

No. 1
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89th Legislature
REGULAR SESSION OF 1998

Senate Chamber, Lansing, Wednesday, January 14, 1998.

12:00 Noon.

In conformity with the requirements of the Constitution of the State of Michigan, the Senators of the 89th Legislature of the State of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January, 1998), at twelve o'clock noon, and were called to order by the Honorable Connie Binsfeld, Lieutenant Governor of the State of Michigan and President of the Senate.

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

District	Name	District	Name
1st	Joe Young, Jr.	20th	Harry Gast
2nd	Virgil C. Smith, Jr.	21st	Dale L. Shugars
3rd	Henry E. Stallings II	22nd	William Van Regenmorter
4th	Jackie Vaughn III	23rd	Joanne G. Emmons—excused
5th	Michael J. O'Brien	24th	John J.H. Schwarz
6th	George Z. Hart—excused	25th	Dianne Byrum
7th	Christopher D. Dingell	26th	Mike Rogers
8th	Loren N. Bennett	27th	Dan L. DeGrow
9th	R. Robert Geake	28th	John D. Cherry, Jr.
10th	Arthur J. Miller, Jr.	29th	Joe Conroy
11th	Kenneth J. DeBeaussaert	30th	Glenn Steil
12th	Dave Jaye	31st	Dick Posthumus
13th	Michael J. Bouchard	32nd	Leon Stille—excused
14th	Gary Peters	33rd	Jon A. Cisky—excused
15th	Bill Bullard, Jr.	34th	Joel D. Gougeon
16th	Mat J. Dunaskiss	35th	Bill Schuette—excused
17th	Jim Berryman	36th	George A. McManus, Jr.—excused
18th	Alma Wheeler Smith	37th	Walter H. North
19th	Philip E. Hoffman	38th	Don Koivisto

Senator Christopher D. Dingell of the 7th District offered the following invocation:

The First Epistle of the Apostle Paul to Timothy urges prayer for those in government, but it doesn't give a lot of guidance to officials on how to deal with the situations they will encounter during a new year, a new Senator's career and an election year.

The Gospel according to Luke gives us that necessary guidance. Let us pray as he suggests:

Lord, help us to act as You tell us to, so that perhaps we will begin to think as You require.

Help us to do good to those that wish us ill.

Help us to develop that inner strength that prevents conflict, or allows one tranquility amidst conflict.

Help us to continue to render unto You what is Yours, while we render unto others what is theirs.

Help us to have faith in You and Your plan, regardless of how difficult things seem.

Help us to remember that only those that remain humble will be exalted.

Help us to remember that with Your wisdom and patience we can deal with any situation that befalls us.

Finally, help us to remember that the Golden Rule has not been suspended for the duration. Amen.

Motions and Communications

Senators O'Brien and Dunaskiss entered the Senate Chamber.

Senator DeGrow moved that Senators Cisky, Emmons, McManus, Schuette and Stille be excused from today's session.

The motion prevailed.

Senator DeGrow moved that rule 3.902 be suspended to allow the guests of Senator Jaye admittance to the Senate floor, including the center aisle.

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, and Gallery.

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

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

The motion prevailed.

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

The motion prevailed.

Senator Bouchard asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Bouchard's statement is as follows:

From the gallery in Birmingham, the Kinkade Gallery, the painter of "Light"—both of the co-owners are in the gallery, the Cotés—they have presented this morning, on the sesquicentennial of our great Capitol, a presentation to our Capitol. A painting done by the painter of "Light," Mr. Kinkade, is on display in the Elijah Myers Room. It is entitled "Flags over the Capitol." It is, I think, one of the prettiest paintings that I have ever seen and certainly one of the most appropriate to be given to the Capitol. I would encourage the members to see it in the Elijah Myers Room, and I would thank Jim and Barbara for their great and wonderful gift.

Senator Stallings entered the Senate Chamber.

A ceremonial swearing-in was conducted for Senator Jaye, who took and subscribed to the Constitutional Oath of Office, which was administered by Lieutenant Governor Binsfeld.

