

JOURNAL OF THE SENATE

No. 71

Senate Chamber, Lansing, Tuesday, October 7, 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
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—present
Peters—present
Posthumus—present

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

Senator Bill Bullard, Jr. of the 15th District offered the following invocation:

O Lord, we thank You today for the privilege of gathering together at this session of the Michigan Senate. We ask for Your help and guidance in balancing care and compassion with fiscal responsibility and wise use of our state's resources. May Your wisdom and charity touch the hearts, minds and souls of each member today. We ask this of You, O Lord. Amen.

Motions and Communications

Senators V. Smith and Young entered the Senate Chamber.

Senator DeGrow moved that rule 3.902 be suspended to allow the guests of Senators Cisky and Schwarz admittance to the Senate floor.

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

Senator DeGrow moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

Senator DeGrow moved that the following bill, now on the order of General Orders, be referred to the Committee on Agriculture and Forestry:

House Bill No. 4328, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28.

The motion prevailed.

Recess

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

The motion prevailed, the time being 10:04 a.m.

10:12 a.m.

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

During the recess, Senator Schwarz introduced to the Senate the following legislators from the Parliament of Germany:

Christine Rudolf of Baden-Wurtemberg, Marianne Schieder of the Free State of Bavaria, Karsten Tietz of Hamburg, Monika Brunert-Jetter of North Rhine-Westfalia, Alfons Vogtel of Saarland, Siegfried Helias of Berlin, Dr. Marlies Volkmer of the Free State of Saxony, Dr. Arendt Hindriksen of Bremen, Dr. Klaus Zeh of the Free State of Thuringia, Wolfgang Klein of Brandenburg, Dr. Henning Klostermann of Mecklenburg-Vorpommern, Peter Lehnert of Schleswig-Holstein, Gerhard Mai of North Rhine-Westfalia and Rudolf Kujath of Berlin.

The legislators were accompanied by Tamara Stanton of the National Conference of State Legislatures Staff and Giesela Breet and Birgit Scherer-Wiedmeyer, Interpreters.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

August 22, 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 11:40 a.m. this date, administrative rule (97-8-3E) for the Department of Treasury, Revenue Division, entitled "*Tobacco Products Tax*," effective immediately.

September 12, 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 10:55 a.m. this date, administrative rule (97-9-1) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Radioactive Material Transportation*," effective 15 days hereafter.

September 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 1:00 p.m. this date, administrative rule (97-9-3) for the Department of Treasury, entitled "*Michigan Education Trust-Amendments and Rescissions*," effective 15 days hereafter.

September 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 1:06 p.m. this date, administrative rule (97-9-6) for the Department of Transportation, Bureau of Highways, entitled "*Advertising Adjacent to Highways*," 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:
Office of the Auditor General

September 30, 1997

Enclosed is a copy of the following audit report and/or executive digest:
Performance audit of the Specialized Residential Services Program of Life Ways, an agency under contract with the Department of Community Health.

October 2, 1997

Enclosed is a copy of the following audit report and/or executive digest:
Performance audit of Central Michigan University Intercollegiate Athletics Program, October 1997.

October 3, 1997

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Charter Schools Office and Michigan Resource Center for Charter Schools, Central Michigan University, October 1997.

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

The communications were referred to the Secretary for record.

The following communication was received:
Schoolcraft College

September 29, 1997

As required, we are enclosing a copy of the audited financial statements and the management letter for Schoolcraft College for the fiscal year ended June 30, 1997.

Sincerely,
Jill Sullivan
Executive Director
Financial Services

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 1:

House Bill Nos. 4447 4585

The Secretary announced the enrollment printing and presentation to the Governor on October 1, for his approval the following bill:

Enrolled Senate Bill No. 165 at 12:31 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on October 2, for his approval the following bill:

Enrolled Senate Bill No. 174 at 2:56 p.m.

Messages from the Governor

The following messages from the Governor were received:

Date: October 1, 1997

Time: 2:42 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 165 (Public Act No. 116), being

An act to make appropriations for a capital outlay program for the fiscal year ending September 30, 1998, to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of appropriations.

(Filed with the Secretary of State on October 1, 1997, at 3:50 p.m.)

Respectfully,
John Engler
Governor

October 1, 1997

Today I have signed Enrolled Senate Bill 165. This budget bill provides fiscal year 1998 funding for capital outlay and State Building Authority rent obligations.

The bill appropriates \$26.1 million total and \$15.6 million general fund to undertake maintenance and remodeling projects at legislative and state agency facilities. These funds will address critical roofing and other structural concerns in existing state buildings.

The bill authorizes new State Building Authority financed projects, including an \$18.3 million project authorization for renovation of the state's fish hatcheries and authorization for community college projects at Bay de Noc Community College, Northwestern Michigan College, and Wayne County Community College. In addition, planning grants are provided for the joint headquarters building for the Departments of State Police and Military Affairs and for a State Justice Complex.

