
Byrum	Dingell	O'Brien	Vaughn
Cherry	Hart	Peters	Young
Conroy	Koivisto	Smith, A.	

**Nays—21**

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

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: President

The question being on the passage of the bill,

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

**Roll Call No. 507****Yeas—22**

Bennett	Dunaskiss	McManus	Schwarz
Bouchard	Emmons	North	Shugars
Bullard	Gast	Posthumus	Steil
Cisky	Geake	Rogers	Stille
DeBeussaert	Gougeon	Schuette	Van Regenmorter
DeGrow	Hoffman		

**Nays—14**

Berryman	Dingell	O'Brien	Stallings
Byrum	Hart	Peters	Vaughn
Cherry	Koivisto	Smith, A.	Young
Conroy	Miller		

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators Conroy, Cherry and Berryman, under their constitutional right of protest (Art. IV, Sec. 18), protested against the passage of Senate Bill No. 567.

Senators Conroy and Cherry moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Conroy's first statement is as follows:

There's language in this bill that says that the challenger can remove political literature within that 100 feet. I have no problem with somebody removing that literature, but I don't think it should be the challenger. The challengers, as we saw in the last election, were Republican Senate staffers coming to Flint, Michigan, and telling our minority voters of long-standing that maybe they shouldn't be voting. I certainly don't want these people coming in and removing literature.

It's fine that the clerk and the clerk's representative does that. There are several hired employees who could do that function, who could remove that literature, and I would say that would be appropriate. But clearly, a challenger has nothing to do with that kind of literature being there or not being there. The challenger could certainly point it out to the clerk's representatives, but I don't think the language will ever survive this legislative process that's going to give the challenger the right to confiscate material within that 100-foot zone. Let the clerk's employees do that work. They're hired. They're paid \$50 or \$75 a day, whatever it is, to do that work. Leave it in the hands of the people who manage the election.

Senator Conroy's second statement is as follows:

I would like the Senator from the Ninth District to answer this question. Why in the world do you want the challenger to do the work of the clerk or the clerk's designee? That person is paid to do the work. We shouldn't have the challenger interfering with collecting materials. The challenger ought to be there to make certain that rightful people are voting and that's a non-paid function. The clerk doesn't pay the challenger. The clerk pays his or her

designee. So let that person pick up the material. Please take that out of the bill, Senator from the Ninth District, and you'll have a "yes" vote. But as of now, you have a resounding "no" vote.

Senator Conroy's third statement is as follows:

This amendment simply strikes the designated challenger amendment starting with line 23, by striking subsection (4) and renumbering the remaining subsections. So, that would take the challenger out of being the "goody two shoes" of gendarming of any kind of material. It would leave that up to the clerk or the designee of the clerk. I believe that it is inappropriate that an unpaid person who is not indeed an officer of that election but is serving an entirely different function to go about the business of picking up literature that may or may not be around the polling place. I have no problem with somebody taking that literature away. I think that is indeed appropriate to do that. But it clearly is the clerk's business. It is clearly for the designee of the clerk to do that work. I urge your adoption of this amendment.

Senator Conroy's fourth statement is as follows:

Maybe, if the Senator from the Ninth District could listen to this a minute, he would like to understand at least what the problem in my area was or how it was construed by those of us who are running for office and involved in the electoral process. These challengers were not only outsiders, but they were all White and they were working exclusively in Black precincts. The impression that they were giving was extremely negative from long-standing people I spoke to. I still see his face; he taught school for 38 years. His wife had retired as a school teacher and they were incensed that they were being intimidated by this person who was paid for by this Senate staff, questioning the veracity of their registration to vote. These are long-standing citizens.

As we checked around, it was only occurring in the Black precincts in the city of Flint. I did not see any out in Flint Township or out in Fenton or in the other parts of the area. So, your idea of what is offensive may be a little different than what mine is. This amendment simply takes that new power that you want to give to these people and would leave it with the clerk or the clerk's designee. Now you may say, "Well, they are not doing the things that I want to get done there." That may be the case and that may be the clerk's fault. But I think that the clerk is the one who we should complain to about making certain that this kind of material is not within 100 feet of the polling booth. I just do not think we should give that new authority to these out-of-town folks who come in and want to save the world, apparently, on election day.