The following communication was received:
Department of State

Administrative Rules
Notice of Filing

December 17, 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 3:53 p.m. this date, administrative rule (97-12-3) for the State Police, Alcohol Enforcement Unit, entitled "*Drunk Driving Prevention Equipment and Training Fund*," effective 15 days hereafter.

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of Transportation

December 30, 1997

Public Act 1993, Number 69, titled "Michigan Heritage Routes," requires the Michigan Department of Transportation to report to the Governor those routes designated as Michigan Heritage Routes during the preceding year.

We are pleased to report that Center Street (M-25) in the city of Bay City has been designated as a Michigan Historic Heritage Route. The city of Bay City, businesses, homeowners and the Michigan Department of Transportation have promised to preserve, enhance and promote Center Street as one of the finest examples of a historic district in the state.

Although Center Street was the only route added to the Heritage Program this year, there has been considerable activity. We expect numerous additions for next year's report.

The addition of Center Street brings the total number of designated Heritage Routes to five. Those include sections of US-41 in Keweenaw County, sections of M-123 in Chippewa and Luce Counties, the Mackinac Bridge, M-119 in Emmet County and M-125 in the city of Monroe.

The Heritage Route Program is a worthwhile endeavor to identify, protect, enhance and promote unique states trunk lines. We invite you to share our enthusiasm.

Sincerely,
James R. DeSana
Director

The communication was referred to the Secretary for record.

The following communication was received:
Department of Consumer and Industry Services

December 30, 1997

Pursuant to section 328 of P.A. 104 of 1997, we are enclosing a copy of the Special Investigation Report 7-C0117-001 completed on pine Lodge Residential Center, 227 N. Sycamore Street, Lansing, Michigan. This investigative report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact me at 373-3892, or Don Reichle at 335-1954.

Sincerely,
Roy Murry, Director
Finance and Administrative Services

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

January 5, 1998

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

Performance Audit of the Carson City Correctional Institutions: Carson City Correctional Facility and Carson City Temporary Facility, Department of Corrections, January 1998.

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

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Senate Majority Leader

January 5, 1998

I would like to make the following changes to my correspondence dated December 11, 1997.
Pursuant to Senate Rule 1.105, I hereby appoint the members below to the following Conference Committee:
SB 514 Senator Dale Shugars, Chair
 Senator John Schwarz
 Senator Dianne Byrum

Please make this communication part of the official Senate record.

Sincerely,
Dick Posthumus
Senator Majority Leader

The communication was referred to the Secretary for record.

The Secretary submitted, pursuant to Senate Rule 1.208, the following report on out-of-state travel by Members on Legislative business for the quarter ending December 31, 1997:

Senator Alma Wheeler Smith	November 6-9	Attend 1997 Leadership 2000 Conference Boston, MA	\$382.25
Senator Joanne G. Emmons	November 5-7	Attend Special Joint Meeting of Assembly on Federal/State Issues Washington, DC	\$942.60
Senator Michael J. Bouchard	November 16	Speaker at NCOIL Conference Phoenix, AZ	\$327.50
	December 6	Attend National Association of Insurance Commissioners Conference Seattle, WA	\$731.76
Senator Dick Posthumus	October 28	Testify at Subcommittee on Oversight, Empowerment Zones Washington, DC	\$840.00

The Secretary announced the printing and placement in the members' files on Tuesday, January 6 of:

Senate Bill Nos. 835 836 837 838

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator Posthumus offered the following resolution:

Senate Resolution No. 121.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 2.103 of the Standing Rules of the Senate be hereby amended to read as follows:

"2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

~~Agriculture and Forestry (5 members)~~

Appropriations (13 members)

Economic Development, International Trade and Regulatory Affairs (5 members)