The bill also provides funding for projects for the Departments of Natural Resources and Transportation, funded primarily from restricted state resources, and appropriates \$102.6 million total and \$10 million general fund to support aeronautics projects across the state, including the expansion of the Northwest Airlines terminal complex at Detroit Metropolitan Airport.

This action completes the fiscal year 1998 Capital Outlay appropriations.

Sincerely,
John Engler
Governor

The following message from the Governor was received and read:

October 1, 1997

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

State Building Authority Board of Trustees

Mr. Carl Mansel Evans, 3111 Ridgemont, Commerce, Michigan 48382, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on August 21, 2001.

Mrs. Mara Regina Ghafari, 411 Goodhue Road, Bloomfield Hills, Michigan 48304, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on August 21, 2001.

Sincerely,
John Engler
Governor

The appointment was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

APPROPRIATIONS; DEPARTMENT OF TRANSPORTATION

October 2, 1997

Today I have signed Enrolled Senate Bill 174, the fiscal year 1998 appropriations bill for the Department of Transportation. 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 vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State. The fiscal year 1998 budget for the Department of Transportation:

- Provides over \$1.7 billion for work on Michigan's roads and bridges.
- Includes over \$232.0 million in additional Build Michigan II revenues allocated for road and bridge programs.
- Directs over \$920 million to local governments for designated projects.
- Increases funding for local transit agencies by over \$37.3 million, further enhancing Michigan's commitment to intramodal transportation.
- Earmarks an additional \$3.5 million to the Transportation Development Fund for economic development-related projects focusing on target industries.
- Redirects \$7.3 million in early retirement savings to state road and bridge projects.

I am vetoing two boilerplate items which direct spending to specific projects. These vetoes include section 318 which provides funding for soundwall construction projects and a portion of section 712 which earmarks funding for the Beaver Island Transportation Authority.

This fiscal year 1998 bill will support Department of Transportation programs essential to maintaining Michigan's infrastructure base. I commend the Legislature for accurately reflecting in this budget bill the statutory changes and revenue increases enacted this past summer.

Sincerely,
John Engler
Governor

This bill was signed by the Governor on October 2, 1997, at 4:34 p.m. (Filed with the Secretary of State on October 2, 1997, at 5:08 p.m.) and assigned Public Act No. 117.

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.

Messages from the House

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

Senate Bill No. 178

The motion prevailed.

Senate Bill No. 118, entitled

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

(For text of amendments, see Senate Journal No. 69, p. 1398.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 492**Yeas—37**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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

Senate Bill No. 119, entitled

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

(For text of amendment, see Senate Journal No. 69, p. 1398.)

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

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

Roll Call No. 493**Yeas—37**

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

Nays—0**Excused—0**

Not Voting—0

In The Chair: President

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

Senate Bill No. 120, entitled

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

(For text of amendments, see Senate Journal No. 69, p. 1398.)

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

Roll Call No. 494**Yeas—37**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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

Senate Bill No. 174, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and

committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

(For Conference Report, see Senate Journal No. 70, p. 1449.)

The House of Representatives has adopted the report of the Committee of Conference.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor on October 1, 1997.

General Orders

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

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

After some time spent therein, the Committee arose; and the President pro tempore, Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 4509, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 8.

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.

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

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

Senate Bill No. 717, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

Substitute (S-1).

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

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

Senate Bill No. 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.

Substitute (S-3).

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

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

House Bill No. 4091, 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.

Substitute (S-2).

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

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

House Bill No. 4773, entitled

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

Substitute (S-1).

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators McManus, Dingell, Koivisto, North, Byrum, Steil, Emmons, Cisky, Peters, Miller, DeBeaussaert, Stallings, V. Smith, Geake, Schwarz and Shugars introduced

Senate Bill No. 732, entitled

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 1 (MCL 331.531), as amended by 1992 PA 215.

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

Senator Steil introduced

Senate Bill No. 733, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1996 PA 469.

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

Senator Stille introduced

Senate Bill No. 734, entitled

A bill to amend 1966 PA 291, entitled "Fire fighters training council act of 1966," by amending sections 2, 3, 4, 6, 9, 12, 13, 14, and 15 (MCL 29.362, 29.363, 29.364, 29.366, 29.369, 29.372, 29.373, 29.374, and 29.375), sections 2 and 3 as amended by 1987 PA 196, section 6 as amended by 1980 PA 10, and section 9 as amended by 1988 PA 458.

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

Senator Stille introduced

Senate Bill No. 735, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 452.

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

Senators Stallings, Young, McManus, V. Smith, DeBeaussaert, Conroy, Miller, Peters, Koivisto, Dingell, North, Hart, Vaughn, Cherry, Schwarz and Rogers introduced

Senate Bill No. 736, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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

Senators Stallings, V. Smith, McManus, DeBeaussaert, Conroy, Young, Miller, Peters, Koivisto, Dingell, North, Hart, Vaughn, Cherry, Schwarz and Rogers introduced

Senate Bill No. 737, entitled

A bill to establish the summer youth employment fund in the department of Michigan jobs commission; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

Senator Bullard introduced

Senate Bill No. 738, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19).