Senator Cherry's first statement, in which Senator Berryman concurred, is as follows:

I'm rising in opposition to Senate Bill No. 567 primarily because of the effect of the Headlee Amendment. I don't think, ultimately, that requiring signs to be placed at a polling place reminding people that they should campaign outside of the 100-foot limit is such a bad idea. However, it's generally known by most who work at polling places that, in fact, their activity is restricted within the 100-foot zone. I think it's important to understand for us now to require that signs be posted reminding people of that, for us to require that it becomes a state obligation to pay for those signs. Signs at one polling place or two is a fairly inexpensive proposition. But now that we're going to be put in the place of paying for signs at every polling place throughout the state of Michigan for multiple elections over the course of a year, let alone, over a decade, it just seems to me that there is much more that we can find that would be better to spend our money on than signs reminding people that they should refrain from campaigning within 100 feet of a polling place. Nearly every candidate I've ever met and nearly every campaign worker I've ever talked to, is aware that within 100 feet of a polling place you are not to campaign. Now, there are times when people get overenthusiastic, there are times that they play fast and loose with that 100-foot boundary, but I don't personally believe that a sign is going to cause them to refrain from doing that.

It just would seem that as good as the bill may appear at first blush, we simply ought to avoid adopting it and incurring this financial liability. Clearly, if we had extra money to spend, I would prefer we spend it on schools as opposed to simply printing signs to remind people that they should refrain from campaigning within 100 feet of a polling place. I would urge a "no" vote on the bill.

Senator Cherry's second statement, in which Senator Berryman concurred, is as follows:

I am gleaned from the debate that perhaps my point may have been misunderstood. I do understand that this bill will not result in any costs or expense to the local unit of government. The state will provide those signs. But the act of providing those signs by the state will be an expense to the state—someone will have to pay for the signs. Under the Headlee Amendment, if we are going to require locals to post the signs, we are under an obligation to pay for those signs whether we provide them or not. The cost will be a cost to state government. It won't be a cost for one polling place and it won't be a cost for a dozen polling places. It will be a cost for every polling place in the state of Michigan for every election. So in the aggregate, we are talking about a significant amount of money. Perhaps not in comparison to the total state budget, but for the ordinary citizen that's several hundreds of thousands, if not over time millions, will appear to be a great deal of money. And when you compare it to what we could spend it on, it may even appear to be a waste of money. I believe that we ought to insist that people engaged in campaigns respect the state law that says they shouldn't campaign within 100 feet of a polling place, but I have doubts whether the signs will make much of a difference. Why should the state go through the expense of providing these signs to accomplish so little? The money

could be spent in a much better way. That is the thrust of my argument. I did not mean to suggest that somehow this was a cost to local government. It is a cost that will fall on the shoulders of the state of Michigan.

The following bill was read a third time:

**Senate Bill No. 623, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 40.

The question being on the passage of the bill,

Senators Conroy and Bullard offered the following amendment:

1. Amend page 3, following line 6, by inserting:

"(4) THIS SECTION SHALL NOT APPLY TO ACTIVITIES REGULATED BY 1972 PA 382, MCL 432.101 TO 432.120."

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 508**

**Yeas—35**

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

**Nays—0**

**Excused—1**

Smith, V.

**Not Voting—1**

Young

In The Chair: President

The Senate agreed to the title of the bill.

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

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

Senator Young entered the Senate Chamber.

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

**Senate Resolution No. 99**

The resolution consent calendar was adopted.

Senators Posthumus and Cherry offered the following resolution:

**Senate Resolution No. 99.**

A resolution to accolade the making of history as the Michigan Senate becomes the first legislative body to regularly provide live television coverage of its sessions.

Whereas, Michigan Government Television (MGTV) is a public affairs initiative of the Michigan cable industry which was created to provide its viewers with the live and taped coverage of all branches of Michigan government. Provided for the benefit of all Michigan citizens, MGTV is modeled after the highly successful C-SPAN which is also supported solely by the cable television industry; and

Whereas, MGTV was launched on July 15, 1996. Initial programming included House and Senate committees, commission meetings from within the executive branch including state boards of education, press conferences and speeches by major policy makers. In October of 1996, MGTV made history by providing the first live unedited television coverage of the Michigan Supreme Court Oral arguments. It has now incorporated the Michigan Supreme Court's oral arguments into its regular programming; and

Whereas, MGTV also provides programming to students and educators to aid in their understanding of Michigan state government. MGTV routinely works with local cable operators to provide a link to Michigan classrooms. This allows students to ask Michigan's decision-makers questions during live call in programs; and

