

No. 43
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, May 20, 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—excused
Schwarz—present
Shugars—present
A. Smith—present
V. Smith—present
Stallings—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator William Van Regenmorter of the 22nd District offered the following invocation:

Dear God in Heaven, as we are about to begin a new session of the Senate, we ask that You will continue to bless the members, the staff members and those who also seek to serve the people of this state, including the Governor and the Lieutenant Governor. We also ask Your blessing upon the House of Representatives. Give us wisdom, give us clarity of mind. And we also ask that You will help us do the right thing. We ask these things in the name of Jesus Christ. Amen.

Recess

Senator Schwarz 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 A. Smith, V. Smith, Hoffman, Miller, Bullard and Cisky entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Recess

Senator Schwarz moved that the Senate recess until 11:00 a.m.

The motion prevailed, the time being 10:32 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 Posthumus, Stille, Carl, Geake and North entered the Senate Chamber.

Senator V. Smith moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 15:

House Bill Nos. 4005 4006 4415 4465 4466 4606 4753

The Secretary announced the printing and placement in the members' files on Thursday, May 15 of:

Senate Bill Nos. 503 504

The Secretary announced the printing and placement in the members' files on Monday, May 19 of:

Senate Bill Nos. 500 502 505 506

**House Bill Nos. 4772 4775 4776 4777 4778 4779 4780 4781 4782 4783 4784 4785 4786 4787
4788 4789 4790 4791 4792 4793**

House Joint Resolution V

Recess

Senator North moved that the Senate recess subject to the call of the President.

The motion prevailed, the time being 11:03 a.m.

11:05 a.m.

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

During the recess, Senators DeGrow, Rogers, Dunaskiss, McManus, Emmons, Steil, Bennett and Gougeon entered the Senate Chamber.

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

Senators Bouchard and Young entered the Senate Chamber.

Messages from the Governor

The following messages from the Governor were received and read:

May 15, 1997

Please be advised of the following appointment to office, subject to the advice and consent of the Michigan Senate:
Chair, Board of Ethics

Mr. Christopher M. Murray, 365 McKinley, Grosse Pointe Farms, Michigan 48236, county of Wayne, succeeding Mr. John Riecker, whose term has expired, for a term expiring February 7, 2001.

May 15, 1997

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

Ms. Christina L. Clark, 3809 Wilder Road, Metamora, Michigan 48455, county of Lapeer, as a member representing Republicans, succeeding Mrs. Lynn Alexander of Bloomfield Hills, who has resigned, for a term expiring on July 28, 1999.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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

House Bill No. 4220

The motion prevailed.

Senate Bill No. 229, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 8 (MCL 290.658), as amended by 1996 PA 216.

Substitute (H-1).

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

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

Roll Call No. 232

Yeas—35

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Koivisto

McManus
Miller
North
O'Brien
Peters
Posthumus
Rogers
Schwarz
Shugars

Smith, A.
Smith, V.
Stallings
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—1

Schuette

Not Voting—2

Carl

Hoffman

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

The President pro tempore, Senator Schwarz, assumed the Chair.

Senate Bill No. 230, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending section 17 (MCL 121.17).
Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 233

Yeas—37

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

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title of the bill.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 233, entitled

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

Substitute (H-1).

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

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

Roll Call No. 234**Yeas—37**

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

Nays—0**Excused—1**

Schuette

Not Voting—0

In The Chair: Schwarz

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

Senate Bill No. 234, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 1984 PA 299.

Substitute (H-2)*.

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

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

Roll Call No. 235**Yeas—37**

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

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title of the bill.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 51, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title of the bill.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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.

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

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

Senate Bill No. 140, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3101 (MCL 324.3101) and by adding sections 3131, 3132, and 3133.

The House of Representatives has amended the bill as follows:

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

“(A) “DEPARTMENT” MEANS THE DEPARTMENT OF ENVIRONMENTAL QUALITY.” and relettering the remaining subdivisions.

