

No. 31
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, April 22, 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—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator George A. McManus, Jr. of the 36th District offered the following invocation:

Keep us, O God, from all pettiness. Let us be large in thought, in word and in deed. Let us be done with faultfinding and leave off all self-seeking. May we put away all pretense and meet each other face to face without self-pity and without prejudice. May we never be hasty in judgment and always be generous. Let us always take time for all things and make us to grow calm, serene and gentle. Teach us to put into action our better impulses, to be straightforward and unafraid. Grant that we may realize that it is the little things in life that create differences and in the big things in life we are as one. O Lord God, let us not forget to be kind. Amen.

Motions and Communications

The following communication was received:
Council of Governments

April 11, 1997

Enclosed are summaries of four plans developed under the Job Training Partnership Act (JTPA) for the year beginning July 1, 1997, covering the ten county northwest Michigan region. Included are summaries for:

- JTPA Title IIA (for economically disadvantaged adults);
- JTPA Title IIC (year round program for economically disadvantaged youth);
- JTPA Title III (for dislocated workers);
- JTPA Title IIA 5% (for older workers).

We welcome your review, comments and suggestions. Thanks for you for your continued support of JTPA programs. The communication was referred to the Secretary for record.

The following communication was received:
Ottawa County Michigan Works!

April 18, 1997

Copies of the following information regarding the proposed JTPA services for the Ottawa County Michigan Works! Agency are available for your review and comment by contacting the MWA office:

1. IIA Plan, Period 07/01/97-06/30/98 - Narrative, Budget Information Pages, Participant Plan Summaries.
 2. IIC Plan, Period 07/01/97-06/30/98 - Narrative, Budget Information Pages, Participant Plan Summaries.
 3. EDWAAA Plan, Period 07/01/97-06/30/98 - Narrative, Budget Information Pages, Participant Plan Summaries.
 4. IIB Plan, Period 10/01/97-09/30/97 - Narrative, Budget Information Pages and Participant Plan Summaries will be available after May 24, 1997.
 5. 5% Older Worker Plan, Period 07/01/97-06/30/98 - Narrative, Budget Information Pages, Participant Plan Summaries.
 6. 8% Plan, Period 07/01/97-06/30/98 - Narrative, Budget Information Pages.
- Budget Information Pages and Participant Plan Summaries reflect PY97 allocations for Ottawa County and anticipated participants to be served.

Performance Standards for IIA, IIC, and EDWAAA will be calculated as further information is provided by Michigan Job Commission. If you wish to receive the Performance Standards as they become available, please contact this office.

For further information or to comment on the proposed plans, contact Cathy Simons or myself at (616) 393-5644.

Sincerely,
Gary Scholten
Director

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 Wednesday, April 16:
House Bill No. 4436

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 17:
House Bill Nos. 4403 4404 4515 4523

The Secretary announced the printing and placement in the members' files on Monday, April 21 of:

Senate Bill Nos.	346	347	348	349	350	351	352	353	354	355	356	357	358	359
	360	361	362	363	364	365	366	367	368	369	370	371	372	373

	374	375	376	377	378	379	380	381	382	383	384	385	386	387
	388	389	390	391	392	393	394	395	396	397	398	399	400	401
	402	403	404	405	406									
House Bill Nos.	4616	4617	4618	4619	4620	4621	4622	4623	4624	4625	4626	4627	4628	4629
	4630	4631	4632	4633	4634	4635	4636							

Senators Young, Stallings and A. Smith entered the Senate Chamber.

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 V. Smith, Miller, Cherry, Van Regenmorter and Hoffman entered the Senate Chamber.

A quorum of the Senate was present.

Senator North entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senators Bullard, Carl, Schwarz, Gougeon, Schuette, Steil, Rogers, Geake, Shugars, Bouchard, Stille, Dunaskiss, Bennett, Emmons, Gast and Posthumus entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 133, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 40 (MCL 436.40), as amended by 1994 PA 421.

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. 125

Yeas—34

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

Nays—3

Carl

Smith, V.