Education (5 members)
Families, Mental Health and Human Services (5 members)
Finance (5 members)
Financial Services (5 members)
Gaming and Casino Oversight (5 members)
Government Operations (5 members)
Health Policy and Senior Citizens (5 members)
Human Resources, Labor and Veterans Affairs (5 members)
HUNTING, FISHING AND AGRICULTURE (5 MEMBERS)
Judiciary (7 members)
Local, Urban and State Affairs (5 members)
Natural Resources and Environmental Affairs (5 members)
Technology and Energy (5 members)
Transportation and Tourism (5 members)

Statutory standing committees:

Administrative Rules (5 members)(see MCL 24.235)
Legislative Council (6 members and 3 alternates) (see MCL 4.1103)
Legislative Retirement Board of Trustees (4 members) (see MCL 38.1026)
Michigan Capitol Committee (4 members) (see MCL 4.1701)".

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator DeGrow moved that the rule be suspended.

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

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Hunting, Fishing and Agriculture - Senator Jaye (C) replacing Senator North.

Economic Development, International Trade and Regulatory Affairs - Senator Jaye replacing Senator Gougeon.

Transportation and Tourism - Senator Jaye replacing Senator Cisky.

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

By unanimous consent the Senate returned to the order of

Resolutions

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

Senate Resolution No. 71

The motion prevailed.

House Concurrent Resolution No. 44.

A concurrent resolution to memorialize the Congress of the United States to redirect some military spending, not to include reductions in veterans programs or benefits or to compromise our national security, to the states to enable them to meet domestic needs.

Whereas, Over the past two decades, the world has witnessed a remarkable shift in the balance of power in the world. The threats of the Cold War are no longer as imminent. Instead, the United States faces more specialized military challenges. We also face a host of significant domestic needs every bit as important to the security of our nation; and

Whereas, While there can be no disagreement that the United States must retain its position as the world's foremost military power, it is wise to realize that we continue to spend far more money on defense than all our adversaries combined. Even with moderation in spending by comparison to earlier appropriations, the United States has a military budget of \$265 billion for 1997, as opposed to a combined military budget of \$15 billion for the seven countries identified as our adversaries; and

Whereas, Several former military leaders and civilian executives have pointed out excess spending for certain projects and weaponry. Others have observed the influence of uncontrolled military spending—at the cost of domestic investment—as being a principal factor in the decline of the former Soviet Union; and

Whereas, It seems that the battlefields of the twenty-first century may well center on internal strengths. Resources for infrastructure, education, public health, environmental protection, feeding our people, and strengthening our economy are also cornerstones upon which our nation's future will be built. As budget negotiations establish the national priorities, this must be clear; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to redirect some military spending, not to include reductions in veterans programs or benefits or to compromise our national security, to the states to enable them to meet domestic needs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

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

Senator DeGrow offered the following concurrent resolution:

Senate Concurrent Resolution No. 58.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, December 10, 1997, it stand adjourned until Tuesday, December 30, 1997, at 11:45 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, December 11, 1997, it stand adjourned until Tuesday, December 30, 1997, at 11:30 a.m.; and be it further

Resolved, That when the Legislature adjourns on Tuesday, December 30, 1997, it stand adjourned without a day.

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

Senators A. Smith, McManus, Gast, North, DeBeaussiaert and Koivisto offered the following resolution:

Senate Resolution No. 117.

A resolution to urge the Governor to establish a task force to study issues relating to fishing.

Whereas, Michigan's fisheries resources are an important component of our state's character and its economy. As we learn more about our environment and as we exert more pressures through direct actions and through indirect actions that affect the waters and shorelands, it is imperative that we do all we can to preserve these resources for future generations. With the increasing pressures placed on fisheries, this is becoming more difficult; and

Whereas, While the riches of our lakes and streams provide recreational and commercial opportunities for millions of our people, the fisheries of our state are a fragile resource. History has shown the vulnerability of our waters, especially for individual species of fish and plants. These are resources that are complex in their composition as well as in the diversity of groups with a stake in their quality; and

Whereas, In addition to environmental concerns, there have been conflicts among the various groups of people engaged in fishing. Recreational fishing, commercial fishing, and Native American fishing all have legitimate concerns and points of view, even though these interests do not always coincide. It is imperative that a coordinated effort be made to identify problems and solutions on fishing issues in a manner that brings all interested parties together; now, therefore, be it

Resolved by the Senate, That we urge the Governor to establish a task force to study issues relating to fishing. We urge that this task force include representatives of commercial fishing, recreational groups, the Native American communities, conservation groups, and appropriate executive departments and legislators and that the task force present its findings and recommendations by May 31, 1998; and be it further

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

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

Senator Young was named co-sponsor of the resolution.