2. Amend page 2, following line 3, by inserting:

“(E) “SEWAGE SLUDGE DERIVATIVE” MEANS A PRODUCT FOR LAND APPLICATION DERIVED FROM SEWAGE SLUDGE THAT DOES NOT INCLUDE SOLID WASTE OR OTHER WASTE REGULATED UNDER THIS ACT.” and relettering the remaining subdivisions.

3. Amend page 2, line 7, after “A” by striking out the balance of the subdivision and inserting “SEWAGE SLUDGE DERIVATIVE.”.

4. Amend page 2, line 13, after “3131.” by inserting “(1)”.

5. Amend page 2, line 16, after “SLUDGE” by inserting “AND SEWAGE SLUDGE DERIVATIVES”.

6. Amend page 2, line 20, after “SLUDGE” by inserting “OR IN A SEWAGE SLUDGE DERIVATIVE. HOWEVER, THE RULES SHALL REQUIRE THAT IF MONITORING OF SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE INDICATES A POLLUTANT CONCENTRATION IN EXCESS OF THAT PROVIDED IN TABLE 3 OF 40 C.F.R. 503.13, MONITORING FREQUENCY SHALL BE INCREASED TO NOT LESS THAN TWICE THAT

PROVIDED IN TABLE 1 OF 40 C.F.R. 503.16, UNTIL POLLUTANT CONCENTRATIONS ARE AT OR BELOW THOSE PROVIDED IN TABLE 3 OF 40 C.F.R. 503.13. THE RULES SHALL REQUIRE A SEWAGE SLUDGE GENERATOR OR SEWAGE SLUDGE DISTRIBUTOR TO DELIVER TO A COUNTY, CITY, VILLAGE, OR TOWNSHIP A COPY OF ANY RECORD REQUIRED TO BE CREATED UNDER THE RULES PERTAINING TO SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE APPLIED TO LAND IN THAT LOCAL UNIT. THE COPY SHALL BE DELIVERED FREE OF CHARGE PROMPTLY AFTER THE RECORD IS CREATED”.

7. Amend page 2, following line 20, by inserting:

“(2) IF THE MICHIGAN SUPREME COURT RULES THAT SECTIONS 45 AND 46 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.245 AND 24.246, ARE UNCONSTITUTIONAL AND A STATUTE REQUIRING LEGISLATIVE REVIEW OF ADMINISTRATIVE RULES IS NOT ENACTED WITHIN 90 DAYS AFTER THE MICHIGAN SUPREME COURT RULING, THE RULE-MAKING AUTHORITY UNDER THIS SECTION AND ANY RULES PROMULGATED UNDER THAT RULE-MAKING AUTHORITY ARE RESCINDED, AND THE LAND APPLICATION OF SEWAGE SLUDGE SHALL BE MANAGED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE CONSISTENT WITH THE REQUIREMENTS OF 40 C.F.R. PART 503.”.

8. Amend page 3, line 12, after “OR” by striking out “DISTRIBUTED THAT WAS” and inserting “THE NUMBER OF DRY TONS OF SEWAGE SLUDGE IN SEWAGE SLUDGE DERIVATIVES IT DISTRIBUTED THAT WERE”.

9. Amend page 3, line 18, after “LAND” by inserting “OR IN SEWAGE SLUDGE DERIVATIVES APPLIED TO LAND”.

10. Amend page 4, line 2, after “SLUDGE” by striking out “APPLIED TO LAND”.

11. Amend page 4, line 24, after “SLUDGE” by inserting “AND SEWAGE SLUDGE DERIVATIVES”.

12. Amend page 5, line 4, after “SLUDGE” by inserting “OR SEWAGE SLUDGE DERIVATIVES”.

13. Amend page 5, line 5, after “SLUDGE” by inserting “OR SEWAGE SLUDGE DERIVATIVES”.

14. Amend page 5, following line 5, by inserting:

“(6) A LOCAL UNIT MAY ENACT, MAINTAIN, AND ENFORCE AN ORDINANCE THAT PROHIBITS THE LAND APPLICATION OF SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE IF MONITORING INDICATES A POLLUTANT CONCENTRATION IN EXCESS OF THAT PROVIDED IN TABLE 1 OF 40 C.F.R. 503.13 UNTIL SUBSEQUENT MONITORING INDICATES THAT POLLUTANT CONCENTRATIONS DO NOT EXCEED THOSE PROVIDED IN TABLE 1 OF 40 C.F.R. 503.13.”.