Whereas, MGTV's format provides its cable television audience with a direct conduit to elected or appointed officials and others who would influence the public without filtering or otherwise distorting their points of view. Its goal is to provide programming that is fair, accurate, balanced and without partisanship or ideology; now, therefore, be it

Resolved by the Senate, That tribute be given on October 14, 1997, as MGTV once again participates in making history as the Michigan Senate becomes the first legislative body to regularly provide live television coverage of its sessions. MGTV will deliver this historic coverage via satellite to its subscriber base, numbering over one million households, through Michigan's local cable systems; and be it further

Resolved, That a copy of this resolution be given to Bill Trevarthen, Executive Director of Michigan Government Television as evidence of our support.

Senators Stallings and Bouchard were named co-sponsors of the resolution.

Senators Stille and Shugars offered the following resolution:

**Senate Resolution No. 96.**

A resolution to urge the Natural Resources Commission to permit deer hunting with a firearm from a tree stand.

Whereas, With changes in technology, deer populations, and other conditions, it is essential for scientific wildlife management practices to be flexible. Michigan's success in managing our deer herd has been especially notable; and

Whereas, In recent years, in certain regions, the deer population has increased significantly. This has resulted in more crop and forestland damage and more accidents on the roads. To balance this, steps have been taken to open up more hunting with additional opportunities for people to participate. These measures are proving to be popular with the hunting community and effective in influencing herd numbers; and

Whereas, Another potentially rewarding step that can be taken to enhance the outdoors experience while fulfilling the aims of wildlife management is to open up deer hunting to include firearm hunting from tree stands. Firearm deer hunting using tree stands is popular in several other states. Hunting from tree stands is already legal and very popular in Michigan among those who hunt deer with a bow. Using this tool in firearms deer hunting and extending it to include antlerless deer will prove very beneficial to both our state's hunters and to the control of our wildlife population; now, therefore, be it

Resolved by the Senate, That we urge the Natural Resources Commission to permit deer hunting with a firearm from a tree stand, including for hunting antlerless deer; and be it further

Resolved, That copies of this resolution be transmitted to the Natural Resources Commission.

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

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

The question being on the adoption of the resolution,

Senator DeGrow moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Hoffman, Schwarz and McManus were named co-sponsors of the resolution.

**Senate Concurrent Resolution No. 48.**

A concurrent resolution honoring the American Council of Young Political Leaders and the delegation from Poland. (For text of resolution, see Senate Journal No. 73, p. 1498.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

### Introduction and Referral of Bills

Senator Conroy introduced

**Senate Bill No. 750, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1991 PA 25.

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

Senators Gougeon, Emmons, Steil, Shugars and Schuette introduced

**Senate Bill No. 751, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1245.

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

Senator Young introduced

**Senate Bill No. 752, entitled**

A bill to amend 1956 PA 5, entitled "Michigan uniform municipal court act," by amending section 23 (MCL 730.523) and by adding section 23a.

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

Senator Young introduced

**Senate Bill No. 753, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2 and 3 of chapter X and sections 34, 43, and 44 of chapter XIV (MCL 770.2, 770.3, 774.34, 774.43, and 774.44), section 2 of chapter X as amended by 1981 PA 205, section 3 of chapter X as amended by 1994 PA 374, and sections 34, 43, and 44 of chapter XIV as amended by 1980 PA 506.

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

Senators Bullard, Bouchard, Geake, Stille, Shugars, Steil, DeGrow, McManus, North, Gougeon, Schuette, Bennett, Gast, Rogers, Cisky, Schwarz, Van Regenmorter, Dunaskiss and Hoffman introduced

**Senate Bill No. 754, entitled**

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending sections 40, 41, 43, 50, and 56 (MCL 205.240, 205.241, 205.243, 205.250, and 205.256), sections 40, 41, 43, and 50 as added by 1993 PA 54 and section 56 as amended by 1994 PA 372.

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

Senator Bennett introduced

**Senate Bill No. 755, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding section 15 to chapter IX.

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

**House Bill No. 4355, entitled**

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an

accused by certain persons; and to provide penalties for violation of this act,” by amending section 1a (MCL 28.241a), as amended by 1996 PA 259.

