

No. 5
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, February 4, 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—present
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—present
Peters—present
Posthumus—present

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

Senator Dale L. Shugars of the 21st District offered the following invocation:

Lord, once again, we ask You for Your guidance as we gather here today to make Michigan a safer and a better place to live. May You work through us and with us as we make the important decisions that affect the lives of everybody around us. We seek Your knowledge and wisdom to represent the people of all our districts to the best of our ability. We are grateful for the opportunity You have given us to serve the people of our districts, and to the people of Michigan. We must remember the trust bestowed upon us from the citizens of Michigan and continue to make them proud. Lord, we also ask that You continue to keep our families safe and healthy and under Your guidance. In Your name, we pray Lord, Amen.

Motions and Communications

Recess

Senator DeGrow moved that the Senate recess until 10:30 a.m.
The motion prevailed, the time being 10:04 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Binsfeld.

During the recess, Senators Carl, Bullard, Miller, Schwarz, McManus, Hoffman, Geake, Bennett, Bouchard, Gast, Stille, Cisky, Van Regenmorter, Gougeon, Dunaskiss, Emmons, Rogers and North entered the Senate Chamber.

A quorum of the Senate was present.

The Secretary announced that the Majority Leader has made the appointment of the following statutory standing committee:

Legislative Retirement Board of Trustees - Senators McManus (C), Emmons, Schwarz and Conroy.

The statutory standing committee appointment was approved, a majority of the members serving voting therefor.

The following communication was received:
Office of the Senate Majority Leader

January 30, 1997

Pursuant to Public Act 342 of 1996, Speaker Hertel and I hereby call the initial meeting of the Special Revenue Sharing Task Force for February 25, 1997.

Please make this communication a part of the official records. Thank you for your attention to this matter.

Sincerely,

Dick Posthumus

Senate Majority Leader

Curtis Hertel

Speaker of the House

The communication was referred to the Secretary for record.

The following communication was received:
Automobile Theft Prevention Authority

January 31, 1997

As chair of the Board of Directors of the Michigan Automobile Theft Prevention Authority (ATPA), I am pleased to submit our 1996 Annual Report to the Senate. I am proud to report that Michigan is carrying on its fight against automobile theft.

This report is in accordance with provisions of Act 174 of 1992. Copies have also been delivered to Governor Engler and the Clerk of the House. Furthermore, individual reports are being mailed to all members of the legislature.

If you would like additional copies, please feel free to contact the ATPA at (517) 336-6197.

Sincerely,

Michael D. Robinson

Director

The communication was referred to the Secretary for record.

The following communication was received:
House Fiscal Agency

February 3, 1997

This letter transmits the "Report of the Joint Legislative Work Groups on Program Assessment" which has been prepared in accordance with boilerplate in the following appropriations acts:

Agriculture - Section 212 of Act No. 360, Public Acts of 1996

Corrections - Section 207 of Act No. 371, Public Acts of 1996

Environmental Quality - Section 214 of Act No. 319, Public Acts of 1996

General Government - Sections 305, 407, 503, 716, 815 and 932 of Act No. 364, Public Acts of 1996

Judiciary - Section 313 of Act No. 375, Public Acts of 1996

Natural Resources - Section 210 of Act No. 340, Public Acts of 1996

Transportation - Section 214 of Act No. 341, Public Acts of 1996

These sections provide that "the work groups shall issue a report on February 1, 1997 to members of the legislature addressing basic program assessment requirements. These recommendations should include suggested measures of need and demand, work load and outcomes for each program." This report fulfills the requirements of these acts.

Thank you for your attention to this matter. If you have questions concerning this submission please call me.

Sincerely,
James J. Haag
Director

The communication was referred to the Secretary for record.

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

House Bill No. 4177

The Secretary announced the printing and placement in the members' files on Friday, January 31 of:

House Bill No. 4178

The Secretary announced the printing and placement in the members' files on Monday, February 3 of:

Senate Bill Nos.	23	24	25	26	27	28	29	30	31	32	33	35	36	37
	39	40	41	42	43	44	45	46	47	48	49	50	51	

Senate Joint Resolutions C D

House Bill Nos.	4069	4070	4071	4072	4073	4074	4075	4076	4077	4078	4079	4080	4081	4082
	4083	4084	4085	4086	4087	4088	4089	4090	4091	4092	4093	4094	4095	4096
	4097	4098	4099	4100	4102	4103	4104	4105	4106	4107	4108	4109	4110	4111
	4112	4113	4114	4115	4116	4117	4118	4119	4120	4121	4122	4123	4124	4125
	4126	4127	4128	4129	4130	4131	4132	4133	4134	4135	4136	4137	4138	4139
	4140	4141												

House Joint Resolutions F G

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

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

Senator Steil entered the Senate Chamber.

