

No. 67

# JOURNAL OF THE SENATE

---

Senate Chamber, Lansing, Wednesday, September 24, 1997.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present  
Berryman—present  
Bouchard—present  
Bullard—present  
Byrum—present  
Cherry—present  
Cisky—present  
Conroy—present  
DeBeussaert—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—excused  
Schuette—present  
Schwarz—excused  
Shugars—present  
A. Smith—present  
V. Smith—present  
Stallings—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Senator Joe Young, Jr. of the 1st District offered the following invocation:

Dear God, allow us to have the opportunity to not only seek the wisdom, but find the wisdom to solve the problems in this state. Provide us with the strength of conviction with the principles we need and to make sure that all share in the opportunities of this great state and not just a few. May this body be blessed in its deliberations in making sure that children are seen first and not last. Amen.

### Motions and Communications

Senator Geake entered the Senate Chamber.

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

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

Senator DeGrow moved that the Committee on Appropriations be discharged from further consideration of the following bill:

**Senate Bill No. 578, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 43; and to repeal acts and parts of acts.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

**Senate Bill No. 578**

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

Senators Bouchard and Stallings entered the Senate Chamber.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

July 11, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:00 a.m. this date, administrative rule (97-7-1) for the Department of Environmental Quality, Surface Water Quality Division, entitled "*Wastewater Reporting*," effective 15 days hereafter.

July 11, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:05 a.m. this date, administrative rule (97-7-2) for the Department of Environmental Quality, entitled "*Water Resources Protection*," effective 15 days hereafter.

July 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:15 a.m. this date,

administrative rule (97-7-3) for the Department of Consumer and Industry Services, Director's Office, entitled "*Real Estate Brokers and Salespersons*," effective 15 days hereafter.

July 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:17 a.m. this date, administrative rule (97-7-4) for the Department of Consumer and Industry Services, Director's Office, entitled "*Collection Agencies*," effective 15 days hereafter.

July 21, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:43 a.m. this date, administrative rule (97-7-5) for the Family Independence Agency, entitled "*Debt Establishment and Collection*," effective 15 days hereafter.

July 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:20 a.m. this date, administrative rule (97-7-6) for the Department of Community Health, Health Legislation and Policy Development, entitled "*General Rules*," effective 15 days hereafter.

August 4, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:30 p.m. this date, administrative rule (97-8-1) for the Department of State Police, Automated Fingerprint Identification System Policy Council, entitled "*Automated Fingerprint Identification System*," effective 15 days hereafter.

August 4, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:35 p.m. this date, administrative rule (97-8-2) for the Department of State, Bureau of Elections, entitled "*Campaign Financing - Part 2. Committees*," effective 15 days hereafter.

August 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:45 a.m. this date, administrative rule (97-8-4) for the Family Independence Agency, Family Services Administration, entitled "*Family Independence Program*," effective 15 days hereafter.

August 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:48 a.m. this date, administrative rule (97-8-5) for the Family Independence Agency, Family Services Administration, entitled "*Child Day Care Program*," effective 15 days hereafter.

August 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:50 a.m. this date, administrative rule (97-8-6) for the Family Independence Agency, Family Services Administration, entitled "*Food Stamp Program*," effective 15 days hereafter.

August 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:52 a.m. this date, administrative rule (97-8-7) for the Family Independence Agency, Family Services Administration, entitled "*Employment and Training Program*," effective 15 days hereafter.

August 28, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:58 p.m. this date, administrative rule (97-8-8E) for the Department of State, Bureau of Elections, entitled "*Campaign Financing*," effectively immediately.

August 28, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:59 p.m. this date administrative rule (97-8-9) for the Department of Agriculture, Food Division, entitled "*Dispensing Facility Reid Vapor Pressure*," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The following communications were received:  
Department of Management and Budget

July 15, 1997

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for the fiscal year 1996, which has been prepared in accordance with Sections 18.1115(6), 18.1303-18.305, 18.349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total State spending from State sources paid to local governments for fiscal year 1996 is 59.24%, which is 10.27% in excess of the minimum required 48.97%.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter precedes the statement.

If you have any questions concerning the statement, please contact me or Mr. John J. Linderman, Director, Office of Financial Management, at 373-1010.

July 15, 1997

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Section 18.1350 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 1995-96.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have any questions regarding this report, please contact Mr. John J. Linderman, Director, Office of Financial Management, at 373-1010.

Sincerely,  
Mark A. Murray  
Director

The communications were referred to the Secretary for record.

The following communications were received:  
Office of the Senate Majority Leader

July 15, 1997

Pursuant to Public Act 268 of 1986, I hereby appoint Senator Bill Bullard, Jr., replacing Senator David Honigman as a member of the Michigan Commission on Uniform State Laws.

Please make this communication part of the official Senate record.

September 5, 1997

Pursuant to Senate Rule 1.105, I hereby appoint Senator Robert Geake and Senator Gary Peters to replace Senator Jon Cisky and Senator Virgil Smith, respectively, to the Sentencing Guidelines Commission.

Please make this communication part of the official Senate record.

Sincerely,  
Dick Posthumus  
Senate Majority Leader

The communications were referred to the Secretary for record.

The following communications were received:

Office of the Auditor General

July 17, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the Automated Information Systems, Department of Natural Resources and Department of Environmental Quality, July 1997.

July 17, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit Including the Provisions of the Single Audit Act of the Department of Agriculture, October 1, 1994 through September 30, 1996.

July 17, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit Including the Provisions of the Single Audit Act of the Library of Michigan, October 1, 1994 through September 30, 1996.

August 6, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of Genesee County Community Mental Health Services, Department of Community Health, August 1997.

August 19, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit of the State Treasurer's Annual Report, Department of Treasury, October 1, 1995 through September 30, 1996.

August 20, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of Ferris State University, August 1997.

September 4, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the Enforcement Division Corporation, Securities and Land Development Bureau, Department of Consumer and Industry Services, September 1997.

September 8, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit Including the Provisions of the Single Audit Act, Department of Social Services, October 1, 1992 through September 30, 1994.

September 16, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit of the Michigan Legislative Retirement System, October 1, 1994 through September 30, 1996.

September 16, 1997

Enclosed is a copy of the financial statements, together with Auditors' Report, for the Bureau of State Lottery for the year ended March 31, 1997.

If you have questions regarding this report, please call me; Michael J. Mayhew, C.P.A., Director of Audit Operations; or Wayne V. Birkmeier, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

September 19, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit, including the provisions of the Single Audit Act, of the Department of Education and federal programs within Michigan Rehabilitation Services, Michigan Jobs Commission, October 1, 1993 through September 30, 1995.

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

The communications were referred to the Secretary for record.

The following communication was received:  
Department of State

United States of America  
  
THE STATE OF MICHIGAN  
  
DEPARTMENT OF STATE

To all to whom these presents shall come:

I, Candice S. Miller, Secretary of State of the State of Michigan and custodian of the Great Seal thereof, Do Hereby Certify that Governor Engler has issued a call for a special primary and election to fill the vacancy in the office of State Senator, 12th District. The election shall be held according to the attached schedule.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State in the Capital City of Lansing, this fifth day of September A.D. 1997.

Candice S. Miller  
Secretary of State

The vacancy will be filled in accordance with the following schedule:

September 5, 1997  
September 19, 1997

Call for Election  
Last date for Democratic and Republican party candidates to file nominating petitions or fees, by 4:00 p.m.

September 19, 1997

Last date for candidates without party affiliation to file qualifying petitions, by 4:00 p.m.

September 19, 1997

Last date for minor parties to submit candidate names, by 4:00 p.m.

September 22, 1997

Last date for candidates to withdraw, by 4:00 p.m.

November 4, 1997

Special Primary (if necessary)

November 25, 1997

Special Election

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

**Appropriations Committee** - Senator Young replacing Senator O'Brien.

**Education Committee** - Senator Schuette as a member; Senator DeGrow (VC) replacing Senator Bullard.

**Finance Committee** - Senator Bullard (VC).

**Transportation and Tourism Committee** - Senator North (C); Senator Cisky as a member.

The standing committee appointments were approved, a majority of the members serving voting therefor.

Senator Dunaskiss entered the Senate Chamber.

### Messages from the Governor

The following messages from the Governor were received:

Date: July 15, 1997

Time: 9:07 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 342 (Public Act No. 65), being**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 411h and 411i (MCL 750.411h and 750.411i), section 411h as added by 1992 PA 260 and section 411i as added by 1992 PA 261.

(Filed with the Secretary of State on July 15, 1997, at 10:39 a.m.)

Date: July 15, 1997

Time: 9:12 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 501 (Public Act No. 68), being**

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,” (MCL 550.1101 to 550.1704) by adding section 501b.

(Filed with the Secretary of State on July 15, 1997, at 10:45 a.m.)

Date: July 17, 1997

Time: 4:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 569 (Public Act No. 69), being**

An act to amend the Initiated Law of 1996, entitled “An act providing for the licensing and control of casino gaming operations, manufacturers and distributors of gaming devices and gaming employees; providing for the distribution of revenue for public education, public safety and economic development; authorizing limited casino operations within the State of Michigan; and vesting authority for the regulation of casino gaming in a gaming control board,” by amending the title and sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 15 (MCL 432.202, 432.203, 432.204, 432.205, 432.206, 432.208, 432.209, 432.210, 432.211, 432.212, 432.213, 432.214, and 432.215) and by adding sections 4a, 4b, 4c, 4d, 6a, 6b, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 9b, 9c, 9d, 12a, 13a, 17, 18, 19, 20, 21, 22, 23, 24, and 25; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 17, 1997, at 4:44 p.m.)

Date: July 17, 1997

Time: 4:02 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 570 (Public Act No. 70), being**

An act to create the compulsive gaming prevention fund; to impose duties on certain licensed entities; to prescribe the duties of certain state officials; and to impose penalties.

(Filed with the Secretary of State on July 17, 1997, at 4:46 p.m.)

Date: July 17, 1997

Time: 4:04 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 284 (Public Act No. 71), being**

An act to amend 1976 PA 388, entitled “An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” (MCL 169.201 to 169.282) by adding section 30.

(Filed with the Secretary of State on July 17, 1997, at 4:48 p.m.)

Date: July 17, 1997

Time: 4:06 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 571 (Public Act No. 72), being**

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending sections 16, 41, and 43 (MCL 432.16, 432.41, and 432.43), section 16 as added and sections 41 and 43 as amended by 1996 PA 167.

(Filed with the Secretary of State on July 17, 1997, at 4:50 p.m.)

Date: July 17, 1997

Time: 4:08 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 572 (Public Act No. 73), being**

An act to amend 1995 PA 279, entitled “An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 20 (MCL 431.320) and by adding section 9a.

(Filed with the Secretary of State on July 17, 1997, at 4:52 p.m.)

Date: July 17, 1997

Time: 4:10 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 574 (Public Act No. 74), being**

An act to regulate persons having certain gaming interests; to require registration of persons having certain gaming interests and their agents; to require the filing of reports; to prescribe the powers and duties of the department of state; and to prescribe penalties.

(Filed with the Secretary of State on July 17, 1997, at 4:54 p.m.)

Date: July 17, 1997

Time: 4:12 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 592 (Public Act No. 75), being**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as added by 1995 PA 187 and section 411j as amended by 1996 PA 80.

(Filed with the Secretary of State on July 17, 1997, at 4:56 p.m.)