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

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

**House Bill No. 4452, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 46503, 46506, 46507, and 46508 (MCL 324.46503, 324.46506, 324.46507, and 324.46508), as added by 1995 PA 57.

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. 4655, entitled**

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending section 9 (MCL 552.509), as amended by 1996 PA 365.

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

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

**House Bill No. 4669, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 39c.

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

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

**House Bill No. 4923, entitled**

A bill to designate an official wildflower of this state.

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 Government Operations.

**House Bill No. 4951, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 677 (MCL 168.677), as amended by 1996 PA 583.

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 Government Operations.

### Committee Reports

The Committee on Financial Services reported

**Senate Bill No. 683, entitled**

A bill to amend 1969 PA 319, entitled “Banking code of 1969,” by amending section 171 (MCL 487.471), as amended by 1997 PA 49.

With the recommendation that the bill pass.

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

Michael J. Bouchard  
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon, Berryman and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

**House Bill No. 4728, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 263 and 264 (MCL 750.263



and 750.264); and to repeal acts and parts of acts.

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

1. Amend page 3, line 12, after "UPON" by striking out the balance of the line through "AND" on line 13.
2. Amend page 5, following line 20, enacting section 2, after "effect" by striking out "September" and inserting "November".

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

Michael J. Bouchard  
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon, Berryman and Miller

Nays: None

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

The Committee on Financial Services reported

**House Bill No. 4729, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

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

1. Amend page 4, following line 6, enacting section 1, after "effect" by striking out "September" and inserting "November".

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

Michael J. Bouchard  
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon, Berryman and Miller

Nays: None

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

The Committee on Financial Services reported

**House Bill No. 4768, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948), by adding section 2964.

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

1. Amend page 3, line 3, enacting section 1, after "effect" by striking out "July" and inserting "November".

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

Michael J. Bouchard  
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon, Berryman and Miller

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Wednesday, October 8, 1997, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bouchard (C), Bennett, Gougeon, Berryman and Miller

The Committee on Transportation and Tourism reported

**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.

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, Cisky, O'Brien and Hart

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. 634, entitled**

A bill to amend 1990 PA 271, entitled "Limousine transportation act," (MCL 257.1901 to 257.1939) by adding section 8.  
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, Cisky, O'Brien and Hart

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. 684, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 311 (MCL 257.311), as amended by 1983 PA 63.

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, Cisky, O'Brien and Hart

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 Transportation and Tourism submits the following:

Meeting held on Wednesday, October 8, 1997, at 3:00 p.m., Room 405, Capitol Building

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

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 600, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 1996 PA 473.

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

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

Joel Gougeon  
Chairperson

To Report Out:

Yeas: Senators Gougeon, Geake 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, October 9, 1997, at 1:00 p.m., Room 100, Farnum Building

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

Excused: Senator V. Smith

The Committee on Human Resources, Labor and Veterans Affairs reported

**House Bill No. 4646, entitled**

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

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.

Mike Rogers  
Chairperson

To Report Out:

Yeas: Senators Rogers, Steil, Stille and DeBeaussaert

Nays: None

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

The Committee on Human Resources, Labor and Veterans Affairs reported

**House Bill No. 4815, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 3 (MCL 409.103), as amended by 1987 PA 71.

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.

Mike Rogers  
Chairperson

To Report Out:

Yeas: Senators Rogers, Steil and Stille

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 Human Resources, Labor and Veterans Affairs submits the following:

Meeting held on Thursday, October 9, 1997, at 1:14 p.m., Room 210, Farnum Building

Present: Senators Rogers (C), Steil, Stille, DeBeaussaert and Stallings

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, October 7, 1997, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz, Bullard and Byrum

Excused: Senator O'Brien

COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submits the following:

Meeting held on Wednesday, October 8, 1997, at 12:00 Noon, Elijah Myers Room, Capitol Building

Present: Senators McManus (C), Emmons, Schwarz and Conroy

COMMITTEE ATTENDANCE REPORT

The Michigan Sentencing Commission submits the following:

Meeting held on Thursday, October 9, 1997, at 3:00 p.m., Royale Rooms A & B, Sheraton Inn, 925 Creyts Road, Lansing, Michigan

Present: Senators Geake (C), Van Regenmorter, Dingell and Peters

**Scheduled Meetings**

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, October 15, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, October 16, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Capital Outlay Joint Subcommittee - Thursday, October 16, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:04 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, October 15, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.