Senator DeGrow moved that Senators Schuette and Posthumus be temporarily excused from today's session.
The motion prevailed.

Senators A. Smith, Schuette and Posthumus entered the Senate Chamber.

Messages from the Governor

The following messages from the Governor were received and read:

January 31, 1997

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

Construction Code Commission

Mr. Homer E. Kunselman, 2913 Georgetown, Midland, Michigan 48642, county of Midland, as a member representing industrial management, succeeding himself, for a term expiring on January 31, 1999.

Mr. Bradford T. Light, 4317 Bradford Drive, Saginaw, Michigan 48603, county of Saginaw, as a member representing premanufactured buildings, succeeding himself, for a term expiring on January 31, 1999.

Mr. Wilber Zylstra, 1245 Curwood Court, SE, Kentwood, Michigan 49508, county of Kent, as a member representing residential builders, succeeding himself, for a term expiring on January 31, 1999.

Mr. Michael Haller, 1620 Glenwood, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing building contractors, succeeding himself, for a term expiring on January 31, 1999.

Mr. Mark E. English, 20103 Litchfield Road, Detroit, Michigan 48221, county of Wayne, as a member representing architects, succeeding himself, for a term expiring on January 31, 1999.

Mr. J. David Lather, 2010 Arrowhead Drive, Traverse City, Michigan 49686, county of Grand Traverse, as a member representing building inspectors enforcing the uniform code, succeeding himself, for a term expiring on January 31, 1999.

Mr. Jeffrey Dixon Bowdell, 25790 Sierra, Novi, Michigan 48374, county of Oakland, as a member representing building inspectors enforcing the BOCA code, succeeding himself, for a term expiring on January 31, 1999.

January 31, 1997

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

Michigan Osteopathic Medicine Advisory Board

Mr. Thomas V. Angott, 6730 Commerce Lake Road, Orchard Lake, Michigan 48324, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on March 26, 2002.

Dr. Sylvia G. Mustonen, 1024 Arloa Drive, Greenville, Michigan 48838, county of Montcalm, as a member representing the general public, succeeding Dr. John T. O'Connor of Dimondale, who has died, for a term expiring on March 26, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1

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

General Orders

Senator Geake moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Binsfeld, designated Senator Geake as Chairperson.

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

Senate Bill No. 93, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 102 (MCL 560.102), as amended by 1996 PA 591.

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

1. Amend page 4, line 2, after "1997." by inserting "A PARCEL OR TRACT CREATED AFTER JANUARY 22, 1997 BUT BEFORE MARCH 31, 1997 BY THE LAWFUL PARTITIONING OR SPLITTING, OTHER THAN BY SUBDIVISION, OF A PARCEL OR TRACT IS A DIVISION FOR PURPOSES OF SECTION 108. ANY REMAINING RIGHT TO PARTITION OR SPLIT THE PARCEL OR TRACT AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE AND EXEMPT FROM THE PLATTING REQUIREMENTS OF THIS ACT ATTACHES TO THE REMAINDER OF THE PARENT PARCEL OR PARENT TRACT RETAINED BY THE GRANTOR UNLESS THE DEED CONTAINED A STATEMENT THAT THE GRANTOR GRANTED TO THE GRANTEE THE RIGHT TO MAKE SOME OR ALL OF SUCH PARTITIONS OR SPLITS.".

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

Introduction and Referral of Bills

Senators Hoffman, Bennett, Shugars, Carl, Steil and Dunaskiss introduced

Senate Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by repealing section 28 of article V, to eliminate the state transportation commission.

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

Senator Emmons introduced

Senate Joint Resolution F, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 6 of article XI, to allow merit pay systems for public school teachers.

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

Senators Carl, Geake, Hoffman, Van Regenmorter, Gast and Hart introduced

Senate Bill No. 99, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 625, 625a, 625c, 625g, and 625m (MCL 257.303, 257.625, 257.625a, 257.625c, 257.625g, and 257.625m), section 303 as amended by 1996 PA 387, section 625 as amended by 1994 PA 449, and sections 625a, 625c, 625g, and 625m as amended by 1994 PA 450.