Date: July 22, 1997

Time: 10:38 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 297 (Public Act No. 78), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 20920, 20921, and 20965 (MCL 333.20920, 333.20921, and 333.20965), as added by 1990 PA 179.

(Filed with the Secretary of State on July 22, 1997, at 2:38 p.m.)

Date: July 25, 1997

Time: 11:37 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 303 (Public Act No. 79), being**

An act to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize

counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending the title and sections 10, 10e, 11, 11c, 12, and 13 (MCL 247.660, 247.660e, 247.661, 247.661c, 247.662, and 247.663), the title as amended by 1992 PA 223 and sections 10, 11, 12, and 13 as amended by 1993 PA 294, and by adding sections 1g, 1h, 9b, 15a, and 15b.

(Filed with the Secretary of State on July 25, 1997, at 3:52 p.m.)

Date: July 25, 1997

Time: 11:40 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 581 (Public Act No. 80), being**

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 725, 801, and 802 (MCL 257.725, 257.801, and 257.802), section 725 as amended by 1991 PA 19, section 801 as amended by 1995 PA 226, and section 802 as amended by 1996 PA 551.

(Filed with the Secretary of State on July 25, 1997, at 3:54 p.m.)

Date: July 25, 1997

Time: 4:51 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 208 (Public Act No. 86), being**

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

(Filed with the Secretary of State on July 28, 1997, at 1:24 p.m.)

Date: July 26, 1997

Time: 7:30 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 345 (Public Act No. 87), being**

An act to amend 1967 PA 288, entitled "An act to regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites

and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts," by amending sections 105, 109, 264, and 267 (MCL 560.105, 560.109, 560.264, and 560.267), section 105 as amended and section 109 as added by 1996 PA 591, and by adding sections 109a and 109b.

(Filed with the Secretary of State on July 28, 1997, at 1:26 p.m.)

Date: July 31, 1997

Time: 11:15 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 619 (Public Act No. 90), being**

An act to amend 1936 (Ex Sess) PA 1, entitled "An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

(Filed with the Secretary of State on August 1, 1997, at 4:24 p.m.)

Date: July 31, 1997

Time: 11:20 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 413 (Public Act No. 91), being**

An act 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.

(Filed with the Secretary of State on August 1, 1997, at 4:26 p.m.)

Date: August 6, 1997

Time: 1:40 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 637 (Public Act No. 95), being**

An act to amend 1991 PA 179, entitled "An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date," (MCL 484.2101 to 484.2604) by adding section 375.

(Filed with the Secretary of State on August 7, 1997, at 2:35 p.m.)

Date: August 6, 1997  
Time: 4:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 319 (Public Act No. 101), being**

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 221, 232, and 903 (MCL 257.221, 257.232, and 257.903), section 903 as amended by 1992 PA 309, and by adding section 208d.

(Filed with the Secretary of State on August 7, 1997, at 2:47 p.m.)

Date: August 6, 1997  
Time: 4:02 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 534 (Public Act No. 102), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

(Filed with the Secretary of State on August 7, 1997, at 2:49 p.m.)

Date: August 13, 1997  
Time: 10:24 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 171 (Public Act No. 105), being**

An act to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(Filed with the Secretary of State on August 18, 1997, at 2:41 p.m.)

Date: August 13, 1997  
Time: 10:46 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 172 (Public Act No. 106), being**

An act to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(Filed with the Secretary of State on August 18, 1997, at 2:43 p.m.)

Date: August 14, 1997  
Time: 11:05 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 173 (Public Act No. 107), being**

An act to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(Filed with the Secretary of State on August 18, 1997, at 2:46 p.m.)

Date: August 14, 1997  
Time: 11:10 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 164 (Public Act No. 103), being**

An act to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(Filed with the Secretary of State on August 18, 1997, at 2:37 p.m.)

Date: August 14, 1997  
Time: 11:50 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 302 (Public Act No. 108), being**

An act to make appropriations for the state transportation department for the fiscal year ending September 30, 1997; to adjust certain appropriations for the fiscal year ending September 30, 1997; and to provide for the expenditure of the appropriations.

(Filed with the Secretary of State on August 18, 1997, at 2:49 p.m.)

Date: August 18, 1997  
Time: 2:05 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 225 (Public Act No. 110), being**

An act to amend 1984 PA 431, entitled "An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 18.1101 to 18.1594) by adding section 353d.

(Filed with the Secretary of State on August 18, 1997, at 2:53 p.m.)

Date: August 20, 1997  
Time: 3:12 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 168 (Public Act No. 112), being**

An act to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe

certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(Filed with the Secretary of State on August 20, 1997, at 4:34 p.m.)

Date: August 20, 1997

Time: 4:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 114 (Public Act No. 115), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act,” by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

(Filed with the Secretary of State on August 21, 1997, at 10:44 a.m.)

Respectfully,  
John Engler  
Governor

August 1, 1997

On July 26 I signed Enrolled Senate Bill 345, which became Public Act 87 of 1997. Some positive changes to the Land Division Act have been accomplished in Enrolled Senate Bill 345. Among them are clarification and extension of days to approve or disapprove a complete application for a proposed land division, a definitive process for transferring exempt divisions to new owners, and relief from subdivision water and sewer requirements for parcels under one acre.

With the enactment of Public Act 591 of 1996, local units of government were given, for the first time, the authority to review land divisions. I am troubled that Public Act 87 of 1997 will limit that authority to depth/width and area of parcels only. This limited ordinance authority appears to be in conflict with the broad local ordinance authority granted under the Zoning Enabling Act. This apparent inconsistency needs to be addressed by the Legislature and not left to be decided through litigation. In addition, language addressing the liability of a municipality when denying a building permit on a parcel that they have previously approved for land division of less than one acre in size creates confusion and uncertainty and needs to be clarified.

I am still hopeful that the Legislature can move to simplify the platting process and continue careful study of other changes that might be necessary to this Act. There is still considerable disagreement about the effect of Public Act 591 of 1996 and Public Act 87 of 1997 will have on local units of government as they attempt to appropriately balance farmland preservation, planned development and the protection of private property rights. I request House and Senate leadership to appoint a member of each caucus to work with the Executive Office in determining suitable action to address these concerns.

August 13, 1997

Today I have signed Enrolled Senate Bill 164, the fiscal year 1998 budget bill for the Department of Agriculture. This bill completes the fiscal year 1998 budget for the Department of Agriculture and:

Provides \$941,000 in additional restricted funds for the horse racing industry programs - a total of \$14.9 million for regulatory and agricultural and equine industry grants.

Maintains \$725,000 general fund support for continuation of Food Bank operations.

Provides \$225,000 in restricted funds for expanding efforts to eliminate tuberculosis in Michigan’s white-tailed deer.

Provides \$200,000 general fund support for potato blight through Michigan State University.

Saves \$639,500 in general fund support due to early retirement.

Provides \$1.3 million in restricted funds for technology application and program transition costs to implement Hazard Analysis Critical Control Point (HACCP) process and develop an emergency management program for calamities which affect the food and agricultural resources of the state.

Provides \$500,000 in restricted funds for the implementation of a youth-focused education initiative (Vision 2000) that would foster greater K-12 student awareness of the agriculture and natural resource industries.

Provides \$175,000 in restricted funds for expansion of programs resulting from the implementation of the new federal Food Quality Protection Act of 1996.

This fiscal year 1998 bill will support Department of Agriculture programs necessary to continue their commitment to the food and agriculture industry. I commend the Legislature for acting on this important bill.

August 13, 1997

Today I have signed Enrolled Senate Bill 171, the fiscal year 1998 budget bill for the Judicial branch. My action today:

Provides line item appropriations for Judicial branch operations of \$207.4 million gross, \$151.5 million general fund.

Includes \$73.5 million for Trial Court operations — \$57.5 million for court equity fund reimbursements to all 83 counties and \$16.0 million for hold harmless fund reimbursements to existing counties/courts.

Provides \$1.5 million for Court of Appeals delay reduction case backlog.

Provides \$624,000 for Justices' and Judges' salary increases as recommended by the State Officers Compensation Commission effective January 1, 1998.

I commend the Legislature for the court reform legislation and the funding equity package as reflected in this appropriations bill.

August 13, 1997

Today I have signed Enrolled Senate Bill 172, the fiscal year 1998 appropriations bill for the Department of Military and Veterans Affairs. This bill will complete the fiscal year 1998 budget for the Department of Military and Veterans Affairs. My action today:

Provides funding for participation in the Michigan Public Safety Communications System.

Includes a 2% state funding increase supporting veterans' service organizations and related advocacy efforts, and a special funding adjustment for the State of Michigan Council representing Vietnam Veterans of Michigan.

Recognizes the complete repayment of the past borrowing from the Michigan Veterans' Trust Fund.

Increases state and federal funding in support of nursing care services for residents at Grand Rapids and Marquette veterans' homes.

This bill supports the operations of the Department of Military and Veterans Affairs for fiscal year 1998 and I commend the Legislature for its cooperation in completing this budget.

August 13, 1997

Today I have signed Enrolled Senate Bill 173, the fiscal year 1998 appropriations bill for the Department of State Police. I am pleased with the actions of the Legislature on this bill. This bill will complete the fiscal year 1998 budget for the Department of State Police. My action today:

Provides funding for recruiting additional troopers and to continue improvements in quality law enforcement efforts initiated since 1991.

Implements Executive Order 1997-2 by transferring regulatory functions of the State Fire Marshal Program to the Department of Consumer and Industry Services and to the Department of Environmental Quality, while retaining arson investigations and training in the Department of State Police.

Provides increased funding for crime-fighting technologies, including \$1.1 million for the Michigan Public Safety Communication System and \$349,700 for the computerized firearms testing database.

Supports school bus inspection efforts by including \$1.4 million for the annual inspection of every school bus and pupil transportation vehicle.

Establishes a Community Policing Coordination function to identify curriculum and facilitate training to law enforcement officers.

This bill supports the operations of the Department of State Police for fiscal year 1998. I commend the Legislature for its cooperation in completing action on this bill.

August 18, 1997

Today I have signed Enrolled Senate Bill 225, which provides a fiscal year 1997 supplemental appropriation of \$69 million to the Department of Transportation from the interest earnings on the current year's Countercyclical Budget and Economic Stabilization Fund. These funds will be used to continue the task of resurfacing and repairing our existing highway, road and street systems. I look forward to working with you in September to complete the fiscal year 1998 budget bill for the Department of Transportation.

August 20, 1997

Today I have signed Enrolled Senate Bill 168, the fiscal year 1998 appropriation bill for the Department of Natural Resources. My action today:

Maintains support for critical wildlife, fisheries, forestry, state parks and conservation law enforcement programs.

Provides for a significant restructuring of administrative funding to appropriately reflect fee revenue support for administrative operations and to improve internal control and accountability.

Includes \$925,000 in enhanced marine safety and snowmobile law enforcement grants. Funding is targeted primarily to watercraft safety and enforcement augmenting the efforts of both state and local law enforcement agencies.

Invests \$800,000 in forest system infrastructure improvements, including maintenance and repair of state forest roads, bridges, and field facilities.

Creates the Great Lakes Fishery challenge grant of \$750,000. The grant "challenges" the Great Lakes Fishery Trust and tribal interests to support state hatchery renovations that I have previously recommended.

Directs \$720,000 in additional land use/delinquent property tax/land sale revenues for land management program improvements in the real estate and forest management divisions.