15. Amend page 6, line 1, after “SLUDGE” by inserting “OR SEWAGE SLUDGE DERIVATIVE”.

16. Amend page 6, line 3, after “SLUDGE” by inserting “OR SEWAGE SLUDGE DERIVATIVE”.

17. Amend page 6, line 10, after “SLUDGE” by inserting “OR SEWAGE SLUDGE DERIVATIVE”.

18. Amend page 7, line 4, after “ACCORDINGLY.” by inserting “IF THE DEPARTMENT FAILS TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION, THE ORDINANCE IS CONSIDERED TO BE APPROVED.”.

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

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

House Bill No. 4219, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

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

1. Amend page 2, following line 18, by inserting:

“(v) NATURAL HAIR CULTIVATION.”.

2. Amend page 3, line 24, after “WAVING,” by inserting “WEAVING, PLAINTING, CRIMPING, BRAIDING,”.

3. Amend page 4, line 22, after “HAIR” by striking out the balance of the subdivision and inserting a period and:

“(N) “NATURAL HAIR CULTURIST” MEANS A PERSON ENGAGED IN NATURAL HAIR CULTIVATION.” and relettering the remaining subdivisions.

4. Amend page 6, line 5, after the second “SERVICES,” and inserting “NATURAL HAIR CULTIVATION,”.

5. Amend page 6, line 10, after the first “SERVICES” by inserting a comma and “NATURAL HAIR CULTIVATION,”.

6. Amend page 6, line 11, after “MANICURIST” by inserting a comma and “NATURAL HAIR CULTURIST,”.

7. Amend page 6, line 14, after “MANICURIST” by inserting a comma and “NATURAL HAIR CULTURIST,”.

8. Amend page 7, line 26, after “SERVICES” by inserting a comma and “NATURAL HAIR CULTIVATION,”.

9. Amend page 13, line 18, after the second “A” by inserting “NATURAL HAIR CULTIVATION,”.

10. Amend page 14, line 11, after "IN" by inserting "NATURAL HAIR CULTIVATION,".
11. Amend page 15, line 16, after "MANICURIST" by inserting a comma and "NATURAL HAIR CULTURIST,".
12. Amend page 16, line 20, after "which" by inserting "NATURAL HAIR CULTIVATION,".
13. Amend page 18, line 21, after "AFTER" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT AMENDED THIS SECTION".
14. Amend page 19, line 7, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".
15. Amend page 19, line 9, after "UNTIL" by striking out "DECEMBER 31, 1999" and inserting "THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SUBSECTION".
16. Amend page 19, line 16, after "HAVING" by striking out "BEEN TRAINED" and inserting "OBTAINED THE EQUIVALENT OF 6 MONTHS OF FULL-TIME EXPERIENCE".
17. Amend page 19, line 17, after "STATE" by striking out the balance of the subdivision and inserting "WITHIN THE 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION.".
18. Amend page 19, line 18, after "(E)" by inserting "IF AN EXAMINATION IS AVAILABLE,".
19. Amend page 19, following line 19, by inserting:
"SEC. 1210A. (1) AFTER THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:
(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND THE BOARD.
(B) IS AT LEAST 17 YEARS OF AGE.
(C) IS OF GOOD MORAL CHARACTER.
(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.
(E) HAS TRAINING OF AT LEAST 400 HOURS EXTENDING OVER A PERIOD OF AT LEAST 3 MONTHS IN A SCHOOL OF COSMETOLOGY APPROVED BY THE DEPARTMENT WHERE SERVICES RELATING TO NATURAL HAIR CULTIVATION ARE RENDERED OR HAS SERVED AT LEAST 6 MONTHS AS AN APPRENTICE IN A LICENSED COSMETOLOGY ESTABLISHMENT IN WHICH NATURAL HAIR CULTIVATION IS PRACTICED.
(2) UNTIL THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:
(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND THE DEPARTMENT.
(B) IS AT LEAST 17 YEARS OF AGE.
(C) IS OF GOOD MORAL CHARACTER.
(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.
(E) PROVIDES EVIDENCE OF HAVING OBTAINED THE EQUIVALENT OF 6 MONTHS' FULL-TIME EXPERIENCE IN NATURAL HAIR CULTIVATION WITHIN THE PRECEDING 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN THIS OR ANY OTHER STATE.".