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

Senators Carl, Geake, Schwarz, North, Cisky, Steil, Gougeon, McManus, Koivisto, Byrum, Peters, Dingell, Dunaskiss, Hoffman, Emmons, Schuette, Rogers, Bennett and Hart introduced

Senate Bill No. 100, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80142, 80143, and 80147 (MCL 324.80142, 324.80143, and 324.80147), section 80142 as amended by 1996 PA 174 and sections 80143 and 80147 as added by 1995 PA 58, and by adding sections 80143a, 80143b, 80143c, 80143d, and 80145a; and to repeal acts and parts of acts.

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

Senators Carl, Peters, Geake, Schwarz, North, Shugars, Cisky, Steil, Stille, Gougeon, McManus, Dingell, Dunaskiss, Hoffman, Emmons, Schuette, Rogers, Bennett and Hart introduced

Senate Bill No. 101, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending the title and sections 2, 5, 6, 7, 8, and 12 (MCL 205.422, 205.425, 205.426, 205.427, 205.428, and 205.432) and by adding section 6a.

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

Senator Emmons introduced

Senate Bill No. 102, entitled

A bill to amend chapter XVI of 1927 PA 175, entitled "The code of criminal procedure," (MCL 776.6 to 776.22) by adding section 13a.

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

Senator Emmons introduced

Senate Bill No. 103, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

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

Senators Schwarz, Vaughn and McManus introduced

Senate Bill No. 104, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17708 (MCL 333.17708), as amended by 1994 PA 384.

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

Senators Schwarz, Bennett, Dunaskiss, A. Smith, Bouchard, Gougeon and Peters introduced

Senate Bill No. 105, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39b. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Schwarz, Bennett, Dunaskiss, A. Smith, Bouchard, Gougeon and Peters introduced

Senate Bill No. 106, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Schwarz, Shugars and DeGrow introduced

Senate Bill No. 107, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2246.

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

Senators Schwarz, Shugars and DeGrow introduced

Senate Bill No. 108, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1984 PA 66.

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

Senators Schwarz, Shugars and DeGrow introduced

Senate Bill No. 109, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21072. The bill was read a first and second time by title and referred to the Committee on Health Policy and Senior Citizens.

Senators Schwarz, Shugars and DeGrow introduced

Senate Bill No. 110, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.962) by adding section 45.

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

Senators Dunaskiss, Dingell, McManus, Bennett, Shugars, North, Schuette, Stallings, Stille, Gougeon and Steil introduced

Senate Bill No. 111, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7ff. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Bouchard introduced

Senate Bill No. 112, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2963.

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

Senator Bouchard introduced

Senate Bill No. 113, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

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

Senator Bouchard introduced

Senate Bill No. 114, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

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

Senators Gougeon, Cisky and Geake introduced

Senate Bill No. 115, entitled

A bill to amend 1972 PA 295, entitled "Forensic polygraph examiners act," by amending sections 3, 4, and 7 (MCL 338.1703, 338.1704, and 338.1707), section 3 as amended by 1982 PA 46.

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

Senators Gougeon, McManus, North and Schuette introduced

Senate Bill No. 116, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35 (MCL 208.35), as amended by 1995 PA 255, and by adding section 22g.

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

Senator Carl introduced

Senate Bill No. 117, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 804 (MCL 257.804), as amended by 1995 PA 129.

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

Senator Rogers introduced

Senate Bill No. 118, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 10 (MCL 338.980), as amended by 1989 PA 105.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Rogers introduced

Senate Bill No. 119, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 1992 PA 130.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Rogers introduced

Senate Bill No. 120, entitled

A bill to amend 1929 PA 266, entitled "An act to protect the health, and promote the safety and welfare of the people, by regulating the installation, alteration, maintenance, improvement and inspection of plumbing; to define plumbing and the classification of plumbers; to provide for the issuing of licenses and permits pertaining thereto and the disposition of moneys derived therefrom; to create a plumbing board, and to prescribe its powers and duties; to authorize cities, villages and townships to adopt and enforce certain standards; to establish remedies and fix penalties for violation of the provisions of this act," by amending section 8 (MCL 338.908), as amended by 1989 PA 106.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators North, Koivisto, Carl, Shugars, Hart, Stille, McManus, Gougeon, Byrum, Vaughn, Stallings, Berryman, Schwarz, Bouchard, DeGrow, Van Regenmorter and Conroy introduced

Senate Bill No. 121, entitled

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," by amending section 1 (MCL 19.131), as amended by 1982 PA 229.