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

Senators Cisky, McManus and Geake introduced

Senate Bill No. 739, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1061.

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

Senators Shugars, Bullard, North, Bennett and McManus introduced

Senate Bill No. 740, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 405a.

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

Senators Gast, Geake, Stille and Steil introduced

Senate Bill No. 741, entitled

A bill to amend 1993 PA 316, entitled "An act to provide for the collection of certain past due monetary amounts owed to courts of this state; and to prescribe the powers and duties of certain state and local officers and agencies," by repealing section 10 (MCL 12.140).

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

Senators Koivisto, McManus, North, Dingell and A. Smith introduced

Senate Bill No. 742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, and 63103d.

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

House Bill No. 4447, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 4 (MCL 42.4), as amended by 1990 PA 12.

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 Local, Urban and State Affairs.

House Bill No. 4585, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending sections 3 and 8 (MCL 15.323 and 15.328), section 3 as amended by 1984 PA 184; 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 Local, Urban and State Affairs.

Recess

Senator DeGrow moved that the Senate recess until 2:00 p.m.

The motion prevailed, the time being 10:58 a.m.

The Senate reconvened at the expiration of the recess and pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Senator Shugars introduced

Senate Bill No. 743, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 220.

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

Senator Shugars introduced

Senate Bill No. 744, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22007.

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

Senator Shugars introduced

Senate Bill No. 745, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 22005 and 22006.

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

Senator Shugars introduced

Senate Bill No. 746, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 22008, 22009, 22010, and 22011.

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

Committee Reports

The Committee on Finance reported

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.

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

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars and Peters

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 546, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8117 (MCL 600.8117).

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 633, entitled

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence

intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

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

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Geake and Dingell

Nays: Senator V. Smith

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Tuesday, September 30, 1997, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Finance reported

Senate Bill No. 664, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of surplus funds of political subdivisions of the state; and to validate certain investments," by amending the title and sections 1 and 3 (MCL 129.91 and 129.93), the title as amended by 1988 PA 285 and section 1 as amended by 1988 PA 239, and by adding sections 5 and 6; and to repeal acts and parts of acts.

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

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and Stallings

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 139, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17401 (MCL 333.17401), as amended by 1994 PA 384.

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

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Bullard and Byrum

Nays: Senator Schwarz

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, September 30, 1997, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Shugars (C), Schwarz, Bullard and Byrum

Excused: Senator O'Brien

The Committee on Government Operations reported

House Bill No. 4221, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 558, 799a, and 803 (MCL 168.558, 168.799a, and 168.803), section 558 as amended by 1996 PA 583, section 799a as amended by 1992 PA 8, and section 803 as amended by 1985 PA 160.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

Senate Bill No. 549, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Bill No. 567, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 744a.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

Senate Bill No. 623, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 40.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

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

The Committee on Government Operations reported

Senate Resolution No. 69.

A resolution to memorialize the Congress of the United States to provide for the distribution of the Leaking Underground Storage Tank Trust Fund's proceeds to the states for cleanup projects determined by the states.

(For text of resolution, see Senate Journal No. 51, p. 860.)

With the recommendation that the resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

Senate Concurrent Resolution No. 36.

A concurrent resolution to memorialize the Congress of the United States to provide for the distribution of the Leaking Underground Storage Tank Trust Fund's proceeds to the states for cleanup projects determined by the states.

(For text of resolution, see Senate Journal No. 51, p. 861.)

With the recommendation that the concurrent resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

Senate Concurrent Resolution No. 41.

A concurrent resolution to urge the U.S. Army Corps of Engineers to restore the original harbor of refuge at Grand Marais, Michigan.

(For text of resolution, see Senate Journal No. 61, p. 1209.)

With the recommendation that the concurrent resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman, Miller and Hart

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Wednesday, October 1, 1997, at 3:55 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Bullard (C), Emmons, Hoffman, Miller and Hart

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Insurance Issues, Legislative Retirement Board of Trustees, submits the following:

Meeting held on Wednesday, October 1, 1997, at 3:30 p.m., 6th Floor Conference Room, Romney Building

Excused: Senator Emmons

Scheduled Meetings

Appropriations Committee - Wednesday, October 8, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, October 8, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, October 9, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Family Independence Agency Appropriations Subcommittee - Wednesday, October 8, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1707).

Financial Services Committee - Wednesday, October 8, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Gaming and Casino Oversight Committee - Wednesday, October 15, at 2:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Human Resources, Labor and Veterans Affairs Committee - Thursday, October 9, at 1:00 p.m., Room 210, Farnum Building (3-2420).

Transportation and Tourism Committee - Wednesday, October 8, at 3:00 p.m., Room 405, Capitol Building (3-2413).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 2:02 p.m.

The Secretary of the Senate declared the Senate adjourned until Wednesday, October 8, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