The House of Representatives has concurred in the Senate substitute (S-1) as amended.

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 413, entitled

A bill to amend 1981 PA 125, entitled "An act to define and regulate secondary mortgage loans; to prescribe powers and duties of the financial institutions bureau and certain state agencies; to provide for the establishment of a financial institutions bureau operations fund; to provide for the promulgation of rules; and to provide for civil fines and penalties," by amending the title and sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 29, and 30 (MCL 493.51, 493.52, 493.53, 493.54, 493.55, 493.56, 493.58, 493.59, 493.60, 493.61, 493.62, 493.63, 493.64, 493.65, 493.67, 493.68, 493.70, 493.71, 493.72, 493.73, 493.74, 493.75, 493.76, 493.77, 493.79, and 493.80), the title and sections 1, 21, 22, and 27 as amended by 1995 PA 164, section 2 as amended by 1988 PA 164, sections 4, 8, 14, and 26 as amended by 1992 PA 77, and section 30 as amended by 1984 PA 124, and by adding sections 3a, 6a, 6b, and 12a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 236**Yeas—35**

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

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

Nays—2

Smith, V.

Stallings

Excused—1

Schuette

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 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. 237**Yeas—36**

Bennett
Berryman
Bouchard
Bullard
Byrum
Carl
Cherry
Cisky
Conroy

DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart

Koivisto
McManus
Miller
North
O'Brien
Peters
Posthumus
Rogers
Schwarz

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

Nays—1

Hoffman

Excused—1

Schuette

Not Voting—0

In The Chair: Schwarz

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 President, Lieutenant Governor Binsfeld, resumed the Chair.

Protest

Senator Hoffman, under his constitutional right of protest (Art. IV, Sec. 18), protested against the passage of House Bill No. 4436.

Senator Hoffman's statement is as follows:

Armed with information regarding my question on House Bill No. 4420, had I had the information prior to the vote and been recognized prior to the vote, I would have voted in the affirmative. I had the privilege of serving with Speaker pro tempore, Matt McNeely, for many years and would have liked to have been in the affirmative on final passage of designating a portion of M-85 in his honor. Not having the information made it pretty difficult to support something when I didn't have my questions answered. Since I have the information, I would have voted in the affirmative.

The following bill was read a third time:

House Bill No. 4093, 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 allow for the operation of certain facilities by private entities; 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 65a (MCL 791.265a), as amended by 1994 PA 217.

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. 238**Yeas—37**

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

Nays—0

Excused—1

Schuette

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.

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 Bouchard 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. 501, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 501b.

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. 466, entitled

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

Substitute (S-1).

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.

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

Senate Bill No. 467, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 10c.

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.

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

Senate Bill No. 490, entitled

A bill to amend 1928 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions

and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,” by amending sections 13a, 18, 18f, 19, and 19a of chapter XIIA (MCL 712A.13a, 712A.18, 712A.18f, 712A.19, and 712A.19a), section 13a as amended by 1996 PA 409, section 18 as amended by 1996 PA 244, sections 18f and 19 as amended by 1996 PA 16, and section 19a as amended by 1994 PA 264, and by adding section 13b to chapter XIIA.

Substitute (S-1).

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.

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

Senate Bill No. 491, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 6232.

Substitute (S-1).

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.

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

Senate Bill No. 492, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending the title (MCL 722.111 to 722.128), as amended by 1994 PA 209, and by adding section 8b.