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

Senators Gougeon, North, McManus and Cisky introduced

Senate Bill No. 122, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 1, 2, 3, 6, 8, 10, 11, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 71, 72, 72a, 73, 74, 75, 76, 77, 101, 102, 103, 104, 105, 106, 121, 122, 122a, 123, 124, 125, 126, 127, 128, 131, 132, 133, 134, 135, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 221, 222, 223, 241, 242, 244, 245, 247, 248, 261, 262, 265, 266, 269, 270, 273, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 304, 306, 307, 321, 322, 323, 324, 327, 328, 342, 343, 351, 352, 354, 355, 381, 382, 384, 391, 392, 395, 421, 422, 423, 425, 429, 430, 431, 433, 441, 441a, 442, 446, 463, 464, 465, 466, 467, 468, 469, 470, 472, 473, 474, 478, 482, 491, 513, 515, 517, 518, 520, 521, 522, 525, 526, 530, 534, 540, 541, 548, 601, and 602 (MCL 280.1, 280.2, 280.3, 280.6, 280.8, 280.10, 280.11, 280.21, 280.22, 280.23, 280.24, 280.25, 280.26, 280.27, 280.28, 280.29, 280.30, 280.31, 280.32, 280.33, 280.51, 280.52, 280.53, 280.54, 280.71, 280.72, 280.72a, 280.73, 280.74, 280.75, 280.76, 280.77, 280.101, 280.102, 280.103, 280.104, 280.105, 280.106, 280.121, 280.122, 280.122a, 280.123, 280.124, 280.125, 280.126, 280.127, 280.128, 280.131, 280.132, 280.133, 280.134, 280.135, 280.151, 280.152, 280.153, 280.154, 280.155, 280.156, 280.157, 280.158, 280.161, 280.191, 280.192, 280.193, 280.194, 280.195, 280.196, 280.197, 280.198, 280.199, 280.200, 280.221, 280.222, 280.223, 280.241, 280.242, 280.244, 280.245, 280.247, 280.248, 280.261, 280.262, 280.265, 280.266, 280.269, 280.270, 280.273, 280.275, 280.276, 280.277, 280.278, 280.279, 280.280, 280.282, 280.283, 280.301, 280.302, 280.304, 280.306, 280.307, 280.321, 280.322, 280.323, 280.324, 280.327, 280.328, 280.342, 280.343, 280.351, 280.352, 280.354, 280.355, 280.381, 280.382, 280.384, 280.391, 280.392, 280.395, 280.421, 280.422, 280.423, 280.425, 280.429, 280.430, 280.431, 280.433, 280.441, 280.441a, 280.442, 280.446, 280.463, 280.464, 280.465, 280.466, 280.467, 280.468, 280.469, 280.470, 280.472, 280.473, 280.474, 280.478, 280.482, 280.491, 280.513, 280.515, 280.517, 280.518, 280.520, 280.521, 280.522, 280.525, 280.526, 280.530, 280.534, 280.540, 280.541, 280.548, 280.601, and 280.602), sections 21 and 464 as amended by 1989 PA 134, section 33 as amended by 1982 PA 356, section 72 as amended by 1987 PA 60, sections 196 and 283 as amended by 1989 PA 149, section 223 as amended by 1989 PA 61, section 280 as amended by 1983 PA 176, section 282 as amended by 1984 PA 80, section 423 as amended by 1996 PA 552, and section 433 as amended by 1982 PA 449, and by adding sections 34, 275a, 277a, 329, 524a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 608, 615, and 616; and to repeal acts and parts of acts.

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

Senators North, Koivisto, Cisky, Schwarz, Byrum, Bouchard, Stille and Stallings introduced

Senate Bill No. 123, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

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

Senator Peters introduced

Senate Bill No. 124, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 502d.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Peters introduced

Senate Bill No. 125, entitled

A bill to prohibit the concealment of certain facts in a civil action; and to prohibit certain orders and agreements arising out of litigation.