Increases recreational trail system support \$126,000 with off-road vehicle fee revenue.

Provides \$100,000 to reclaim and cap abandoned mineshafts that pose a serious safety/environmental concern. An assessment of the extent of the abandoned mineshaft problem is underway. Funding will be released upon completion of this study.

Enables the Department of Natural Resources to replace participants in the early retirement program on a 1:2 basis.

This fiscal year 1998 bill and passage of attendant land exchange facilitation fund cap legislation will support Department of Natural Resources programs essential to furthering the protection and development of our state's resources. I commend the Legislature for its actions on this important budget bill.

Sincerely,  
John Engler  
Governor

The following message from the Governor was received on August 6, 1997, and read:

EXECUTIVE ORDER

No. 1997 - 12

**Michigan Employment Security Agency  
Michigan Jobs Commission  
Michigan Department of Consumer and Industry Services**

**Executive Reorganization**

Whereas, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Whereas, the Michigan Employment Security Commission was created by Act No. 1 of the Public Acts of 1936 (Ex. Sess.), being Section 421.1 et seq. of the Michigan Compiled Laws; and

Whereas, Executive Order 1995-8 transferred all of the statutory authority, powers, duties, functions and responsibilities of the Michigan Employment Security Commission to the Michigan Jobs Commission as an autonomous entity known as the Michigan Employment Security Agency; and

Whereas, it is necessary to improve services to unemployed Michigan citizens who are seeking employment opportunities; and

Whereas, separating the employment services component of the Michigan Employment Security Agency from its unemployment insurance component will lead to enhanced administration of unemployment insurance services; and

Whereas, it is organizationally sound to separate the regulatory-oriented function of unemployment insurance from the more service-oriented functions of employment services; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

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

**A. Definitions**

In this Order, the following definitions shall apply except where the context clearly requires a different definition.

1. "Unemployment Insurance Program" means the State of Michigan component of the nationwide system of unemployment insurance offices, funded through the United States Unemployment Insurance Service, U.S. Department of Labor, and operated by the Michigan Employment Security Agency, as defined by the Michigan Employment Security Act, Act No. 1 of the Public Acts of 1936 (Ex. Sess.), being Section 421.1 et seq. of the Michigan Compiled Laws; the Federal Unemployment Tax Act, 26 USC 3301 et seq., Public Law 76-1, 53 Stat. 183, February 10, 1939, as amended, and the federal Social Security Act, 42 USC 501-504, 1101-1109, Public Law 74-271, 49 Stat. 620, August 14, 1935, as amended.

2. "Administrative Functions" means all administrative functions, including but not limited to personnel, budget, finance, office facilities, contract administration, information technology services, and communications, as well as any other positions identified as administrative by the directors of the Departments of Consumer and Industry Services and the Michigan Jobs Commission in the agreement reached pursuant to paragraph B.4. of this Order.

3. "Director of Employment Security" means the Director of Employment Security specified in Section 5 of Act No. 1 of the Public Acts of 1936 (Ex. Sess), being MCL 421.5, and successor executive orders.

**B. Michigan Employment Security Agency**

1. All the statutory authority, powers, duties, functions and responsibilities, including the functions of budgeting, procurement and management-related functions, of the Michigan Employment Security Agency to perform, directly or indirectly, unemployment insurance program functions, including all related administrative functions, shall be transferred, subject to paragraphs 4 and 5 of this Order, to the Department of Consumer and Industry Services by a Type I transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws. The transferred entity shall be known as the Unemployment Agency of the Department of Consumer and Industry Services and shall be an autonomous entity within the Department of Consumer and Industry Services. The remaining functions of the Michigan Employment Security Agency that are not transferred by this Order shall remain with the Michigan Jobs Commission.

2. The Director of Consumer and Industry Services shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

3. The Director of Consumer and Industry Services shall provide executive direction and supervision for the implementation of the transfer.

4. The Director of Consumer and Industry Services and the Director of the Michigan Jobs Commission shall jointly identify the Unemployment Insurance Program positions and administrative function positions that will be transferred to the Department of Consumer and Industry Services according to the terms of this Order. The Directors of Consumer and Industry Services and the Michigan Jobs Commission shall develop an agreement specifying these positions no later than the effective date of this Order and the transfers shall be implemented no later than 120 days from the effective date of this Order.

5. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Jobs Commission for the activities transferred by this Order are hereby transferred to the Department of Consumer and Industry Services upon the effective date of the transfers identified in paragraph B.4.

6. The Director of Consumer and Industry Services and the Director of the Michigan Jobs Commission shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Michigan Jobs Commission.

7. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

8. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

9. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling the financial transactions and records related to this Order in the state's financial management system for the remainder of the fiscal year in which this Order takes effect.

**C. Director of Employment Security**

The Director of Employment Security is hereby transferred to the Department of Consumer and Industry Services.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 6th day of August, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following message from the Governor was received on August 15, 1997, and read:

EXECUTIVE ORDER

No. 1997 - 13

**Michigan Department of Consumer and Industry Services  
Michigan Department of Agriculture**

**Executive Reorganization**

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

Whereas, the reorganization of the state's licensing, permitting and registration functions into the Department of Consumer and Industry Services has resulted in better coordination between regulatory programs and a higher level of service to the Michigan public; and

Whereas, it is necessary to assure that the Director of the Department of Consumer and Industry Services has the authority to complete the process of restructuring the state's licensing, permitting and registration functions; and

Whereas, the Michigan State Fair is the nation's oldest state fair and continues its tradition of showcasing Michigan's agricultural community by providing information to its visitors about farm life and farm production; and

Whereas, there is a need for closer coordination between the Michigan State Fair, the Upper Peninsula State Fair and Michigan's county fairs; and

Whereas, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

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

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

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

**A. Department of Consumer and Industry Services**

1. All the statutory authority, powers, duties, functions and responsibilities of the State Survey and Remonumentation Commission created by Act No. 345 of the Public Acts of 1990, as amended, being Sections 54.261 et seq. of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and the commission is abolished.

2. All the statutory authority, powers, duties, functions and responsibilities of the Board of Physical Therapy created by Part 178 of the Public Health Code, Act No. 368 of the Public Acts of 1978, being Sections 333.17801 et seq. of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, as defined Section by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and the board is abolished.

3. All the statutory authority, powers, duties, functions and responsibilities of the Board of Occupational Therapists created by Part 183 of the Public Health Code, Act No. 368 of the Public Acts of 1978, being Sections 333.18301 et seq. of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and the board is abolished.

4. All the statutory authority, powers, duties, functions and responsibilities of the Scientific Advisory Commission created by Section 7206 of the Public Health Code, Act No. 368 of the Public Acts of 1978, being Section 333.7206 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and the commission is abolished.

5. All the statutory authority, powers, duties, functions and responsibilities of the ad hoc committees created by Section 2(2) of Act No. 116 of the Public Acts of 1973, being Section 722.112(2) et seq. of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Consumer and Industry Services by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, and all ad hoc committees created pursuant to this provision are abolished. The Director may at his or her discretion establish advisory committees to review existing rules or proposed changes to rules affecting child care organizations covered by Act No. 116, as amended.

6. All the statutory authority of the Liquor Control Commission to designate one of its members as chairperson of the Commission pursuant to Section 5 of the Liquor Control Act, Act No. 8 of the Public Acts of 1933, ex. Sess., being Section 436.5 of the Michigan Compiled Laws, is hereby transferred to the Governor.

7. The Director of the Department of Consumer and Industry Services shall provide executive direction and supervision for the implementation of the transfers.

8. The Director of the Department of Consumer and Industry Services shall administer the assigned functions in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

9. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to any entity for the activities, powers, duties, functions and responsibilities transferred by this Order are hereby transferred to the Director of the Department of Consumer and Industry Services.

10. The Director of the Department of Consumer and Industry Services may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent that such duty or power is delegated by the Director of the Department of Consumer and Industry Services.

11. All rules, orders, contracts, declaratory rulings, agreements and other actions relating to the functions transferred to the Department of Consumer and Industry Services by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended or rescinded.

12. Any suit, action or other proceeding lawfully commenced by, against or before any entity transferred to the Department of Consumer and Industry Services by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

#### **B. State Fair**

1. All the statutory authority, powers, duties, functions and responsibilities of the State Exposition and Fairgrounds Office created under the Michigan Exposition and Fairgrounds Act, Act No. 361 of the Public Acts of 1978, being Sections 285.161 et seq. of the Michigan Compiled Laws, are hereby transferred from the Director of the Department of Consumer and Industry Services to the Director of the Department of Agriculture.

2. All the statutory authority, powers, duties, functions and responsibilities of the Director of the Department of Consumer and Industry Services and the Department of Consumer and Industry Services under the Michigan Exposition and Fairgrounds Act, Act No. 361 of the Public Acts of 1978, being Sections 285.161 et seq. of the Michigan Compiled Laws, and Executive Order 1993-25, are hereby transferred to the Director of the Department of Agriculture.

3. The State Exposition and Fairgrounds Council is hereby transferred to the Department of Agriculture by a Type II transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

4. The Director of the Department of Agriculture shall provide executive direction and supervision for the implementation of the transfers.

5. The Director of the Department of Agriculture shall administer the assigned functions in such ways as to promote efficient administration and shall make such internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

6. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Department of Consumer and Industry Services for the functions transferred by this order are hereby transferred to the Department of Agriculture. The Departments of Consumer and Industry Services and Agriculture shall jointly develop a memorandum of understanding pertaining to the allocation of resources between the two agencies.

7. All rules, orders, contracts, declaratory rulings, agreements and other actions relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

8. The directors of the Departments of Agriculture and Consumer and Industry Services shall immediately initiate coordination to facilitate the transfer and jointly develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal state laws and regulations, or other obligations to be resolved.

9. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

#### **C. Mobile Home Commission**

1. The Mobile Home Commission created by the Mobile Home Commission Act, Act No. 96 of the Public Acts of 1987, as amended, being Sections 125.2301 et seq. of the Michigan Compiled Laws, is renamed the Manufactured Housing Commission. All the statutory authority, powers, duties, functions and responsibilities of the Manufactured Housing Commission, which were transferred to the Director of the Department of Consumer and Industry Services by Executive Order 1996-2, are, with the exception of all authority for rulemaking contained in Act No. 96, transferred to the Manufactured Housing Commission.

The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling the financial transactions and records related to this Order in the state's financial management system for the remainder of the fiscal year in which this Order takes effect.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of August, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 9, 1997

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

**Board of Examiners in Mortuary Science**

Mr. Patrick C. Obarzanek, 7075 Napier Road, Plymouth, Michigan 48170, county of Wayne, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Rev. Garfield J. Judkins, 34433 Shorewood, New Baltimore, Michigan 48047, county of Macomb, as a member representing the general public, succeeding himself, for a term expiring on June 30, 2001.

Mr. Samuel A. Smith, 213 E. Main Street, Elsie, Michigan 48831, county of Clinton, as a member representing professionals, succeeding Mr. Donald John Crawford of Escanaba, whose term has expired, for a term expiring on June 30, 2001.

July 9, 1997

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

**Public Service Commission**

Mr. David A. Svanda, 6464 Lounsbury, Williamston, Michigan 48895, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on July 2, 2003.