Substitute (S-1).

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.

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

Senate Bill No. 297, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20919, 20920, and 20921 (MCL 333.20919, 333.20920, and 333.20921), section 20919 as amended by 1996 PA 192 and sections 20920 and 20921 as added by 1990 PA 179.

Substitute (S-5).

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.

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

The motion prevailed.

Senators Koivisto, Dingell, Hoffman, McManus, Emmons, Byrum, Miller, Peters, Vaughn, Cherry, Cisky, V. Smith, Geake, Bennett, Schuette, Gougeon, Rogers, Dunaskiss, Bullard, Schwarz, Stallings, Stille, Gast, Steil, DeGrow, O’Brien, A. Smith, DeBeaussiaert, Conroy, Young and Berryman offered the following concurrent resolution:

Senate Concurrent Resolution No. 31.

A concurrent resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Finland.

Whereas, The North Atlantic Treaty Organization has proven itself to be a stabilizing factor in Europe. Through a wide variety of programs and the channels of communications it has opened, NATO has helped to secure the peace, economic development, and cooperation among its member nations and other countries; and

Whereas, Finland, a free market republic that has withstood threats to its sovereign status throughout most of this century, enjoys numerous ties with NATO member nations. Since earning its independence in 1917, Finland has been strongly committed to the preservation of freedom and the strengthening of democracy. This nation's well-being has long been dependent upon the overall stability of Europe; and

Whereas, The people of Finland wish to exercise their responsibilities within NATO. This country desires to become part of NATO's mission to prevent the excesses of nationalism; and

Whereas, The United States is dedicated to maintaining its friendship with Finland, a country that is pivotal to the continued stability of this area of the world; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Finland; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 concurrent resolution was referred to the Committee on Government Operations.

Senator Shugars was named co-sponsor of the concurrent resolution.

Senator Gast offered the following concurrent resolution:

Senate Concurrent Resolution No. 32.

A concurrent resolution to increase the total project cost of the Wayne State University Undergraduate Library project.

Whereas, The Wayne State University Undergraduate Library project was authorized with a total cost of \$35,000,000 in 1993 PA 19; and

Whereas, Senate Concurrent Resolution No. 520 of 1994 reduced the total project cost to \$32,000,000; and

Whereas, Wayne State University has requested that the total project cost be increased to \$33,000,000; and

Whereas, Wayne State University has agreed to fund the increase in project cost of \$1,000,000, with the state commitment remaining at \$26,000,000 and the State Building Authority share remaining at \$25,999,900; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the release of funds for construction may not occur until a total project cost has been established in an appropriation act or revised by concurrent resolution; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Wayne State University Undergraduate Library to an amount not to exceed \$33,000,000 (State Building Authority share \$25,999,900, State General Fund/General Purpose share \$100, Wayne State University share \$7,000,000) and that the Legislature intends to continue to appropriate funds for construction, subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the director of the Department of Management and Budget and Wayne State University.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator DeGrow moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator DeGrow moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators McManus, Young, Stallings and Koivisto were named co-sponsors of the concurrent resolution.

Senators Gast and Hoffman offered the following concurrent resolution:

Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Jackson Parole Camp.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Department of Corrections Jackson Parole Camp located in Jackson County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total cost of the Department of Corrections Jackson Parole Camp shall not exceed \$9,263,400, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$9,140,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be \$950,000 as certified by the appraiser; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator DeGrow moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator DeGrow moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators McManus, Young and Koivisto were named co-sponsors of the concurrent resolution.

Senators Gast and Hoffman offered the following concurrent resolution:

Senate Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I).

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I)(the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total cost of the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I) shall not exceed \$75,500,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$73,500,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be \$7,660,000 as certified by the appraiser; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator DeGrow moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator DeGrow moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators McManus, Young and Koivisto were named co-sponsors of the concurrent resolution.

Senate Concurrent Resolution No. 25.

