

No. 15
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, February 26, 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
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—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator Michael J. Bouchard of the 13th District offered the following invocation:

Dear Lord, Guide us in the days ahead as we address a variety of issues on behalf of all our constituency. Help us to ever keep in mind who we are here to serve first and foremost, being You, then the others who elect us, and last, anyone inside of this room.

We appreciate all of Your assistance and guidance and hope that we are able to live up to Your expectations. In Your name. Amen.

Motions and Communications

Senators Schuette, Rogers, Geake and Young entered the Senate Chamber.

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

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

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

February 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:50 a.m. this date, administrative rule (97-2-7) for the Department of State, Bureau of Driver and Vehicle Records, entitled "Special Farm Vehicle Permit," effective 15 days hereafter.

February 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:52 a.m. this date, administrative rule (97-2-8) for the Department of State, Bureau of Driver and Vehicle Records, entitled "Special Parking Privileges," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The following communication was received:

Office of the Auditor General

February 21, 1997

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Eastern Michigan University, February 1997.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, February 25:
House Bill No. 4232

Messages from the Governor

The following messages from the Governor were received and read:

February 13, 1997

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

Michigan Gaming Control Board

Ms. Karen B. Farmer, 300 Riverfront Drive, Apt. 602, Detroit, Michigan 48226, county of Wayne, as a member representing the general public, succeeding Mr. Taylor C. Segue III of Detroit, who has resigned, for a term expiring on December 20, 2000.

February 20, 1997

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

Michigan Natural Resources Trust Fund Board

Mr. James B. Thompson, 20470 Crestview Drive, Reed City, Michigan 49677, county of Osceola, as a member representing the general public, succeeding Mr. William U. Parfet of Hickory Corners, whose term has expired, for a term expiring on October 1, 2000.

Mr. Paul A. Sabatine, White Road Hill Island, Cedarville, Michigan 49719, county of Mackinac, as a member representing the general public, succeeding Ms. Nancy A. Douglas of Menominee, who has resigned, for a term expiring on October 1, 1999.

February 25, 1997

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

Ferris State University Board of Control

Mr. Timothy O. Schad, 625 Plymouth, Grand Rapids, Michigan 49506, county of Kent, as a member representing the general public, succeeding Mr. Ted B. Whaby of St. Clair Shores, whose term has expired, for a term expiring on December 31, 2004.

Ms. Carolyn J. Cassin, 15410 Windmill Pointe Drive, Grosse Pointe Park, Michigan 48230, county of Wayne, as a member representing the general public, succeeding Mr. Robert S. Creswell of Grand Rapids, who has resigned, for a term expiring on December 31, 2000.

February 25, 1997

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

Northern Michigan University Board of Control

Ms. Mary L. Campbell, 1140 Heatherway, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing the general public, succeeding Ms. Ellen G. Schreuder of Detroit, whose term has expired, for a term expiring on December 31, 2004.

February 25, 1997

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

Nursing Home Administrators' Board of Control

Mr. Robert W. Goldsmith, 268 Pine Hill Lake Road, Horton, Michigan 49246, county of Jackson, as a member representing professionals, succeeding himself, for a term expiring on December 31, 2000.

Ms. Betty M. Carlson, 11600 Hartland Road, Fenton, Michigan 48430, county of Genesee, as a member representing professionals, succeeding herself, for a term expiring on December 31, 2000.

Dr. Charles Van Eaton, 670 Wright Street, Jonesville, Michigan 49250, county of Hillsdale, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2000.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senators McManus, Miller and Dunaskiss entered the Senate Chamber.