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

Senators Hoffman, Hart, Byrum and McManus introduced

Senate Bill No. 126, entitled

A bill to repeal 1965 PA 280, entitled "An act to provide for licensing and regulating of slaughterhouses, edible rendering establishments and wholesale fabricating, processing or storage establishments of meat; to provide for the antemortem and postmortem inspection and reinspection of slaughtered meat animals; to prescribe the duties and powers of the department of agriculture; to prescribe license fees; to provide for the transfer of personnel and the rights of employees affected by this act; to provide for inspection of large wild game animals; and to provide penalties for violation of the provisions of this act," (MCL 287.571 to 287.582).

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

Senators Geake, Gast, Byrum and Vaughn introduced

Senate Bill No. 127, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19f (MCL 38.19f), as added by 1996 PA 487.

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

Senators Geake, Koivisto, McManus, Gast, Steil, Emmons, Stille, Stallings and Gougeon introduced

Senate Bill No. 128, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 1996 PA 307.

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

Senator Stille introduced

Senate Bill No. 129, entitled

A bill to amend 1967 PA 288, entitled "Subdivision control act of 1967," by amending sections 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 224a, 226, 227a, and 229 (MCL 560.201a, 560.202, 560.203, 560.204, 560.205, 560.206, 560.207, 560.208, 560.209, 560.210, 560.211, 560.212, 560.213, 560.224a, 560.226, 560.227a, and 560.229), sections 224a, 226, and 227a as amended by 1996 PA 219, and by adding sections 209a, 215, and 226a.

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

Senator Stille introduced

Senate Bill No. 130, entitled

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

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

Resolutions

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

Senate Resolution No. 13

Senate Resolution No. 15

The resolution consent calendar was adopted.

Senator McManus offered the following resolution:

Senate Resolution No. 13.

A resolution honoring the Traverse City Central High School Chorale.

Whereas, It is indeed a great pleasure to commend the members of the Traverse City Central High School Chorale and its outstanding director, Russell J. Larimer, for being selected from hundreds of choirs both nationally and internationally to perform at the biennial National Convention of the American Choral Directors Association in San Diego, California in March of 1997. This is a splendid opportunity for us to congratulate the students, parents, teachers, staff and administrators of Traverse City High School who have made this tremendous accomplishment possible; and

Whereas, While hundreds of choral groups auditioned, only thirty-eight choirs from the United States and eleven international choirs were selected to sing before nearly 6,000 members of the American Choral Directors Association. We congratulate the Traverse City Central High School Chorale for achieving this honor and further applaud them for being the only high school choral group from Michigan to be chosen to perform at this very prestigious convention; and

Whereas, The Traverse City Central High School Chorale was also selected to appear before all of the state's music educators at their annual Midwestern Conference in January of 1996. In all of the many Michigan School Vocal Music Association festivals in which this Chorale has participated, they have always received the highest possible ratings; now, therefore, be it

Resolved by the Senate, That tribute be given to everyone who has worked so diligently for the Traverse City Central High School Chorale program. Their participation and support have certainly contributed to the success of the Chorale; and be it further

Resolved, That a copy of this resolution be transmitted to the Traverse City Central High School Chorale as evidence of our sincere admiration and very best wishes for continued excellence in their future endeavors.

Senators Bouchard, Koivisto, Posthumus, Shugars and Hoffman and the Lieutenant Governor were named co-sponsors of the resolution.

Senators Dingell, Berryman, Hart, Cherry, O'Brien, and Conroy offered the following resolution:

Senate Resolution No. 15.

A resolution offered as an accolade of our support for Jennifer Reed, the winner of the 1997 Miss Michigan U.S.A. pageant.

Whereas, She is competing for the Miss U.S.A. crown on February 5, 1997 in Shreveport, Louisiana. We'd like to voice our support for her and cheer her on during this time of expectation, not just for the title, but for the chance to compete at such a level. Whether she wins or not, we are proud of her and all she has accomplished here in her home state of Michigan. This is an incredible opportunity and this young lady has worked very hard and prepared well for what lies ahead; and

Whereas, Miss Reed is a resident of Taylor, Michigan and our beloved state sends its greetings and words of accomplishment with her to the Miss U.S.A. pageant. She is not only beautiful and talented, but an intelligent and accomplished young woman. She is a law school student at Detroit College of Law and plans to practice family law, specializing in international abductions. She is someone who has big dreams and is willing to work very hard to make them come true; and

Whereas, In a day and age when troubles seem to be great and difficult for the younger generation, Jennifer Reed is a shining example for others and proof that there are capable and intelligent young adults who are working hard to reach their goals. She is not the only one with qualifications of such a high standard, but she is in a position to show the public what is becoming of the young adults, ready to "conquer the world." People such as herself will lead our society to new places in the very near future; now, therefore, be it

Resolved by the Senate, That Jennifer Reed be recognized for her many accomplishments both on and off the stage and that she knows of our support in all she does; and be it further

Resolved, That a copy of this resolution be transmitted to Jennifer Reed as a reflection of our regard for all she has done.