A concurrent resolution to memorialize the President and the Congress of the United States to work for the admission of Latvia, Estonia, and Lithuania into the North Atlantic Treaty Organization.

(For text of resolution, see Senate Journal No. 27, p. 388.)

The House of Representatives has adopted the concurrent resolution and named Reps. Anthony, Goschka, Baade, Kelly, Gernaat, Voorhees, McBryde, Raczkowski, Horton, Richner, Perricone, Bodem, Tesanovich, Oxender, Birkholz, Wetters, Llewellyn, Cropsey and Harder 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

Senators Hoffman and McManus introduced

Senate Bill No. 507, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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

Senators Bullard, North, Young, Geake, Steil, Hoffman, Schuette, Gougeon, Bouchard, Stille, Rogers, Dingell, Stallings, Shugars, Bennett, Dunaskiss and Carl introduced

Senate Bill No. 508, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 73 (MCL 208.73), as amended by 1995 PA 80.

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

Senators Dunaskiss and Bennett introduced

Senate Bill No. 509, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

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

Senators Geake, Koivisto, Stille, Bullard, Berryman, Byrum, Carl, McManus, Miller and Young introduced

Senate Bill No. 510, entitled

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

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

Senators Miller, Peters, DeBeaussiaert, Carl and Stallings introduced

Senate Bill No. 511, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

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 and Koivisto introduced

Senate Bill No. 512, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 3a (MCL 436.3a), as added by 1996 PA 440.

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 Gougeon, Carl, Shugars, Geake, Cisky and Rogers introduced

Senate Bill No. 513, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3a (MCL 722.623a), as added by 1996 PA 581.

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. 4005, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21054u.

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. 4006, 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 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. 4415, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 418.

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. 4465, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 54.

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

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

House Bill No. 4466, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 7, 8, 13, 25, and 27 (MCL 141.1051, 141.1053, 141.1057, 141.1058, 141.1063, 141.1075, and 141.1077), the title and sections 3, 8, 13, and 27 as amended by 1996 PA 241, section 7 as amended by 1996 PA 391, and section 25 as amended by 1988 PA 316, and by adding section 16b.

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

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

House Bill No. 4606, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 201, 202, 203, 204, 206, 207, 213, 301, 302, 303, 304, 305, 307, 308, 401, 402, 403, 404, 405, 501, 502, 503, 506, 509, 603, 701, 702, 703, 704, 705, 706, 801, 901, 902, 903, 904, 909, 910, 1002, and 1101 (MCL 450.4102, 450.4103, 450.4201, 450.4202, 450.4203, 450.4204, 450.4206, 450.4207, 450.4213, 450.4301, 450.4302, 450.4303, 450.4304, 450.4305, 450.4307, 450.4308, 450.4401, 450.4402, 450.4403, 450.4404, 450.4405, 450.4501, 450.4502, 450.4503, 450.4506, 450.4509, 450.4603, 450.4701, 450.4702, 450.4703, 450.4704, 450.4705, 450.4706, 450.4801, 450.4901, 450.4902, 450.4903, 450.4904, 450.4909, 450.4910, 450.5002, and 450.5101), sections 701, 702, 703, 705, and 706 as amended by 1994 PA 410, and by adding sections 214, 515, 705a, and 707.

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. 4753, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a and 160 (MCL 330.1100a and 330.1160), section 100a as added by 1995 PA 290 and section 160 as added by 1983 PA 249.

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 Appropriations.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 272, entitled

A bill to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1997; and to provide for the expenditure of the appropriations.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

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 Appropriations submits the following:

Meeting held on Wednesday, May 14, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 345, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 105 and 108 (MCL 560.105 and 560.108), section 105 as amended and section 108 as added by 1996 PA 591.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Leon Stille
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 4034, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending sections 1 and 3 (MCL 125.31 and 125.33), section 3 as amended by 1986 PA 5.