Van Regenmorter

Excused—0

Not Voting—1

Bullard

In The Chair: President

The Senate agreed to the title of the bill.

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

Senate Bill No. 133

The motion prevailed.

The following bill was read a third time:

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 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. 126

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

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 127

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	Schuetten	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.

The following bill was read a third time:

House Bill No. 4142, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending sections 113, 114, and 117 (MCL 55.113, 55.114, and 55.117).

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. 128

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	Schuetten	Vaughn
Conroy	Hoffman	Schwarz	Young
DeBeaussiaert	Koivisto		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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 title of the bill.

The following bill was read a third time:

House Bill No. 4143, entitled

A bill to amend 1969 PA 57, entitled “Uniform recognition of acknowledgments act,” by amending section 2 (MCL 565.262).

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. 129

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	Schuetten	Vaughn
Conroy	Hoffman	Schwarz	Young
DeBeaussaert	Koivisto		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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.

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to establish the recognition to be given in this state to acknowledgements and notarial acts outside this state; and to repeal certain acts and parts of acts.”

The Senate agreed to the full 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 Young 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 bill:

Senate Bill No. 340, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 11, 18, 19, 20, 23, 25, and 31 (MCL 567.231, 567.238, 567.239, 567.240, 567.243, 567.245, and 567.251); and to repeal acts and parts of acts.

The bill was 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. 306, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 4, and 6 (MCL 691.1401, 691.1402, 691.1404, and 691.1406), the title and section 1 as amended by 1986 PA 175 and section 2 as amended by 1996 PA 150, and by adding sections 2a and 2b.

Substitute (S-1).

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

1. Amend page 7, following line 27, by inserting:

"(10) THERE IS NO LIABILITY UNDER THIS SECTION FOR THE FAILURE TO INSTALL A GUARDRAIL IF THE FAILURE TO INSTALL A GUARDRAIL WAS IN CONFORMANCE WITH GENERALLY ACCEPTED ENGINEERING STANDARDS.

(11) THERE IS NO LIABILITY UNDER THIS SECTION IF THE GUARDRAIL THAT IS THE BASIS FOR THE ACTION HAS BEEN INSTALLED AND MAINTAINED, ALTERED, UPGRADED, OR IMPROVED IN CONFORMANCE WITH GENERALLY ACCEPTED ENGINEERING STANDARDS.

(12) SUBJECT TO THE LIMITATIONS OF SUBSECTIONS (10) AND (11), ANY ACTION UNDER THIS SECTION ALLEGING DAMAGES BASED ON A GUARDRAIL SHALL ONLY BE BROUGHT IF THE DEFENDANT'S ACT OR OMISSION WAS GROSS NEGLIGENCE. AS USED IN THIS SUBSECTION, "GROSS NEGLIGENCE" MEANS CONDUCT SO RECKLESS AS TO DEMONSTRATE A SUBSTANTIAL LACK OF CONCERN FOR WHETHER AN INJURY RESULTS."

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

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 20

Senate Concurrent Resolution No. 11

Senate Concurrent Resolution No. 18

Senate Concurrent Resolution No. 19

Senate Concurrent Resolution No. 20

Senate Concurrent Resolution No. 21

Senate Concurrent Resolution No. 22

The motion prevailed.

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

Senate Resolution No. 46

Senate Resolution No. 47

The resolution consent calendar was adopted.

Senator Steil offered the following resolution:

Senate Resolution No. 46.

A resolution commending and congratulating the Ottawa Hills High School Boys Basketball Team and its coaching staff for their achievements and the realization of their goal for securing the State Class A Basketball Championship Title.