July 9, 1997

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

**State Carnival-Amusement Safety Board**

Mr. Douglas S. Schmidt, 8757 Saunders Road, Sterling, Michigan 48659, county of Macomb, as a member representing carnival ride operators, succeeding Mr. Sherman L. Schmidt of Standish, whose term has expired, for a term expiring on June 30, 2001.

July 10, 1997

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

**Board of Forensic Polygraph Examiners**

Mr. Chester Romatowski, P.O. Box 538, Keego Harbor, Michigan 48320, county of Oakland, as a member representing private polygraph examiners, succeeding Mr. Edward E. Seath of Hersey, whose term has expired, for a term expiring on June 30, 2001.

Mr. Donald A. Elford, 2223 Ridgemoor Court, Burton, Michigan 48509, county of Genesee, as a member representing public polygraph examiners, succeeding Mr. James V. Harris of Clio, whose term has expired, for a term expiring on June 30, 2001.

Ms. Julie Lynn Worden, 18722 Gill Road, Livonia, Michigan 48152, county of Wayne, as a member representing public polygraph examiners, succeeding Mr. Harold E. Raupp, Jr. of White Lake, whose term has expired, for a term expiring on May 15, 2001.

July 10, 1997

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

**Crime Victims Services Board**

Mr. William A. Forsyth, 4252 Baywood, S.E., Grand Rapids, Michigan 49546, county of Kent, as a member representing prosecuting attorneys, for a term expiring on September 27, 1997.

Dr. Paul Nathan DeWeese, 3896 N. Williamston Road, Williamston, Michigan 48895, county of Ingham, as a member representing emergency room physicians, for a term expiring on September 27, 1999.

Mr. Stanley N. Frontczak, 35910 Hawthorne, Clinton Township, Michigan 48038, county of Macomb, as a member representing attorneys, for a term expiring on September 27, 1999.

July 10, 1997

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

**Michigan Board of Dentistry**

Dr. Joseph Benjamin Harris, 1190 W. Boston Boulevard, Detroit, Michigan 48202, county of Wayne, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Dr. Susan Pamela Herrera, 3857 Lakeland Lane, Bloomfield Hills, Michigan 48013, county of Oakland, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Ms. Mary Frances Byers-Johnston, 3640 Muirfield Drive, Lansing, Michigan 48911, county of Ingham, as a member representing dental hygienists, succeeding Ms. Susann P. Glisch of New Baltimore, whose term has expired, for a term expiring on June 30, 2001.

July 16, 1997

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

**Commission on Disability Concerns**

Ms. Nancy A. Jachim, 1461 Lamb, Troy, Michigan 48098, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on March 5, 2000.

Mr. Jose B. Zavala, 1238 Selma, Westland, Michigan 48185-4031, county of Wayne, as a member representing the general public, succeeding Ms. Mary Earline Morris of Jones, who has resigned, for a term expiring on March 5, 2000.

Mr. William Joseph Axtell, 813 West Drayton, Ferndale, Michigan 48220, county of Oakland, as a member representing the general public, succeeding Mr. Timothy J. Bennett of Marquette, who has resigned, for a term expiring on March 5, 1998.

Mr. Timothy Wayne Martin, 1333 Fitzgerald, Hesperia, Michigan 49421, county of Newaygo, as a member representing the general public, succeeding Dr. James E. Francis-Bohr of Lansing, who has resigned, for a term expiring on March 5, 2000.

July 16, 1997

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

**Michigan Board of Nursing**

Mr. Ralph L. Papenfuse, 295 Elizabeth Lake Road, Pontiac, Michigan 48341, county of Oakland, as a member representing registered nurses without a baccalaureate degree, succeeding himself, for a term expiring on June 30, 2001.

Ms. Deborah Joan Leblanc, 4279 N. Zimmer Road, Williamston, Michigan 48895, county of Ingham, as a member representing registered nurses with a bachelors degree, succeeding herself, for a term expiring on June 30, 2001.

Ms. Mary Jean Yablonky, 4080 Loch Alpine Drive, E., Ann Arbor, Michigan 48103, county of Washtenaw, as a member representing nurse anesthetists, succeeding herself, for a term expiring on June 30, 2001.

Mrs. Linda L. Borowicz, 901 Riverview Drive, Alma, Michigan 48801, county of Gratiot, as a member representing licensed practical nurses, succeeding herself, for a term expiring on June 30, 2001.

Ms. Theresa M. Niemi, 347 E. Park, Marquette, Michigan 49855, county of Marquette, as a member representing nurse practitioners, succeeding Mrs. Sandra L. Hayes of Stevensville, whose term has expired, for a term expiring on June 30, 2001.

Ms. Ivy K. Richmond, 19836 Ida Lane, East, Grosse Pointe Woods, Michigan 48236, county of Wayne, as a member representing nurse midwives, succeeding Mrs. Pamela K. Spry of Aurora, whose term has expired, for a term expiring on June 30, 2001.

July 16, 1997

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

**Michigan Board of Podiatric Medicine and Surgery**

Mr. Clark Peter Johnson, 257 Dogwood Trail, Battle Creek, Michigan 49017, county of Calhoun, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Dr. Thomas L. Abraham, 12323 Margaret Drive, Fenton, Michigan 48430, county of Genesee, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

July 16, 1997

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

**Board of Real Estate Brokers and Salespersons**

Mrs. Alice Bahls, 930 N. Main Street, Lapeer, Michigan 48446, county of Lapeer, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2001.

Mr. Allan J. Rietberg, 1230 Parsons, Hudsonville, Michigan 49426, county of Ottawa, as a member representing licensed realtors, succeeding himself, for a term expiring on June 30, 2001.

Ms. Sally L. Blom, 1510 West "D" Street, Iron Mountain, Michigan 49801, county of Dickinson, as a member representing professionals, succeeding Ms. Barbara E. Lowry of Sanford, whose term has expired, for a term expiring on June 30, 2001.

July 16, 1997

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

**Michigan Strategic Fund Board of Directors**

Mr. David A. Brandon, 12028 Hunters Creek Drive, Plymouth, Michigan 48170, county of Wayne, as a member representing the Senate Majority Leader, succeeding Mr. Richard H. Young of Grand Rapids, whose term has expired, for a term expiring on December 31, 1999.

July 21, 1997

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

**Michigan Committee on Juvenile Justice**

The Honorable Y. Gladys Barsamian, 12457 Woodgate Drive, Plymouth, Michigan 48170, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on March 15, 1998.

Mr. Larry C. Inman, 8971 Crockett Road, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing local government, succeeding Ms. Julie Creal Goodridge of Milan, for a term expiring on March 15, 1998.

Mr. Alexander N. Luvall, 2025 Hyde Park Drive, Detroit, Michigan 48207-3885, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on March 15, 1998.

The Honorable Elizabeth A. Weaver, North Riverwood Road, Glen Arbor, Michigan 49636, county of Leelanau, as a member representing probate judges, succeeding herself, for a term expiring on March 15, 1998.

The Honorable Donald Stanley Owens, 725 E. Ash Street, Mason, Michigan 48854, county of Ingham, as a member representing probate judges, succeeding himself, for a term expiring on March 15, 1998.

Chief Joseph E. Thomas, Jr., P.O. Box 2055, Southfield, Michigan 48307, county of Oakland, as a member representing law enforcement, succeeding himself, for a term expiring on March 15, 1998.

The Honorable Pamela A. Moskwa, 13650 Stowell Road, Dundee, Michigan 48131, county of Monroe, as a member representing probate judges, succeeding herself, for a term expiring on March 15, 1998.

Mr. Frederick G. Gibbs, 205 N. Prospect Street, St. Johns, Michigan 49979, county of Clinton, as a member representing public providers, succeeding himself, for a term expiring on March 15, 1998.

Mr. David E. Ballenberger, P.O. Box 9, Oxford, Michigan 48371, county of Oakland, as a member representing private providers, succeeding himself, for a term expiring on March 15, 1998.

Ms. Carol Ann Siemon, 921 Crown Boulevard, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on March 15, 1998.

Mr. Rick M. Muniz, 68 E. 22nd Street, Holland, Michigan 49423, county of Ottawa, as a member representing the general public, succeeding himself, for a term expiring on March 15, 1998.

The Honorable Michael J. Anderegg, 2000 Huntington Street, Marquette, Michigan 49855, county of Marquette, as a member representing probate judges, succeeding himself, for a term expiring on March 15, 1998.

Dr. Carl S. Taylor, 5755 W. Saginaw Highway, Grand Ledge, Michigan 48837, county of Eaton, as a member representing the general public, succeeding himself, for a term expiring on March 15, 1998.

Mr. Mark A. Randon, 1512 Brooklyn, Detroit, Michigan 48826, county of Wayne, as a member representing the general public, succeeding Ms. Linda R. Clark of Flint, who has resigned, for a term expiring on March 15, 1998.

Sheriff Michael F. Oltersdorf, 635 S. Nanagosa Trail, Suttons Bay, Michigan 49682, county of Leelanau, as a member representing law enforcement, succeeding Sheriff Howard A. Haskin of Harrison, whose term has expired, for a term expiring on March 15, 1998.

Mr. Bruce Sullivan Feaster, 3487 Harvard, Detroit, Michigan 48224, county of Wayne, as a member representing private providers, succeeding Mr. Kermit R. Hainley of Hersey, whose term has expired, for a term expiring on March 15, 1998.

July 25, 1997

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

**Workers' Compensation Appellate Commission**

Mr. Richard B. Leslie, 25861 Pembroke, Huntington Woods, Michigan 48070, county of Oakland, as a member representing the general public, succeeding Ms. Molly Ann Cooke of Southfield, whose term has expired, for a term expiring on October 1, 1999.

July 28, 1997

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

**Liquor Control Commission**

Ms. Ena L. Weathers, 1665 Cliffs, Lansing #201, Ypsilanti, Michigan 48198, county of Washtenaw, as a member representing Democrats, succeeding Ms. Betty E. Pulliam of Detroit, whose term has expired, for a term expiring on June 12, 2001.

July 29, 1997

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

**State Tax Commission**

Mr. Robert R. Lupi, 9086 Lincoln Drive, Whitmore Lake, Michigan 48189, county of Livingston, as a member representing Independents, succeeding Mr. Roland C. Andersen of Williamston, who has resigned, for a term expiring on September 13, 2001.

August 18, 1997

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

**Board of Boiler Rules**

Mr. Joseph H. Casiglia, 5141 Julian, Troy Michigan, 48098, county of Oakland, as a member representing owners and users of boilers, succeeding himself, for a term expiring on June 30, 2001.

Mr. Neil F. Vierson III, 330 Shore Haven Drive, SE, Grand Rapids, Michigan 49506, county of Kent, as a member representing water tube boiler manufacturers, succeeding himself, for a term expiring on June 30, 2001.

Mr. Curtis A. Songer, 5600 Bordman Road, Dryden, Michigan 48428, county Oakland, as a member representing professional engineers, succeeding Mr. Frand Gregor of Troy, whose term has expired, for a term expiring on June 30, 2001.

August 21, 1997

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

**Commission on Services to the Aging**

Mr. William E. Alexander, 2787 Manchester, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing Independents, succeeding himself, for a term expiring on July 28, 2000.

Ms. Liselotte Hoelzel-Seipp, Holly Drive R.R. 1, Thompsonville, Michigan 49683, county of Benzie, as a member representing Independents, succeeding herself, for a term expiring on July 28, 2000.