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 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, May 14, 1997, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

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

Excused: Senator Hart

The Committee on Financial Services reported

Senate Bill No. 414, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 132, 151, 209, 212, 217, 302, 303, 336, 344, 345, 404, 415, 421, 472, 489, 491a, 528, 551, 564a, 564b, 567, 602, 611, 631, 641, 701, 703a, 706, 707, 712, 724, 735, 751, 753, 762, 801, 805, 817, 842a, 855a, 1011, 1041, 1042, and 1062 (MCL 450.1132, 450.1151, 450.1209, 450.1212, 450.1217, 450.1302, 450.1303, 450.1336, 450.1344, 450.1345, 450.1404, 450.1415, 450.1421, 450.1472, 450.1489, 450.1491a, 450.1528, 450.1551, 450.1564a, 450.1564b, 450.1567, 450.1602, 450.1611, 450.1631, 450.1641, 450.1701, 450.1703a, 450.1706, 450.1707, 450.1712, 450.1724, 450.1735, 450.1751, 450.1753, 450.1762, 450.1801, 450.1805, 450.1817, 450.1842a, 450.1855a, 450.2011, 450.2041, 450.2042, and 450.2062), sections 132, 212, 217, 302, 303, 404, 415, 567, 602, 701, 706, 707, 762, 801, 817, and 1041 as amended and sections 336, 489, 491a, 564a, 703a, 724, and 855a as added by 1989 PA 121, sections 209, 344, 345, 472, 528, 551, 564b, 631, 712, 735, 753, 805, 842a, 1042, and 1062 as amended by 1993 PA 91, and section 641 as amended by 1982 PA 407, and by adding sections 406, 488, and 736; and to repeal acts and parts of acts.

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.

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett and Gougeon

Nays: None

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

The Committee on Financial Services reported

Senate Bill No. 495, entitled

A bill to amend 1986 PA 89, entitled "Michigan BIDCO act," by amending sections 102, 104, 105, 106, 211, 217, 301, 303, 305, 311, 315, 317, 401, 403, 405, 407, 503, 505, 507, 509, 511, 601, 603, 709, 711, 713, 801, 807, and 813 (MCL 487.1102, 487.1104, 487.1105, 487.1106, 487.1211, 487.1217, 487.1301, 487.1303, 487.1305, 487.1311, 487.1315, 487.1317, 487.1401, 487.1403, 487.1405, 487.1407, 487.1503, 487.1505, 487.1507, 487.1509, 487.1511, 487.1601, 487.1603, 487.1709, 487.1711, 487.1713, 487.1801, 487.1807, and 487.1813).

With the recommendation that the bill pass.

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

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett and Gougeon

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Wednesday, May 14, 1997, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

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

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 503, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

With the recommendation that the bill pass.

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

Joel D. Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Geake and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 504, 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 section 7b.

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

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

Joel D. Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Geake and Peters

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Thursday, May 15, 1997, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Gougeon (C), Geake and Peters

Excused: Senators Bouchard and V. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Corrections submits the following:

Meeting held on Wednesday, May 14, 1997, at 12:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Legislative Council submits the following:

Meeting held on Thursday, May 15, 1997, at 1:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Posthumus (C), DeGrow and Schwarz

Excused: Senators Cherry, V. Smith, Steil, Cisky, O'Brien and Schuette

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submits the following:

Meeting held on Friday, May 16, 1997, at 9:00 a.m., Michigan Technological University, Memorial Union Building, Ballroom A, Houghton, Michigan

Present: Senators Schwarz (C), Cisky and Koivisto

Scheduled Meetings

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, May 21, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, May 22, at 8:00 a.m., Room 100, Farnum Building (3-1777).

Government Operations Committee - Wednesday, May 21, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-1758).

Health Policy and Senior Citizens Committee - Wednesday, May 21, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Judiciary Committee - Thursday, May 22, at 7:00 p.m., 9th Floor, City Hall, 300 Monroe, N.W., Grand Rapids (3-6920).

Local, Urban and State Affairs Committee - Wednesday, May 21, at 1:00 p.m., Room 100, Farnum Building (3-1635).

Natural Resources and Environmental Affairs Committee - Wednesday, May 21, 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 11:58 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, May 21, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.