Senator Steil offered the following resolution:

Senate Resolution No. 122.

A resolution commemorating School-to-Work Week, January 26 - February 2, 1998, as an opportunity to recognize and celebrate School-to-Work as the crucial link between successful learning and productive citizenship and recognize February 2, 1998, as National Groundhog Job Shadow Day.

Whereas, Local celebrations will recognize the importance of education and training students to ensure preparation for college and careers; and

Whereas, The economic prosperity of Michigan and the ability of our citizens to participate in the global workplaces of tomorrow will also be recognized; and

Whereas, Activities will include forums for educators and employers about teaching and learning, demonstrations of effective school and business connections and opportunities for students and teachers to benefit from work-based learning experiences such as mentoring and job shadowing; now, therefore, be it

Resolved by the Senate, That we hereby commemorate January 26 - February 2, 1998, as School-to-Work Week, and recognize February 2, 1998, as National Groundhog Job Shadow Day and salute its participants; and be it further

Resolved, That a copy of this resolution be transmitted to the coordinators of this event as evidence of our respect and best wishes.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator DeGrow moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator DeGrow moved that the resolution be referred to the Committee on Human Resources, Labor and Veterans Affairs.

The motion prevailed.

Senator Schwarz was named co-sponsor of the resolution.

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

Senate Resolution No. 123

The resolution consent calendar was adopted.

Senator DeGrow offered the following resolution:

Senate Resolution No. 123.

A resolution for expressing the gratitude of Michigan residents to Service Corporation International (SCI) for sponsoring "SCI Escape School".

Whereas, Service Corporation International (SCI), the world's largest provider of funeral and burial services, began as a single funeral home more than 35 years ago in a rural community with heartfelt commitment to families; and

Whereas, SCI maintains that same commitment to the families of every community it serves; and

Whereas, SCI believes the children of those communities truly represent our best hopes for the future and recognizes the numerous dangers presented to our children such as drugs, disease, and abuse; and

Whereas, SCI has partnered with one of the nation's foremost experts on child abduction prevention, evasion, and escape to nationally sponsor "SCI Escape School"; and

Whereas, During the week of January 19, 1998, thousands of Michiganians will attend and learn critical child safety methods from "SCI Escape School" in Bay City, Essexville, Flint, Port Huron, Lansing, Kalamazoo, Grand Rapids, Jackson, Ann Arbor, White Lake Township, and Highland; now, therefore, be it

Resolved by the Senate, That we express our gratitude to Service Corporation International and its affiliated, locally managed funeral homes, for demonstrating their sincere and honorable commitment to Michigan families through high standards of service and sponsorship of "SCI Escape School"; and be it further

Resolved, That copies of this resolution be transmitted to Service Corporation International and its 23 affiliated, locally managed funeral homes throughout the state as a token of our gratitude.

Senator Schwarz was named co-sponsor of the resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the Committee on Natural Resources and Environmental Affairs be discharged from further consideration of the following bills:

House Bill No. 4452, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amended sections 46503, 46506, 46507, and 46508 (MCL 324.46503, 324.46506, 324.46507, and 324.46508) as added by 1995 PA 57.

House Bill No. 5002, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 43512 (MCL 324.43512).

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

Senator DeGrow moved that the bills be referred to the Committee on Hunting, Fishing and Agriculture.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Hoffman introduced

Senate Bill No. 839, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 205.