Whereas, The skill, dedication, and determination of each player and the motivation, knowledge, and experience of Coach Eaddy and his staff shall be recognized; and

Whereas, The families, students, fans, and school administration have given their support to cheer on their home team and help it to overcome obstacles and celebrate its victories; and

Whereas, The game of basketball has helped to instill character, perseverance, and hope within the game's athletes and coaches; and

Whereas, Coach James Eaddy has been committed to his players and to Ottawa Hills High School for the enhancement of each; now, therefore, be it

Resolved by the Senate, That tribute be accorded to salute the Ottawa Hills High School Boys Basketball Team, Class A State Champions, and its coaching staff on their outstanding season and championship victory; and be it further

Resolved, That a copy of this resolution be transmitted to Ottawa Hills High School, each team member, Coach James Eaddy and his coaching staff as evidence of our congratulations.

Senators Conroy, McManus, Bouchard, Shugars, Young, DeGrow, Schwarz and Hoffman were named co-sponsors of the resolution.

Senator O'Brien offered the following resolution:

Senate Resolution No. 47.

A resolution commending Donald A. MacDonald.

Whereas, It is a distinct personal privilege to honor Don MacDonald for his tireless commitment to the people of the City of Detroit. In the 12 years in which he has been employed at Brightmoor Community Center, he has inspired people to be dedicated, tenacious, to pursue excellence, and above all, believe that they will make it. We extend to him our heartfelt gratitude and praise his outstanding contributions to bringing out the best in everyone he works with; and

Whereas, The people who take advantage of the services available at Brightmoor Community Center are fortunate to have Don's help, as he is both knowledgeable and experienced in social work and committed to imparting his knowledge and advice to those in need. Don is a graduate of Wayne State University, School of Social Work, and is presently the ACBSW, Vice President and Chair of Operator Officers. He is currently practicing social work in the areas of neighborhood development, community organization, technical assistance, research, grant writing and contract management; and

Whereas, For the past 10 years Don has managed the transportation service contract for seniors and handicappers here at the Brightmoor Community Center. Don was also involved with the exemplary program management of Home Support Services, a program for seniors 60 and over that helps them with homemaker and chore worker assistance in their homes. He expanded the service area and added a special "Heat's On - Water's Off" union partnership with the Plumbing and Heating Industry Association. In conjunction with this program, Don continues to coordinate 175 volunteers once a year to provide furnace and water inspections and repair on a Saturday in October; and

Whereas, Don has been married to his wife, Jayne, for the past 16 years, and they are blessed with one son, Brian. For years they have been members of the Thoroughbred Owners and Breeders Association of Michigan, and have enjoyed being owners of thoroughbred race horses, actively racing them at the Ladbroke Racetrack in Detroit; now, therefore, be it

Resolved by the Senate, That tribute be hereby accorded to Donald A. MacDonald, who has been so dedicated in serving the Great Lakes State; and be it further

Resolved, That a copy of this resolution be transmitted to Donald A. MacDonald as evidence of our respect and esteem.

Senator Conroy was named co-sponsor of the resolution.

House Concurrent Resolution No. 32.

A concurrent resolution to urge the Civil Service Commission to reject the proposed change to Civil Service rules that would exempt from review personal service contracts of less than \$500,000.

Whereas, Under the current rules of the Civil Service Commission, personal service contracts for more than \$5,000 must receive Civil Service review and approval; and

Whereas, The Civil Service Commission is considering several amendments to its rules, including changes to the rules on personal service contracts to allow state departments to self-approve personal service contracts under \$500,000 or \$2 million for the life of the contract, essentially exempting them from the requirement of Civil Service review unless the amount of the contract is \$500,000. The proposed rule change also would require prior approval in certain other situations, including a contract being for \$2 million or more over the life of the contract or if there are more than five contracts involving a single state agency in a fiscal year; and

Whereas, The Civil Service Commission is also considering a proposal that would eliminate personal service contracts from any Commission review if those services were in a "mixed" contract, including disbursements for nonservices; and

Whereas, Raising from \$5,000 to \$500,000 the threshold for Civil Service review is a major change to how state agencies can use personal service contracts. This represents a dramatic loss of accountability in the awarding of contracts involving millions of state tax dollars; and

Whereas, With the pending retirement of a substantial number of state employees, the proposed change to Civil Service rules has the potential for abuse through a drastic reduction in oversight. Instead of work being performed by men and women operating under the well-defined public review of a Civil Service system that has served our state well, work and money will be shifted to private contractors with far less accountability to the taxpaying public. This change has some observers concerned over patronage replacing key operations of state government; and

Whereas, Public trust in governmental operations is essential to the health of our democracy. Returning to policies that diminish accountability, especially before money is spent, erodes this trust; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Civil Service Commission to reject the proposed change to Civil Service rules that would exempt from review personal service contracts of less than \$500,000; and be it further

Resolved, That a copy of this resolution be transmitted to the Civil Service Commission.