Ms. Esther Y. Howell, 15 Lake Shore Lane, Grosse Pointe Shores, Michigan 48236, county of Wayne, as a member representing Independents, succeeding herself, for a term expiring on July 28, 2000.

August 21, 1997

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

**Elevator Safety Board**

Mr. Joseph Thomas McNally, 6560 Sunburst Drive, Portage, Michigan 49002, county of Kalamazoo, as a member representing elevator manufacturers, succeeding himself, for a term expiring on July 22, 2001.

Mr. Robert P. Bunker, 913 Touraine, East Lansing, Michigan 48823, county of Ingham, as a member representing insurance companies, succeeding himself, for a term expiring on July 22, 2001.

Mr. Douglas O. Hansen, 15901 Seymour Road, Grass Lake, Michigan 49240, county of Jackson, as a member representing elevator constructors' unions, succeeding Ms. Anne Louise Hansen of Okemos, whose term has expired, for a term expiring on July 22, 2001.

August 21, 1997

Please be advised of the following appointments and reappointments to office, subject to the advice and consent of the Michigan Senate:

**Governor's Workforce Commission**

Mr. Joseph D. Crump, 3543 Lake Drive, S.E., Grand Rapids, Michigan 49546, county of Kent, as a member representing organized labor, succeeding himself, for a term expiring on March 1, 1999.

Mr. Arthur E. Ellis, 1219 Glenwood, Mt. Pleasant, Michigan 48858, county of Isabella, as a member representing the Superintendent of Public Instruction, succeeding himself, for a term expiring on March 1, 1999.

Mr. Ralph F. Loeschner, 102 Little Court Road, Gowen, Michigan 49326, county of Montcalm, as a member representing community based organizations, succeeding himself, for a term expiring on March 1, 1999.

Dr. Albert L. Lorenzo, 37281 Woodside Lane, Clinton Township, Michigan 48036, county of Macomb, as a member representing education, succeeding himself, for a term expiring on March 1, 1999.

Ms. Juanita Pierman, 1555 South Hills Boulevard, Bloomfield Hills, Michigan 48304-1125, county of Oakland, as a member representing business and industry, succeeding herself, for a term expiring on March 1, 1999.

Mr. Douglas E. Stites, 3536 Royston Road, Charlotte, Michigan 48813-9346, county of Eaton, as a member representing the Michigan Jobs Commission, succeeding himself, for a term expiring on March 1, 1999.

Mr. Frank Venegas, Jr., 4165 Homestead, Howell, Michigan 48843, county of Livingston, as a member representing the private sector, succeeding himself, for a term expiring on March 1, 1999.

Ms. Kathleen M. Wilbur, 1606 Melrose, East Lansing, Michigan 48823, county of Ingham, as a member representing the Department of Consumer and Industry Services, succeeding Mr. Lowell W. Perry of Southfield, whose term has expired, for a term expiring on March 1, 1999.

Mr. James Barrett, 8601 W. Lake Shore Drive, Perry, Michigan 48872, county of Shiawassee, as a member representing members at large, succeeding Mr. Charles W. McCallum of East Lansing, who has resigned, for a term expiring on March 1, 1999.

Ms. Cherry Jacobus, 2511 Westboro Drive, NE, Grand Rapids, Michigan 49506-1260, county of Kent, as a member representing members at large, succeeding herself, for a term expiring on March 1, 1999.

Mr. Ignacio Salazar, 19197 Norwich Road, Livonia, Michigan 48152-1222, county of Wayne, as a member representing members at large, succeeding himself, for a term expiring on March 1, 1999.

Mr. Doyle A. Hayes, 1469 Byron, S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing the private sector, succeeding himself, for a term expiring on March 1, 1999.

Mr. A. Douglas Rothwell, Okemos, Michigan 48864, county of Ingham, as a member representing the Michigan Jobs Commission, succeeding himself, who has resigned, for a term expiring on March 1, 1999.

Ms. Barbara Fay Van Otterloo, 11816 Phyllis, Taylor, Michigan 48180, county of Wayne, as a member representing education, succeeding herself, for a term expiring on March 1, 1999.

Mr. Norman Clay Braddock, 2525 Willard Street, Saginaw, Michigan 48602, county of Saginaw, as a member representing the private sector, succeeding himself, for a term expiring on March 1, 1999.

Mr. William John Peterson, 28238 East Duluth, Harrison Township, Michigan 48045, county of Macomb, as a member representing organized labor, succeeding himself, for a term expiring on March 1, 1999.

Dr. Curtis J. Tompkins, 2 Woodland Road, Houghton, Michigan 49931, county of Houghton, as a member representing education, succeeding himself, for a term expiring on March 1, 1999.

Ms. Marva Livingston Hammons, 1275 Oak Ridge, Apt. 4, East Lansing, Michigan 48823, county of Ingham, as a member representing the Family Independence Agency, succeeding Mr. Gerald H. Miller of Monroe, who has resigned, for a term expiring on March 1, 1999.

Mr. Jose A. Infante, 4897 Standwood, Muskegon, Michigan 49441, county of Muskegon, as a member representing members at large, succeeding Mr. Louis J. Meeuwenberg of Fremont, whose term has expired, for a term expiring on March 1, 1999.

August 21, 1997

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

**Mackinac Island State Park Commission**

Ms. Audrey E. Jaggi, 1244 Wenniway Avenue, P.O. Box 866, Mackinaw City, Michigan 49701, county of Cheboygan, as a member representing Mackinaw City, succeeding Mr. Kenneth C. Teysen of Mackinaw City, who has resigned, for a term expiring on April 12, 2000.

August 28, 1997

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

**Board of Ethics**

Father Bernard J. O'Connor, K107 Cornell Courts, Ypsilanti, Michigan 48197, county of Washtenaw, as a member representing Independents, succeeding Mr. Richard H. Lobenthal of West Bloomfield, whose term has expired, for a term expiring on February 7, 2000.

August 28, 1997

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

**Governor's Workforce Commission**

Mr. Mark O. Alexander, 305 Windyrush, DeWitt, Michigan 48820, county of Clinton, as a member representing organized labor, succeeding Mr. Bruce Stine of Lansing, whose term has expired, for a term expiring on March 1, 1999.

August 28, 1997

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

**Michigan Aeronautics Commission**

Mr. Lowell E. Kraft, 4336 Iroquois Drive Sand Point, Beadle Bay II, Pigeon, Michigan 48755-9775, county of Huron, as a member representing the general public, succeeding himself, for a term expiring on May 27, 2000.

August 28, 1997

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

**Michigan Forest Finance Authority**

Mr. Robert E. Lee, N-3597 Pine Mountain Road, Iron Mountain, Michigan 49801, county of Dickinson, as a member representing the land resource industry, succeeding himself, for a term expiring on July 24, 2000.

August 28, 1997

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

**Michigan Public School Employees' Retirement Board**

Ms. Diana Rae Osborn, 134 Starling Drive, Muskegon, Michigan 49442, county of Muskegon, as a member representing non-teaching school employees, succeeding herself, for a term expiring on March 30, 2001.

Ms. Marsha C. Smith, 119 W. Jefferson Street, Grand Ledge, Michigan 48837, county of Eaton, as a member representing teachers, succeeding Mr. Gary Majeske of Bay City, whose term has expired, for a term expiring on March 30, 2001.

Dr. Rudy W. Stefancik, 209 Mason Avenue, Hancock, Michigan 49930, county of Houghton, as a member representing elected school board officials, for a term expiring on March 30, 2001.

Mr. Kenneth J. Walcott, 4166 Highgate, Norton Shores, Michigan 49441, county of Muskegon, as a member representing superintendents, for a term expiring on March 30, 2001.

August 28, 1997

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

**Michigan Truck Safety Commission**

Mr. William Clarence Taylor, 1424 Cedarhill, East Lansing, Michigan 48823, county of Ingham, as a member representing four-year colleges and universities, succeeding himself, for a term expiring on August 4, 1999.

Mr. Warren F. Lasch, 1275 Hillwood Circle, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on August 4, 1999.

Mr. Peter John Lima, 7900 Woodville Drive, Alto, Michigan 49302, county of Kent, as a member representing private motor carriers, succeeding himself, for a term expiring on August 4, 1999.

Mr. Gerald Basch, 11246 Young Drive, Brighton, Michigan 48116, county of Livingston, as a member representing the general public, succeeding himself, for a term expiring on August 4, 1999.

Mr. John E. Theroux, 1840 Gunn Road, Holt, Michigan 48842, county of Ingham, as a member representing community colleges, succeeding himself, for a term expiring on August 4, 1999.

Mr. Patrick Joseph Parker, 1470 Fairwood Drive, Traverse City, Michigan 49686, county of Grand Traverse, as a member representing the Michigan Trucking Association, succeeding himself, for a term expiring on August 4, 1999.

August 28, 1997

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

**Michigan Women's Commission**

Ms. Melanie J. Myers, 19420 W. Eleven Mile, Lathrup Village, Michigan 48076, county of Oakland, as a member representing the general public, succeeding Mrs. Merlann M. Keinath of Deckerville, whose term has expired, for a term expiring on July 15, 2000.

Ms. Carol S. Northcott-Utchen, P.O. Box 27, Rogers City, Michigan 49779-0027, county of Presque Isle, as a member representing the general public, succeeding herself, whose term has expired, for a term expiring on July 15, 2000.

Ms. Martha Thuemmel, 8778 Thuemmel Road, Port Austin, Michigan 48467, county of Huron, as a member representing the general public, succeeding Ms. Katherine Lucas Abel of Monroe, for a term expiring on July 15, 2000.

Ms. Elizabeth M. Pezzetti, 2278 Lost Tree Way, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on July 15, 2000.

Mrs. Myrah L. Kirkwood, 1280 Strathcona, Detroit, Michigan 48204, county of Wayne, as a member representing the general public, succeeding Ms. Barbara A. Atkins of Detroit, who has resigned, for a term expiring on July 15, 1998.

Ms. Claire L. Corriveau, 17235 Old Logging Road, Hersey, Michigan 49639, county of Osceola, as a member representing the general public, succeeding herself, for a term expiring on July 15, 2000.

August 28, 1997

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

**Occupational Health Standards Commission**

Mr. Douglas James Williams, 4081 Ramblewood, Troy, Michigan 48098, county of Oakland, as a member representing public employers, succeeding himself, for a term expiring on August 5, 2000.

Mr. Michael G. McCabe, 366 Nawakwa West, Rochester Hills, Michigan 48307, county of Oakland, as a member representing public employees, succeeding himself, for a term expiring on August 5, 2000.

August 28, 1997

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

**Residential Builders' and Maintenance and Alteration Contractors Board**

Mr. Scott R. Jacobson, 455 Aspen, Birmingham, Michigan 48009, county of Oakland, as a member representing residential builders, succeeding Mr. Roger R. Card of Mt. Pleasant, whose term has expired, for a term expiring on March 31, 2001.

Mr. Mark T. Glynn, 9500 Parker Road, Traverse City, Michigan 49684, county of Leelanau, as a member representing licensed maintenance and alteration contractors, succeeding Mr. William M. Palmer of Brighton, whose term has expired, for a term expiring on March 31, 2001.

Ms. Denise R. Ketchmark, 12257 Dollar Lake Drive, Fenton, Michigan 48430, county of Genesee, as a member representing the general public, succeeding Ms. Sondra Houlton of Mio, whose term has expired, for a term expiring on March 31, 2001.