Third Reading of Bills

The following bill was read a third time:

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 question being on the passage of the bill,

Senator Geake offered the following amendment:

1. Amend page 4, following line 3, subsection (4), after "REPRESENTATIVES," by striking out the balance of the subsection and inserting "THE SENATE MAJORITY LEADER AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR A MEMBER WHO IS AN EMPLOYEE OF THE OFFICE OF THE AUDITOR GENERAL, OR THE CHAIR AND ALTERNATE CHAIR OF THE LEGISLATIVE COUNCIL FOR A MEMBER WHO IS AN EMPLOYEE OF AN AGENCY UNDER THE JURISDICTION OF THE LEGISLATIVE COUNCIL, AND UPON WRITTEN CONCURRENCE OF THE MEMBER, THE EFFECTIVE DATE OF RETIREMENT FOR THAT MEMBER UNDER SUBSECTION (2) MAY BE EXTENDED TO A DATE NOT LATER THAN JUNE 1, 1998. THE INDIVIDUAL OR INDIVIDUALS WHO APPROVE THE EXTENSION OF AN EFFECTIVE DATE OF RETIREMENT UNDER THE PREVIOUS SENTENCE SHALL SUBMIT WRITTEN NOTIFICATION TO THE BUREAU OF RETIREMENT SYSTEMS OF ALL EXTENSIONS APPROVED ON OR BEFORE APRIL 30, 1997."

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. 17

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

General Orders

Senator DeGrow 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 Berryman as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

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.

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 bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 114, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature 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.

Substitute (S-2).

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

Introduction and Referral of Bills

Senator Bouchard introduced

Senate Bill No. 220, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 2, 3, and 5 (MCL 52.202, 52.203, and 52.205), section 5 as amended by 1980 PA 401.

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

Senators Steil, Bennett, Gast, Geake, McManus, Gougeon, Shugars, Schwarz, Carl and Stille introduced

Senate Bill No. 221, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2402.

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

Senator McManus introduced

Senate Bill No. 222, entitled

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending sections 3, 4, 7, 9, 10, and 11 (MCL 388.513, 388.514, 388.517, 388.519, 388.520, and 388.521); 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 Education.

Senator DeBeaussiaert introduced

Senate Bill No. 223, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279b (MCL 380.1279b), as added by 1993 PA 335.

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

Senators Bennett, Steil, McManus, Schuette, Schwarz, Gast and Shugars introduced

Senate Bill No. 224, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954, and 972 (MCL 168.30a, 168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.544c, 168.644k, 168.690, 168.862, 168.863, 168.954, and 168.972), section 501a as amended by 1995 PA 87, sections 509n, 509r, and 509gg as added by 1994 PA 441, section 544c as amended by 1993 PA 137, and section 972 as amended by 1989 PA 26.

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

Senators Steil, Koivisto, Miller, Carl, Cisky, Bennett, Byrum, Peters, Dingell, DeBeaussiaert, A. Smith, Conroy, Young, Hart, Cherry, Gougeon, Shugars, Van Regenmorter, Schwarz, Vaughn, V. Smith, McManus, O'Brien, Dunaskiss, Rogers and Bullard introduced

Senate Bill No. 225, entitled

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

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

Senators Bullard, North, Stille, Steil, McManus, Shugars, Bouchard and Rogers introduced

Senate Bill No. 226, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1991 PA 192.

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

Senator Bouchard introduced

Senate Bill No. 227, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

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 Bouchard introduced

Senate Bill No. 228, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 904 (MCL 450.4904).

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

House Bill No. 4232, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 1995 PA 225, and by adding sections 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 9a.

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. 4238, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding sections 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, and 735; and to repeal acts and parts of acts.

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 Economic Development, International Trade and Regulatory Affairs.

Resolutions

Senate Resolution No. 11.

A resolution urging the Citizen's Stamp Advisory Committee to recommend to the Postmaster General that a lifesaving awareness stamp, "The Gift of Life," be included for the 1999 stamps.

The question being on the adoption of the resolution,

The resolution was adopted.

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.

The question being on the adoption of the resolution,

Senator Hart offered the following amendments:

1. Amend the title, after “budget” by inserting “with Social Security and Medicare removed from consideration”.
2. Amend the first Resolving clause, line 4, after “budget” by inserting “with Social Security and Medicare removed from consideration”.