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 Conroy was named co-sponsor of the concurrent resolution.

Senate Concurrent Resolution No. 28.

A concurrent resolution to dissolve the K.I. Sawyer Base Conversion Authority.

(For text of resolution, see Senate Journal No. 27, p. 385.)

The House of Representatives has adopted the concurrent resolution and named Reps. Jaye, Prusi, Middleton, Middaugh, Tesanovich, Anthony, Hale and Kukuk as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Bullard introduced

Senate Joint Resolution J, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 3 and 7 of article VIII, to abolish the state board of education and provide for gubernatorial appointment of the superintendent of public instruction.

The joint resolution was read a first and second time by title and referred to the committee on Government Operations.

Senators Vaughn, Young, O'Brien, A. Smith, Berryman and Hart introduced

Senate Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 7 of article IV and section 22 of article V, to eliminate the age requirement for serving as the governor, the lieutenant governor, or a member of the legislature.

The joint resolution was read a first and second time by title and referred to the committee on Government Operations.

Senator Bullard introduced

Senate Bill No. 416, entitled

A bill to repeal 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," (MCL 388.1001 to 388.1017).

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

Senators Conroy, Young, Bullard and Cherry introduced

Senate Bill No. 417, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5801 and 5867 (MCL 600.5801 and 600.5867) and by adding section 5867a.

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

Senators Conroy, Young, Bullard and Cherry introduced

Senate Bill No. 418, entitled

A bill to amend 1945 PA 200, entitled "An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof," by amending section 1 (MCL 565.101).

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

Senators Rogers, Shugars, Dunaskiss, Stille, Geake and Steil introduced

Senate Bill No. 419, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3010.

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

Senators Stallings, Koivisto, Hart and Berryman introduced

Senate Bill No. 420, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 55, 96, 136, 166, 196, 227, 257, 354, 357, 572, 605, 626, 706, and 737 (MCL 168.55, 168.96, 168.136, 168.166, 168.196, 168.227, 168.257, 168.354, 168.357, 168.572, 168.605, 168.626, 168.706, and 168.737), section 626 as amended by 1988 PA 116 and sections 706 and 737 as amended by 1985 PA 160.

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

Senators Stallings, Vaughn, O'Brien and Koivisto introduced

Senate Bill No. 421, entitled

A bill to allow citizens of a city, township, or village to place upon the ballot and approve a local direct democracy initiative; to allow for the assessment and collection of a surcharge on the property tax assessments of the city, township, or village; to provide for the creation of certain revolving funds; and to prescribe the powers and duties of certain state departments and state and local public officials and employees.

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

Senators Stallings, Young, Vaughn, V. Smith, O'Brien, Koivisto, Hart and Berryman introduced

Senate Bill No. 422, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r.

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

Senators Stallings, Young, Vaughn, Cherry, V. Smith, O'Brien, Koivisto, Byrum, A. Smith, Hart and Berryman introduced

Senate Bill No. 423, entitled

A bill to amend 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," by amending the title and section 1 (MCL 752.161).

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 Stallings, Young, Vaughn, O'Brien, Koivisto, Hart and Berryman introduced

Senate Bill No. 424, entitled

A bill to amend 1965 PA 314, entitled "An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers," (MCL 38.1132 to 38.1140i) by adding section 13d.

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

Senators Stallings, Young, Vaughn, O'Brien and Hart introduced

Senate Bill No. 425, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," (MCL 450.1101 to 450.2098) by adding section 489a.