August 28, 1997

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

**State Fire Safety Board**

Mr. Richard S. Prestage, 9211 N. Union Road, St. Louis, Michigan 48880-9216, county of Gratiot, as a member representing the nursing home industry, succeeding himself, for a term expiring July 15, 2000.

September 4, 1997

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

**Michigan Beef Industry Commission**

Mr. C. Velmar Green, 8839 Mead Road, Elsie, Michigan 48831, county of Clinton, as a member representing dairy producers, succeeding himself, for a term expiring on May 31, 2000.

Mr. Clarence R. Wilbur, 4551 Highway M-38, Ontonagon, Michigan 49953, county of Ontonagon, as a member representing cattle growers, succeeding himself, for a term expiring on May 31, 2000.

Mr. Walter J. Stafford, 9597 East CD Avenue, Richland, Michigan 49083, county of Kalamazoo, as a member representing cattle feeders, succeeding Ms. Karen S. Stoneman of Breckenridge, whose term has expired, for a term expiring on May 31, 2000.

September 5, 1997

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

**Michigan Cherry Committee**

Mr. John F. King, Rt. 1, Box 182, Central Lake, Michigan 49622, county of Antrim, as a member representing District 1 red tart cherry growers, succeeding Mr. Steven R. Christensen of Suttons Bay, whose term has expired, for a term expiring on February 1, 2000.

Mr. Alan R. Spinniken, 7360 E. Pertner Road, Lake Leelanau, Michigan 49653, county of Leelanau, as a member representing District 1 red tart cherry growers, succeeding Mr. David L. White of Traverse City, whose term has expired, for a term expiring on February 1, 2000.

September 5, 1997

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

**Michigan Red Tart Cherry Advisory Committee**

Mr. Glenn F. LaCross, 5536 Sharnowski Road, Cedar, Michigan 49621, county of Leelanau, as a member representing northern michigan growers, succeeding himself, for a term expiring on September 5, 1999.

Mr. Jeffrey J. Send, RR #2 P.O. Box 376, Suttons Bay, Michigan 49682, county of Leelanau, as a member representing at large growers, succeeding Ms. Cheryl A. Kobernik of Frankfort, whose term has expired, for a term expiring on September 5, 1998.

Mr. Sidney Paul Byl, 9941 W. Buchanan, Shelby, Michigan 49455, county of Oceana, as a member representing growers from central michigan, succeeding Mr. Nels W. Nyblad of Kent City, whose term has expired, for a term expiring on September 5, 1999.

September 11, 1997

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

**Board of Barber Examiners**

Mr. Max J. Plante, 36445 Front Street, New Baltimore, Michigan 48047, county of Macomb, as a member representing the general public, succeeding Mr. Paul F. McGuire of Wyoming, who has resigned, for a term expiring on September 30, 2000.

September 11, 1997

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

**Board of Landscape Architects**

Ms. Melanie L. Reinhold, 6340 Skyline Drive, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2001.

Mr. Larry Lee Harris, 3101 Springbrook Drive, Kalamazoo, Michigan 49004, county of Kalamazoo, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Mr. Timothy J. Karl, 13268 Longsdorf, Riverview, Michigan 48192, county of Wayne, as a member representing professionals, succeeding Mr. Peter M. Pollack of Ann Arbor, whose term has expired, for a term expiring on June 30, 2001.

September 11, 1997

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

**Michigan Board of Medicine**

Ms. Anne Armstrong, 2115 Romence N.E., Grand Rapids, Michigan 49503, county of Kent, as a member representing the general public, succeeding Mr. Donald A. Morris of Grand Rapids, who has died, for a term expiring on December 31, 1999.

September 11, 1997

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

**Michigan Board of Podiatric Medicine and Surgery**

Dr. Leon Herschfus, 17090 Jeanette Sherwood Village, Southfield, Michigan 48075, county of Oakland, as a member representing the general public, succeeding Mrs. Nancy J. Brockwell of Rothbury, whose term has expired, for a term expiring on June 30, 2001.

September 11, 1997

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

**Construction Code Commission**

Ms. Sondra Houlton, 55 Booth Road, Mio, Michigan 48647, county of Oscoda, as a member representing the general public, succeeding Ms. Sylvia Gomez-Drummond of Petoskey, who has resigned, for a term expiring on January 31, 1998.

September 11, 1997

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

**State Employees' Retirement Board**

Mr. R. Douglas Trezise, 515 Moore Avenue, Owosso, Michigan 48867, county of Shiawassee, as a member representing state retirees, succeeding himself, for a term expiring on July 31, 2000.

Mrs. Janine M. Winters, 4724 Mohican Lane, Okemos, Michigan 48864, county of Ingham, as a member representing state employees, succeeding herself, for a term expiring on July 31, 2000.

September 12, 1997

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

**Michigan Potato Industry Commission**

Mr. Thomas R. Hansen, 2682 S. Fitzner Road, Greenville, Michigan 48838, county of Montcalm, as a member representing shippers, succeeding himself, for a term expiring on July 1, 1999.

Mr. Dennis Eugene Hanson, 3595 - 26th Road, Cornell, Michigan 49818, county of Delta, as a member representing growers from District 1, succeeding Mr. Richard J. Trepanier, Jr. of Iron Mountain, whose term has expired, for a term expiring on July 1, 1999.

Mr. Patrick Joseph DuRussel, 315 Ann Arbor Street, Manchester, Michigan 48158, county of Washtenaw, as a member representing growers from District 7, succeeding Mr. David L. Smith of Erie, whose term has expired, for a term expiring on July 1, 1999.

September 12, 1997

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

**State Community Corrections Commission**

Mr. Kenneth L. McGinnis, 6060 Carriage Hill East, Apt. 21, East Lansing, Michigan 48823, county of Ingham, as a member representing the Department of Corrections, succeeding himself, for a term expiring on March 29, 2001.

Mr. John Wynbeek, 813 Chippewa S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing existing community alternative programs, succeeding himself, for a term expiring on March 29, 2000.

Ms. Sara M. Lambrecht, 335 First Street, Menominee, Michigan 49858, county of Menominee, as a member representing city government, succeeding Ms. Iris K. Worthington of Detroit, whose term has expired, for a term expiring on March 29, 2001.

The Honorable Thomas E. Brennan, Jr., 2906 Colony, East Lansing, Michigan 48823, county of Ingham, as a member representing district court judges, succeeding himself, for a term expiring on March 29, 2001.

Ms. Mary Kay Scullion, 325 Bartlett Street, Lansing, Michigan 48915, county of Ingham, as a member representing the general public, succeeding Mr. Thomas R. Truscott of Lansing, whose term has expired, for a term expiring on March 29, 2000.

Mr. Norman W. Donker, 1312 Helen Street, Midland, Michigan 48640, county of Midland, as a member representing county prosecutors, succeeding Ms. Margaret-Mary Chiara of Edwardsburg, whose term has expired, for a term expiring on March 29, 2001.

The Honorable Jeffrey G. Collins, 3261 Sherbourne, Detroit, Michigan 48221, county of Wayne, as a member representing circuit or recorder's court judges, succeeding himself, for a term expiring on March 29, 2001.

Mr. Lawrence J. Emery, 11764 W. Andre, Grand Ledge, Michigan 48837, county of Eaton, as a member representing criminal defense attorneys, succeeding Ms. Daryl M. Carson of Detroit, whose term has expired, for a term expiring on March 29, 2001.

Mr. John R. Santomauro, 6721 Boston Hill, Canton, Michigan 48187, county of Wayne, as a member representing city police chiefs, succeeding Mr. Robert Lee Johnson of Jackson, who has resigned, for a term expiring on March 29, 2000.

September 17, 1997

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

**State Higher Education Facilities Commission**

Dr. Donald Newport, 1300 Dow Road, Alpena, Michigan 49707, county of Alpena, as a member representing community colleges, succeeding Dr. R. Ernest Dear of Marysville, who has resigned, for a term expiring on May 22, 1998.

September 17, 1997

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

**Michigan Historical Commission**

Mr. Mark A. Murray, 2211 S. Hampden Drive, Lansing, Michigan 48911, county of Ingham, as a member representing the general public, succeeding Ms. Susanne M. Janis of Traverse City, who has resigned, for a term expiring on May 21, 1999.

September 17, 1997

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

**State Board of Accountancy**

Mr. Richard M. Gabrys, 249 Charing Cross Court, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing professionals, succeeding Mr. Gary G. Gaynor of Niles, whose term has expired, for a term expiring on June 30, 2001.

Mr. Edward S. Kisscorni, 3595 Ponderosa, Grandville, Michigan 49418, county of Kent, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Mr. Lawrence R. Donaldson, 1117 Three Mile Drive, Grosse Pointe Park, Michigan 48230, county of Wayne, as a member representing the general public, succeeding Mr. William F. Flynn of Traverse City, whose term has expired, for a term expiring on June 30, 2001.

September 17, 1997

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

**State Board of Land Surveyors**

Mr. James H. Granger, 119 South E Street, Cheboygan, Michigan 49721, county of Cheboygan, as a member representing professionals, succeeding himself, whose term has expired, for a term expiring on March 31, 2001.

Mr. Paul B. Lapham, 310 W. Wheaton Avenue, Clare, Michigan 48617, county of Clare, as a member representing professionals, succeeding himself, for a term expiring on March 31, 2001.

September 17, 1997

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

**Collection Practices Advisory Board**

Mr. Ronald G. Doster, 4268 Potts Drive, Dexter, Michigan 48130, county of Washtenaw, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Mr. Charles Houghton Havill, 1757 Apache Pass, Traverse City, Michigan 49686, county of Grand Traverse, as a member representing professionals, succeeding himself, for a term expiring on June 30, 2001.

Mrs. Raquel Reardon, 6536 Brace, Detroit, Michigan 48828, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on June 30, 2001.

September 17, 1997

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

**Michigan Board of Counseling**

Mr. Ronald Irwin Fredman, 7432 Chapel Hill #101, Lansing, Michigan 48917, county of Ingham, as a member representing the general public, succeeding Mr. Abdul M. Mackie of Dearborn, whose term has expired, for a term expiring on June 30, 2001.

Ms. M. Lucille Kelley, 6875 Lancaster Lake Court #128, Clarkston, Michigan 48346, county of Oakland, as a member representing professionals, succeeding herself, for a term expiring on June 30, 2001.

Mrs. N. Joan Hornak, 1211 Glenwood Drive, Mt. Pleasant, Michigan 48858, county of Isabella, as a member representing professionals, succeeding herself, for a term expiring on June 30, 2001.

September 23, 1997

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

**State Tax Commission**

Ms. Lesley F. Holt, 2945 Alger, SE, Grand Rapids, Michigan 49546, county of Kent, as a member representing the general public, succeeding herself, for a term expiring on September 13, 2003.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

STATE; BUILDINGS

July 25, 1997

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 121.

Enrolled Senate Bill 121 seeks to change the name of the Library of Michigan to the William Faust Memorial Library of Michigan. This change could, I believe, confuse citizens as to the mission of the state's premier public library. The renaming may suggest to some that William Faust's personal library is showcased, as opposed to the holdings of the Library of Michigan. The straightforward title that is in use today avoids this difficulty and is perfectly clear.