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

Senator Stille offered the following resolution:

Senate Resolution No. 14.

A resolution to memorialize the Congress of the United States to pass and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a balanced federal budget.

Whereas, The continuing practice of annual budget deficits has severely hampered our nation's economy. In the years since Congress and the President last provided a balanced federal budget in 1969, our country's debt has skyrocketed. As a result, we must direct badly needed tax dollars to paying interest on our debt instead of utilizing tax dollars to their fullest capability and, ultimately, reducing the tax burden facing our citizens and businesses; and

Whereas, There are a host of benefits to our country to be gained from a balanced budget constitutional amendment. With less demand on credit, interest rates would decline. This would enable individuals to attain worthwhile goals for themselves and their families. Money for homes, cars, and higher education would be more readily available. With the added potential for investment, businesses could expand to provide more and better jobs. Many of the budgetary questions that cloud our future would be answered as we channel funds to far more rewarding endeavors than paying interest on a continual escalation of debt; and

Whereas, The American people, who are accustomed to their state and local governments throughout almost the entire country having to balance their annual budgets, are in favor of similar responsibility in the federal government; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to pass and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a balanced federal budget; and be it further

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

Pursuant to rule 3.204, the resolution was referred to the Committee on Government Operations.

Senators Bouchard, Posthumus, Shugars and Hoffman were named co-sponsors of the resolution.

Senators Hoffman, Geake, Gast, Steil, Stille, Van Regenmorter, Rogers, Shugars, Bennett and Dunaskiss offered the following concurrent resolution:

Senate Concurrent Resolution No. 5.

A concurrent resolution to memorialize the Congress of the United States to pass and submit to the states for ratification an amendment to the United States Constitution requiring a balanced federal budget.

Whereas, The annual federal budget has not been balanced since 1969. The federal debt is now more than \$5 trillion. This amount represents \$20,000 for every man, woman, and child in America; and

Whereas, Continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, Fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation; and

Whereas, The federal government's unlimited ability to borrow raises questions about fundamental principles and responsibilities of government. This issue includes potentially profound consequences for the nation and its people, making it an appropriate subject for limitation by the Constitution of the United States; and

Whereas, The Constitution of the United States vests the ultimate responsibility to approve or disapprove constitutional amendments with the people, as represented by their elected state legislatures. Opposition by a small minority has repeatedly thwarted the will of the people that a balanced budget amendment to the Constitution should be submitted to the states for ratification; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to pass and submit to the states for ratification an amendment to the United States Constitution to require a balanced federal budget. The proposed amendment should require, 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 year; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives of the United States, each member of the Michigan congressional delegation, and the Secretary of State and the presiding officers of each house of the legislature of every state in the Union.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Bouchard, Schuette, Posthumus were named co-sponsors of the concurrent resolution.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 11:11 a.m.

11:13 a.m.

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

Committee Reports

The Committee on Human Resources, Labor and Veterans Affairs reported

Senate Bill No. 1, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, and 7a (MCL 408.382, 408.384, 408.384a, 408.387, and 408.387a), section 2 as amended by 1980 PA 97, and by adding section 4b.

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, DeBeaussiaert and Stallings

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, January 30, 1997, at 1:10 p.m., Room 210, Farnum Building

Present: Senators Rogers, Steil, Stille, DeBeaussiaert and Stallings

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:

Meeting held on Friday, January 31, 1997, at 10:30 a.m., 8th Floor Conference Room, Farnum Building

Present: Senators Van Regenmorter and Dingell

Scheduled Meetings

Human Resources, Labor and Veterans Affairs Committee - Thursday, February 6, at 1:00 p.m., Room 210, Farnum Building (3-2420).

Judiciary Committee - Tuesday, February 11, at 1:00 p.m., Room 100, Farnum Building (3-6920).

Trial Court Assessment Commission - Friday, February 7, at 1:00 p.m., 3rd Floor Conference Room, Michigan National Tower (3-7000).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 11:14 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, February 5, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.