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 Bullard, Dunaskiss, Bouchard, McManus, Carl, Steil, DeBeaussiaert and North introduced

Senate Bill No. 426, entitled

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials," by amending sections 6c and 6d (MCL 41.426c and 41.426d), as added by 1989 PA 79.

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

Senators Bouchard, Dunaskiss, Carl, McManus, Steil, DeBeaussiaert and North introduced

Senate Bill No. 427, entitled

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; and to prescribe the powers and duties of township boards with respect to those services and facilities," by amending sections 20b and 20k (MCL 41.350b and 41.350k), as added by 1989 PA 83.

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

Senators Bullard, Dunaskiss, Bouchard, McManus, Carl, Steil, DeBeaussiaert and North introduced

Senate Bill No. 428, entitled

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending section 4 (MCL 41.414), as amended by 1989 PA 82.

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

Senators Bullard, Dunaskiss, Bouchard, McManus, Carl, Steil, DeBeaussiaert and North introduced

Senate Bill No. 429, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 44c.

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

Senators Bullard, Dunaskiss, Bouchard, McManus, Carl, Steil, DeBeaussiaert and North introduced

Senate Bill No. 430, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance

of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,” by amending sections 5 and 15b (MCL 41.725 and 41.735b), section 5 as amended by 1986 PA 180.

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

Senators Bullard, Dunaskiss, Bouchard, McManus, Carl, Steil, DeBeaussaert and North introduced

Senate Bill No. 431, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending sections 626, 628, and 629 (MCL 280.626, 280.628, and 280.629).

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

Senators Bullard, Dunaskiss, McManus, Carl, Steil, DeBeaussaert and North introduced

Senate Bill No. 432, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 41.801), as amended by 1989 PA 81.

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

Senator Bouchard introduced

Senate Bill No. 433, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 110a (MCL 750.110a), as added by 1994 PA 270.

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

Senator Byrum introduced

Senate Bill No. 434, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406j.

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

Senators Emmons and Schuette introduced

Senate Bill No. 435, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7m (MCL 211.7m), as added by 1980 PA 142.

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. 4403, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 328 and 907 (MCL 257.328 and 257.907), as amended by 1995 PA 287.

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 Financial Services.

House Bill No. 4404, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 33, 35, and 39 (MCL 552.633, 552.635, and 552.639), sections 33 and 35 as amended by 1996 PA 336.

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. 4436, entitled

A bill to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

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 Transportation and Tourism.

House Bill No. 4515, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 33 (MCL 791.233), as amended by 1994 PA 217.

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 Judiciary.

House Bill No. 4523, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160a.

The House of Representatives has 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 Transportation and Tourism.

Committee Reports

The Committee on Local, Urban and State Affairs reported

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.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 305, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160a.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 322, entitled

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

With the recommendation that the bill pass.

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

Leon Stille

Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, April 16, 1997, at 2:40 p.m., Room 100, Farnum Building

Present: Senators Stille (C), Dunaskiss, Bennett, Hart and O'Brien

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Friday, April 11, 1997, at 11:10 a.m., Oakland County Commissioners Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan

Present: Senators Bullard (C) and Miller

Excused: Senators Emmons, Hoffman and Hart

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:

Meeting held on Tuesday, April 15, 1997, at 3:00 p.m., Room 425, Capitol Building

Present: Senators Dunaskiss (C) and Berryman

Excused: Senators Schuette, Rogers and Byrum

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:

Meeting held on Friday, April 18, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building

Present: Senator Dingell

Excused: Senator Van Regenmorter

Scheduled Meetings

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, April 23, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, April 24, at 1:30 p.m., Room 100, Farnum Building (3-1777).

Government Operations Committee - Wednesday, April 23, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-1758).

Human Resources, Labor and Veterans Affairs Committee - Thursday, April 24, at 12:00 p.m., Room 210, Farnum Building (3-2420).

Natural Resources and Environmental Affairs Committee - Wednesday, April 23, at 8:45 a.m., 8th Floor Conference Room, Farnum Building (3-7350).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 11:38 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, April 23, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