Recall, too, that Senator Faust's great contribution to our state library has been officially recognized. On October 25, 1995, he was honored by the unveiling of a bust of his likeness in recognition of his contribution to the construction of the library. That is a suitable way to honor a man who championed the idea of a new Library of Michigan, from the planning stages to final construction. If there is interest in further honoring Senator Faust's legacy, I would be happy to discuss this issue with the Legislative Council.

For this reason, I am returning Enrolled Senate Bill 121 without signature.

Sincerely,  
John Engler  
Governor

This bill was returned from the Governor on July 28, 1997, at 1:34 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Government Operations. The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

August 13, 1997

Today I have signed Enrolled Senate Bill 166, containing fiscal year 1998 appropriations for the Department of Consumer and Industry Services and the Michigan Jobs Commission. However, I am returning it to you because of one item of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific item vetoed is contained within the attached copy of the bill, which has been filed with the Secretary of State.

My veto, along with attendant legislation, will complete the fiscal year 1998 budget for the Department of Consumer and Industry Services and the Michigan Jobs Commission. My action today:

Earmarks \$31.0 million for the Economic Development Job Training program, preparing the workforce to meet marketplace needs through customized job training programs.

Provides \$21.5 million for continued support of arts and cultural grants awarded through the Michigan Council for Arts and Cultural Affairs.

Establishes a \$1.0 million Volunteer Investment Grant program in the Michigan Community Service Commission, strengthening financial support for community volunteer activities throughout the state.

Includes \$11.3 million for the Travel Michigan program, promoting Michigan as a travel destination opportunity for vacationers.

Adds operation of 13 Welcome Centers and \$3.5 million to Travel Michigan's new campaign for promoting the state's tourism industry.

Increases support for the Work First program with \$18.0 million, adding transportation funding and enhanced services to two-parent families that strive to meet employment and training requirements.

Provides \$3.8 million for the new Office of Fire Safety within the Department of Consumer and Industry Services, transferring fire safety regulatory functions from the Department of State Police.

Enhances current efforts to curb the sale of alcoholic beverages to minors with an additional \$200,000 targeted at underage drinking violations.

Supports research and educational opportunities for nurses with \$450,000 from the Nurse Professional Fund.

Vetoes proposed appropriations for the State Research Fund and boilerplate section 423. The recently established Venture Capital Fund lessens the necessity for state resources. The Michigan Jobs Commission is working with the private sector to develop other financing means for entrepreneurs to access capital.

In order to finalize the fiscal year 1998 budget for the Department of Consumer and Industry Services, the Legislature must enact legislation to meet the provisions of boilerplate section 330. Such action will provide restricted revenue support for the Public Service Commission to establish an oil and gas reporting system as proposed in Enrolled Senate Bill 166.

This bill supports the operations of the Department of Consumer and Industry Services and the Michigan Jobs Commission for the fiscal year 1998. I commend the Legislature for its cooperation in funding vital job training programs, regulatory functions, and economic development initiatives within Enrolled Senate Bill 166.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on August 13, 1997, at 10:37 p.m. (Filed with the Secretary of State on August 18, 1997, at 2:39 p.m.) and assigned Public Act No. 104.

The question being on the passage of the vetoed line item, the objections of the Governor to the contrary notwithstanding,

Senator DeGrow moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

#### APPROPRIATIONS; DEPARTMENT OF ENVIRONMENTAL QUALITY

August 20, 1997

Today I have signed Enrolled Senate Bill 167, the fiscal year 1998 budget bill for the Department of Environmental Quality. However, I am returning it to you because of seven items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State. My action today:

Provides \$53.5 million for the Environmental Cleanup and Redevelopment Program, including a \$19.0 million general fund commitment. Cleanup priorities will be targeted to sites that endanger the public health, protect the environment, and speed redevelopment of contaminated "brownfield" properties.

Provides additional support for wetlands, oil, gas, and mineral wells programs with \$1.2 million in increased permitting fees. In addition, the budget implements the new \$650,000 Sewage Sludge Land Application program passed by the Legislature earlier in the year.

Implements Executive Order 1997-2 placing the \$686,000 above ground storage tank program in the Department of Environmental Quality previously contained in the Michigan State Police. This reorganization enhances administrative efficiency and coordination by consolidating all petroleum storage tank programs in the Department of Environmental Quality.

Implements Executive Order 1997-3 transferring \$552,300 for the Office of Special Environmental Projects from the Department of Management and Budget into the Department of Environmental Quality.

Provides \$102.0 million for the Water Pollution Control Revolving Fund for low-interest loans to municipalities for construction of combined sewer overflow and wastewater management projects. In addition, fiscal year 1998 marks the beginning of implementation of the federal Safe Drinking Water Revolving Loan Fund, appropriating the \$4.8 million state capitalization grant for administration, grants to local governments, and set-asides for various groundwater, capacity, and source water protection projects.

Signs into law language earmarking scrap tire funding for reimbursement to three counties for damage resulting from tire fires. While a similar initiative was vetoed in the past, Public Act 17 of 1997 provides stronger safeguards in this area and funding for compliance, cleanup, and emergency situations acceptable in limited circumstances.

My action includes a veto of the Culver Creek drain; community right-to-know reports; and auto recycling demonstration project line items and boilerplate sections 503, 504, 704, and 1201.

The Culver Creek drain line item and sections 504 utilize general fund dollars for a county-specific project in which the jurisdictional government was not able to obtain federal matching money. Section 704 earmarks general funds for creation of a combined sewer overflow database while the department is already pursuing this project utilizing existing resources. The above projects use scarce resources more aptly used for the cleanup of contaminated sites which affect a higher number of Michigan residents.

Section 503 contains language granting funding obtained through a settlement with Bil-Mar Foods for a water research project at Grand Valley State University. While the department has funded research projects in the past focusing on Great Lakes toxins, the settlement agreement with Bil-Mar Foods did not include an environmental project of this type. The Office of the Great Lakes continues to focus efforts on this very issue.

The community right-to-know reports line item and section 1201 contain language to use funds for purposes which were not originally indicated by statute. The above line item and section 1201 mandate the use of waste reduction fees for the creation of community right-to-know reports on toxic releases in the state. Again, while toxins do pose a health threat to the general public and the department makes every effort to release this information in a timely fashion, waste reduction fees are exclusively intended to fund pollution prevention and waste reduction activities.

Lastly, my action includes a veto of the auto recycling demonstration project line item. In the past, the Department of Environmental Quality's now-defunct Solid Waste Alternative Program provided state grants to private industry for research involving waste minimization and recycling efforts. While the department supports these efforts, no grant program currently exists for this type of auto recycling project.

I commend the Legislature for its actions on this important budget bill and encourage expeditious action on attendant enabling legislation creating the new wetlands, oil, gas, and mineral wells fee packages which will complete the fiscal year 1998 budget for this department.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on August 20, 1997, at 3:15 p.m. (Filed with the Secretary of State on August 20, 1997, at 4:36 p.m.) and assigned Public Act No. 113.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator DeGrow moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following veto message from the Governor was received and read:

#### APPROPRIATIONS; FAMILY INDEPENDENCE AGENCY

August 18, 1997

Today I have signed Enrolled Senate Bill 169, the fiscal year 1998 appropriation for the Family Independence Agency. However, I am returning it to you because of a few items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

Members of the Legislature deserve to be commended for their support of the ongoing welfare reform policies incorporated into this bill. The reforms we have implemented over the past four years have benefitted both welfare recipients and Michigan taxpayers. Since we began this effort, over 124,000 Family Independence Program (FIP) cases have been closed due to earnings from employment. Through June, the FIP caseload has decreased for 39 consecutive months.

I also applaud your support for the important initiatives funded in this budget to implement the recommendations made by the Binsfeld Children's Commission.

I am, however, vetoing two items in order to generate a portion of the funding needed to offset the cost of the recent Supreme Court Oakland County Child Care Fund decision. My action today:

1. Vetoes the day care income scale eligibility liberalization contained in Section 525. Our welfare reform initiative has been successful because it has focused scarce state resources on efforts to move welfare recipients into the workforce and on preventing low income families from becoming dependent on public assistance. The proposed language is inconsistent with our reform policies because it would expand eligibility for government-subsidized day care to households with incomes approaching the state average and not at risk of becoming welfare recipients.

2. Vetoes the staffing allocation increase contained in Section 630. The legislature added this language to mitigate the impact of the recent early retirement program by giving the department additional resources to hire more staff. I have already authorized the department to exceed the one-for-four staff replacement goal using existing appropriations so these additional funds are unnecessary.

Again, I commend the members of the Michigan legislature for your first-rate work on this bill.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on August 18, 1997, at 2:00 p.m. (Filed with the Secretary of State on August 18, 1997, at 2:51 p.m.) and assigned Public Act No. 109.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator DeGrow moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; GENERAL GOVERNMENT

August 19, 1997

Today I have signed Enrolled Senate Bill 170, the fiscal year 1998 General Government budget bill. However, I am returning it to you because of an item of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

The fiscal year 1998 budget for the departments of Attorney General, Civil Rights, Civil Service, Management and Budget, State and Treasury, the Executive Office, Legislature and Library of Michigan:

Provides \$1.4 billion state general revenue sharing payments to local units of government, an increase of \$66.1 million. Provides an appropriation of \$18.6 million to the countercyclical budget and economic stabilization fund.

Creates a state community policing program with \$10.0 million in state funding.

Provides \$5.0 million in special census revenue sharing payments to local units of government.

Saves \$2.6 million associated with early retirement actions.

With my veto, this bill will complete the fiscal year 1998 General Government budget bill that assures essential state services can be provided by the departments of Attorney General, Civil Rights, Civil Service, Management and Budget, State, and Treasury, the Executive Office, Legislature and Library of Michigan. I commend the Legislature for its action on this important bill. My action today:

Removes boilerplate section 959c which authorizes the automatic appropriation of additional statutory general revenue sharing payments if revenues are higher than anticipated. Public Act 342 of 1996 specifically made state general revenue sharing payment distributions subject to annual appropriations. Removing this section is consistent with that provision insofar as payments will stay at the level specifically appropriated in the bill.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on August 19, 1997, at 6:21 p.m. (Filed with the Secretary of the State on August 20, 1997, at 10:25 a.m.) and assigned Public Act No. 111.

The question being on the passage of the vetoed line item, the objections of the Governor to the contrary notwithstanding,

Senator DeGrow moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

APPROPRIATIONS; SUPPLEMENTAL

August 20, 1997

Today I have signed Enrolled Senate Bill 272. This budget bill provides \$500,000 general fund for fiscal year 1996 supplemental funding for the Family Independence Agency and \$402.4 million (\$57.9 million general fund) for fiscal year 1997 supplemental funding for Capital Outlay, the Legislature, the Library of Michigan, the Michigan Biological Products Institute and the Departments of Agriculture, Civil Rights, Civil Service, Community Health, Consumer and Industry Services, Environmental Quality, Family Independence Agency, Management and Budget, Military and Veterans Affairs, Natural Resources, State, State Police, and Treasury. However, I am returning it to you because of items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

My action today accomplishes the following:

The Capital Outlay appropriation includes \$9.0 million general fund for universities for infrastructure, technology, equipment, and maintenance projects and \$2 million general fund for community colleges for special maintenance.

The Department of Community Health appropriation includes a \$78.7 million general fund reduction due to lower than anticipated Medicaid expenditures and increases in special financing revenues. These reductions were offset by the restoration of \$15 million in Healthy Michigan funds.

Consumer and Industry Services will have available \$4.0 million general fund for Arts and Cultural Grants.