The question being on the adoption of the amendments,

Senator Hart requested the yeas and nays.

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

The question being on the adoption of the amendments,

Senator DeGrow moved that further consideration of the resolution be postponed for today.

The motion prevailed.

Senate Resolution No. 18.

A resolution to memorialize the Congress of the United States to enact legislation to provide for the enforcement of the Tenth Amendment to the United States Constitution.

The question being on the adoption of the resolution,

Senator Emmons requested the yeas and nays.

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

The question being on the adoption of the resolution,

Senator Berryman moved that further consideration of the resolution be postponed for today.

The motion did not prevail.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 18

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senators Rogers, Gougeon, Bouchard and Bennett were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 9.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide for the enforcement of the Tenth Amendment to the United States Constitution.

The question being on the adoption of the concurrent resolution,

Senator Emmons requested the yeas and nays.

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

The concurrent resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 19**Yeas—37**

Bennett
Berryman
Bouchard
Bullard
Byrum
Carl
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Hoffman

Koivisto
McManus
Miller
North
O'Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Stallings
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—1

Smith, V.

Excused—0**Not Voting—0**

In The Chair: President

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

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

Senate Resolution No. 20**Senate Concurrent Resolution No. 11**

The motion prevailed.

House Concurrent Resolution No. 5.

A concurrent resolution to disapprove Executive Order 1996-12 on executive reorganization.

Whereas, On December 19, 1996, Governor Engler, pursuant to authority outlined in Article V, Section 2 of the Constitution of the State of Michigan, issued Executive Order 1996-11 and Executive Order 1996-12. These proposals on executive reorganization provide for changes in responsibilities for the State Board of Education and the Superintendent of Public Instruction; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan also provides:

Where these changes require the force of law, they shall be set forth in executive orders and submitted to the legislature. Thereafter the legislature shall have 60 calendar days of a regular session, or a full regular session if of shorter duration, to disapprove each executive order. Unless disapproved in both houses by a resolution concurred in by a majority of the members elected to and serving in each house, each order shall become effective at a date thereafter to be designated by the governor.; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to Article V, Section 2 of the Constitution of the State of Michigan, disapprove Executive Order 1996-12; and be it further

Resolved, That a copy of this resolution be transmitted to the office of the Governor.

The House of Representatives has adopted the concurrent resolution.

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

Senator Bouchard offered the following resolution:

Senate Resolution No. 27.

A resolution to request all state agencies and institutions to begin planning and budgeting for adjustments to computer software and operations necessitated by the turn of the century.

Whereas, As a result of decisions made in the infancy of the computer age, much of the software utilized in information systems is predicated on the numerical value given to the year. The coming of the year 2000 presents a challenge to computer programmers around the country and the world. Up until now, computer systems have automatically assumed that all two digit year dates are for the twentieth century; and

Whereas, With the volume of data stored and used through computers at all levels, there is a great deal at stake in preparing for the adjustments of converting to the year 2000 and beyond. Experts estimate this to be a challenge that may involve hundreds of millions of dollars. The impact of computers in our lives includes not only data maintained for record-keeping purposes, but computerized machines that operate equipment we use every day. Hospitals, industry, financial institutions, schools, and transportation are all dependent upon computer programs; and

Whereas, There is added concern for governmental operations, including all agencies and institutions, due to the interaction between the various levels of government. This is especially true for state operations that are intertwined with federal agencies and programs. As a result, several states have begun to examine their computer coding. Michigan must be diligent in preparing wisely for this challenge; now, therefore, be it

Resolved by the Senate, That we request all state agencies and institutions to begin planning and budgeting for adjustments to computer software and operations necessitated by the turn of the century; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's state agencies and institutions.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeBeaussiaert moved that his statement that was printed in yesterday's Journal be corrected and reprinted in today's Journal.

The motion prevailed.