Provides significant resources to the Department of Environmental Quality, including \$48 million for the Environmental Cleanup and Redevelopment program, \$10 million for state site clean up, and \$32 million for MUSTFA activities.

Provides \$17.7 million (\$14.4 million general fund) to the Family Independence Agency for Foster Care to support the purchase of additional private treatment beds for delinquent youth, \$10 million (\$4.5 million general fund) for Adult Home Help for caseload growth in the program beyond the anticipated levels, and \$7 million (all general fund) in Family Preservation and Prevention Services.

Provides \$55 million (\$30 million general fund) to the Department of Management and Budget to ensure that the State's information technology systems conform with Year 2000 standards.

Appropriates \$3 million in general fund resources to the Department of Natural Resources for critical support of efforts to combat sea lamprey infestation in the Great Lakes.

Includes \$5.5 million for the Department of State's technology requirements including improvements to the current branch office intelligent terminal system.

Provides the Department of State Police with \$15 million in general fund support for vital disaster relief due to the severe storms in June and July of this year.

The Department of Treasury appropriations include \$10.8 million general fund for special census revenue sharing payments for qualifying local governments as stipulated in the target agreement and \$600,000 for a property tax equalization study.

I have vetoed the following lines that all reflect increases beyond the amounts agreed to during final target setting for the budget:

**Department of Community Health**

Beneficiary Notification, line item at \$250,000 general fund and the associated section 254.

**Department of Environmental Quality**

Appropriations of settlement funds for projects as outlined in sections 322 and 323.

**Family Independence Agency**

Qualified Voter File line item at \$250,000 general fund and the associated section 409.

**Department of Natural Resources**

The Stream Habitat Improvement line item at \$100,000 general fund.

A line-item for signs at Public Access Sites at \$10,000.

I thank the Legislature for their work on this supplemental appropriations bill.

Sincerely,  
John Engler  
Governor

This bill was signed by the Governor on August 20, 1997, at 3:20 p.m. (Filed with the Secretary of State on August 21, 1997, at 10:42 a.m.) and assigned Public Act No. 114.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

Senator DeGrow moved that the veto message be referred to the Committee on Appropriations.

The motion prevailed.

The following message from the Governor was received and read:

ECONOMIC AND INDUSTRIAL DEVELOPMENT; PLANT REHABILITATION

August 13, 1997

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 521.

On October 14, 1996, I vetoed Enrolled House Bill 5963 which provided exemptions from statutory time and process requirements for three industrial property tax abatement certificates. In the veto letter, I stated, in part,

"There has been a growing trend to use legislation to circumvent well-established statutory deadlines for the industrial property tax abatement program. Over the last two years, six such "legislative fixes" have been used to provide exceptions for companies and local units not fulfilling these requirements."

Three months later, on January 10, 1997, I signed Enrolled Senate Bill 1111 (Public Act 513 of 1996) and issued a letter to legislators and interested parties which stated in part:

"I signed this legislation with much hesitance, but did so because such exemptions have been statutorily provided in the past and these facilities moved ahead with their project with the belief that a legislative solution was possible.

However, I believe that the deadlines put into law should be followed and granting retroactive exemptions is not sound public policy. My purpose in writing is to notify you and all involved in the process of applying for or granting property tax exemptions, that I will not sign any more bills that make retroactive exemptions to the requirements of this act." (Emphasis added.)

The requirement that applications be filed locally no later than six months after commencement of a project has been in place since 1982. This statutory requirement, along with my previous messages, is ample notice of the requirements of the law. As I have previously stated, granting retroactive exemptions is not sound public policy.

For these reasons, I am returning Enrolled Senate Bill 521 without signature.

Sincerely,  
John Engler  
Governor

This bill was returned from the Governor on August 18, 1997, at 11:40 a.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

The motion prevailed.

The following 13621372 message from the Governor was received and read:

#### SALES TAX; EXEMPTIONS

July 15, 1997

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 526.

Article IX, Section 8, of the Michigan Constitution provides that food is exempt from sales tax unless it is "prepared food intended for immediate consumption." Prior to 1978, all items sold from vending machines and mobile facilities were defined as prepared food intended for immediate consumption and therefore taxable. However, over the past 20 years, a number of vended items have been legislatively exempted, such as milk, juices, fresh fruit, candy, nuts, chewing gum, bakery products, cookies, crackers and chips. All of these exceptions were the result of legislative initiatives by groups who argued that inequalities existed or their products were not purchased for immediate consumption.

In the 1995-96 legislation session, vendors were quite active in advocating a resolution to the vended "juice" issue which existed for vending machine and mobile facility operators. At the same time, the Department of Treasury advocated an overall permanent resolution to the problems arising from the taxability of all vended items. Therefore, I signed Enrolled House Bill 5567, which became Public Act 576 of 1996. The Act eliminated the list of exemptions referred to above and implemented a temperature test to determine the taxability of vended items. The Act also created an option for vendors to calculate their sales tax based on 45% of their sales. Public Act 576 of 1996 took effect January 1, 1997, without retroactive application to prior tax years.

Because of the retroactivity of Enrolled Senate Bill 526, vending machine and mobile facility operators would be eligible for significant sales tax refunds. Unfortunately, these taxes would not be refunded to individual taxpayers who purchased vended items and paid the sales tax as part of the sales price of the vended items. Thus, Enrolled Senate Bill 526 would constitute an unjustified enrichment to vendors.

For this reason, I am returning Enrolled Senate Bill 526 without signature.

Sincerely,  
John Engler  
Governor

This bill was returned from the Governor on July 15, 1997, at 10:23 a.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Finance.

The motion prevailed.

#### Third Reading of Bills

The following bill was read a third time:

##### **Senate Bill No. 273, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

The question being on the passage of the bill,

Senator Gast offered the following substitute:

Substitute (S-1)\*.

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

The question being on the passage of the bill,

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

#### Roll Call No. 476

Yeas—35

Bennett  
Berryman  
Bouchard  
Bullard

DeGrow  
Dingell  
Dunaskiss  
Emmons

Koivisto  
McManus  
Miller  
North

Smith, A.  
Smith, V.  
Stallings  
Steil

Byrum  
Cherry  
Cisky  
Conroy  
DeBeaussaert

Gast  
Geake  
Gougeon  
Hart  
Hoffman

O'Brien  
Peters  
Posthumus  
Schuette  
Shugars

Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—2**

Rogers

Schwarz

**Not Voting—0**

In The Chair: President

Senator Gast offered to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as amended by 1997 PA 102.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**Senate Bill No. 578, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 43; 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. 477**

**Yeas—35**

Bennett  
Berryman  
Bouchard  
Bullard  
Byrum  
Cherry  
Cisky  
Conroy  
DeBeaussaert

DeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast  
Geake  
Gougeon  
Hart  
Hoffman

Koivisto  
McManus  
Miller  
North  
O'Brien  
Peters  
Posthumus  
Schuette  
Shugars

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

**Nays—0**

**Excused—2**

Rogers

Schwarz

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Introduction and Referral of Bills**

Senator Berryman introduced  
**Senate Joint Resolution M, entitled**

A joint resolution ratifying the proposed amendment to the constitution of the United States relating to the protection of the rights of victims of crimes.

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

Senator Gougeon introduced  
**Senate Bill No. 677, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 5 (MCL 29.5).

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

Senator Shugars introduced  
**Senate Bill No. 678, entitled**

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion unless the state or political subdivision of the state demonstrates a compelling governmental interest in imposing that burden; and to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state.

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

Senator Berryman introduced  
**Senate Bill No. 679, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

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

Senator Shugars introduced  
**Senate Bill No. 680, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," (MCL 436.1 to 436.58) by adding section 34b.

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

Senator Shugars introduced  
**Senate Bill No. 681, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

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

Senator Byrum introduced  
**Senate Bill No. 682, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 18 (MCL 436.18), as amended by 1994 PA 185.

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

Senator Bouchard introduced  
**Senate Bill No. 683, entitled**

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

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

Senator Bouchard introduced  
**Senate Bill No. 684, entitled**

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

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

Senator Bullard introduced

**Senate Bill No. 685, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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

Senator Bullard introduced

**Senate Bill No. 686, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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

Senator Bullard introduced

**Senate Bill No. 687, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 1995 PA 74.

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

Senator Bullard introduced

**Senate Bill No. 688, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Senators Shugars, Schuette, Bullard, Geake, Steil, McManus and DeGrow introduced

**Senate Bill No. 689, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 1997 PA 93.

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

Senator A. Smith introduced

**Senate Bill No. 690, entitled**

A bill to amend 1976 PA 220, entitled "Michigan handicappers' civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121.

The bill was read a first and second time by title and referred to the Committee on Human Resources, Labor and Veterans Affairs.

Senator A. Smith introduced

**Senate Bill No. 691, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

The bill was read a first and second time by title and referred to the Committee on Human Resources, Labor and Veterans Affairs.

Senator Steil introduced

**Senate Bill No. 692, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 104a (MCL 38.1404a), as amended by 1989 PA 194.

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

Senators Cisky, McManus, Bullard and North introduced

**Senate Bill No. 693, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 292 (MCL 750.292).

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

Senators Cisky, McManus, Bullard and North introduced

**Senate Bill No. 694, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 92 (MCL 750.92).  
The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Schuette, Young, Steil, Peters, Bullard, Gougeon, North, Bennett and Shugars introduced

**Senate Bill No. 695, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 1996 PA 484.

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

Senators Schuette, Young, Steil, Bullard, Gougeon, North, Bennett and Shugars introduced

**Senate Bill No. 696, entitled**

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

Senators Berryman, V. Smith, Dingell, Koivisto, Hart, Young, Vaughn, Miller, Peters and DeBeaussaert introduced

**Senate Bill No. 697, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4q.  
The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Schuette introduced

**Senate Bill No. 698, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1 and 12a (MCL 125.1801 and 125.1812a), section 1 as amended by 1996 PA 271 and section 12a as amended by 1996 PA 453.

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

Senator Schuette introduced

**Senate Bill No. 699, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 13b (MCL 125.1651 and 125.1663b), as amended by 1996 PA 454.

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

Senator Conroy introduced

**Senate Bill No. 700, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174 and 16221 (MCL 333.16174 and 333.16221), section 16174 as amended by 1993 PA 80 and section 16221 as amended by 1996 PA 594.

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

Senator Gougeon introduced

**Senate Bill No. 701, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 1996 PA 476.

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

Senator Gougeon introduced

**Senate Bill No. 702, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c.  
The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Dingell introduced

**Senate Bill No. 703, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 490b. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Gougeon introduced

**Senate Bill No. 704, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 1995 PA 285.

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

Senator Gougeon introduced

**Senate Bill No. 705, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38c (MCL 208.38c), as amended by 1994 PA 231.

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

Senators DeBeaussiaert and Bennett introduced

**Senate Bill No. 706, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 14801, 14802, 14804, 14805, and 14808 (MCL 324.14801, 324.14802, 324.14804, 324.14805, and 324.14808), as added by 1996 PA 132.

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

Senators Bennett and DeBeaussiaert introduced

**Senate Bill No. 707, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14809 (MCL 324.14809), as added by 1996 PA 132.

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. 4813, entitled**

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," (MCL 207.101 to 207.202) by amending the title and by adding chapter 7; and to repeal acts and parts of acts.

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

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

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 10:39 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Thursday, September 25, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.