Senator DeBeaussiaert's statement is as follows:

Today may be the last day for this Senate to act to overturn Executive Order 1996-12. It may be up for consideration later today. I think that while some in this chamber may view this as a political battle between the Board of Education and the Executive Branch, it's important for the members of this body to recognize that we have a dog in that fight, too. In fact, there are a series of issues in which the legislature has specifically empowered the State Board of Education with oversight ability that would be stricken or moved over to the authority of the Superintendent.

Specifically, I'm concerned about the power to oversee some of the new activities of public school academies or charter schools in this state—the authority to receive charter school contracts or reject contracts, the power to delay state aid to charter schools and the power to suspend charter school authorizing bodies. These are new institutions, these charter schools. It seems to me that one of the important differences about them is that they are created by a separate body and don't have a locally elected body that the parents and members of the state can go to in a public forum to ask questions, to seek explanations and to have their voices heard. In the absence of a local elected board, the State Board of Education, which is an elected board, was empowered by the legislature to carry out that responsibility to give the public an opportunity in an open forum to seek answers to those questions and seek the kinds of input that is appropriate.

This executive order would move that authority away from the State Board and to the Superintendent, out of the sunshine and into the private decision-making of an appointed bureaucrat rather than an elected body. I think that transfer of authority that this Legislature originally approved for the State Board is one that we should not take lightly. We should consider, we should debate and I hope that we will take action on resolutions.

Another specific area that I'm concerned about relates to the high school proficiency test. We've already heard a great deal about that. Much more may be made of that test in the future. This order would also move the authority over the implementation and the authority over the test away from the State Board, who has expressed some concern about it and wanted to have some public input and discussion, to the Superintendent. It seems to me that our educational system is key to the future of this state, that the greatest public input is important and should be advocated by the members of this body. I hope that we will take action later today to overturn the executive order and to continue this discussion.

Senator Posthumus moved that a statement he made yesterday regarding House Concurrent Resolution No. 5 be printed in the Journal.

The motion prevailed.

Senator Posthumus' statement is as follows:

I couldn't let this little discussion go unchecked. I think it's unfortunate that there are some who would like to bring up the EO under the guise of substance, but, in fact, I think for many it's merely a political issue because they waited until the last day. If they were serious, this would have been taken up long before sending it over here on the last day

that it's eligible to be worked on. But, more important, unlike what some of the others are saying on the other side of the aisle, this isn't about legislative rule-making authority. This is an internal fight within the Executive Branch of government, between the State Board of Education and the Superintendent of schools, and how they will administer it.

We had three recent court decisions that have said the Executive Branch can organize within their branch of government as they see fit. We've had it on the DNR, DEQ, and I know the other side disagreed with it, but the courts disagreed with them. We've had it with the MESC—the other side disagreed with it, but the courts disagreed with them, and we've had it with liquor privatization.

The legislative rule making authority still stands. If the administrative rules committee rules it constitutional, the Executive Branch, whether it's the State Board of Education or the Superintendent of schools, must submit those rules to the Legislative Branch for decision-making. That's important. The administrative rules of the Legislative Branch are unaffected by this Executive Order.

The rule questioned in the end is not all of this political mumbo-jumbo, not this legal mumbo-jumbo, but what are we going to do for the kids who have been failed by our schools.

The State Board of Education, under both Republicans and Democrats, have had 30 years, but have done nothing. The Governor has laid out a plan to deal with kids who have failed; that's where our responsibility ought to lie. I think we need to pay attention to that rather than getting into the political gamesmanship we're seeing here today.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 209, entitled

A bill to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.

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

1. Amend page 389, following line 18, by inserting:

“(i) 1996 PA 433, MCL 451.471 to 451.481.”.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell, Peters and V. Smith

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 Judiciary submits the following:

Meeting held on Tuesday, February 25, 1997, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell, Peters and V. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submits the following:

Meeting held on Tuesday, February 25, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators DeGrow, Steil and A. Smith

Scheduled Meeting

Trial Court Assessment Commission - Friday, March 21, at 10:00 a.m., 8th Floor Conference Room, Farnum Building (3-7000).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 10:49 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Thursday, February 27, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