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

Senators McManus, Dunaskiss, Bennett, Gast, Koivisto, Dingell, Schuette, DeBeaussaert, Schwarz, North and Gougeon introduced

Senate Bill No. 840, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73301 (MCL 324.73301), as added by 1995 PA 58.

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

Senators Geake, Steil, Gougeon, Bouchard, Dingell, V. Smith, Peters and Shugars introduced

Senate Bill No. 841, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 3 (MCL 552.503), as amended by 1996 PA 365, and by adding section 4b.

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

Senator Schuette introduced

Senate Bill No. 842, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Clare county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

Senator Bouchard introduced

Senate Bill No. 843, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 665a to chapter 2.

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

Senator Bouchard introduced

Senate Bill No. 844, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7410a.

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

Senator Bullard introduced

Senate Bill No. 845, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Senators Geake, Young, Gast, Conroy, North, A. Smith, Schwarz, Shugars and Bullard introduced

Senate Bill No. 846, entitled

A bill to amend 1996 PA 522, entitled "The Michigan biologic products institute transfer act," by amending the title and section 3 (MCL 333.26333) and by adding sections 3a, 3b, and 6a.

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

House Bill No. 4038, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i. The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4060, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 1996 PA 272, and by adding section 502a.

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

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

House Bill No. 4061, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 1996 PA 133 and section 2132 as added by 1995 PA 60, and by adding part 610.

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

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

House Bill No. 4065, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7218 and 7401 (MCL 333.7218 and 333.7401), section 7401 as amended by 1996 PA 249, and by adding section 7401a.

The House of Representatives has passed the bill.

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

House Bill No. 4184, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 726 (MCL 168.726) and by adding sections 750a and 750b.

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 Government Operations.

House Bill No. 4195, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57j.

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

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

House Bill No. 4204, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending the title and sections 2, 7, 8, and 9 (MCL 565.952, 565.957, 565.958, and 565.959), section 7 as amended by 1996 PA 92, and by adding section 7a.

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

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

House Bill No. 4259, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503a.

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

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

House Bill No. 4681, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204a (MCL 333.16204a), as added by 1994 PA 232.

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 Health Policy and Senior Citizens.

House Bill No. 4682, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16204b.

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 Health Policy and Senior Citizens.

House Bill No. 4683, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16204c, 16204d, and 16228.

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 Health Policy and Senior Citizens.

House Bill No. 4684, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212a (MCL 500.2212a), as added by 1996 PA 517.

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 Health Policy and Senior Citizens.

House Bill No. 4685, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21052 (MCL 333.21052), as added by 1996 PA 472.

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 Health Policy and Senior Citizens.

House Bill No. 4686, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402a (MCL 550.1402a), as added by 1996 PA 516.

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 Health Policy and Senior Citizens.

House Bill No. 4786, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57k.

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

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

House Bill No. 4837, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67.

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

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

House Bill No. 5113, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4p.

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.

House Bill No. 5127, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1996 PA 167.

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 Gaming and Casino Oversight.

House Bill No. 5211, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 1996 PA 242.

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

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

House Bill No. 5261, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503b.

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

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

House Bill No. 5262, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503a.

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

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

House Bill No. 5280, entitled

A bill to prohibit the switching of a customer's telecommunications provider without the authorization of the customer; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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 Technology and Energy.

House Bill No. 5290, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 1995 PA 287.

The House of Representatives has passed the bill.

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

House Bill No. 5301, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20113, 21303, 21314a, 21319a, 21507, 21508, and 21550 (MCL 324.20113, 324.21303, 324.21314a, 324.21319a, 324.21507, 324.21508, and 324.21550), section 20113 as amended by 1996 PA 383, section 21303 as amended by 1996 PA 116, sections 21314a and 21319a as added by 1995 PA 22, section 21507 as amended by 1996 PA 181, section 21508 as amended by 1995 PA 269, and section 21550 as amended by 1995 PA 252, and by adding section 21308b and part 216.

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

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

House Bill No. 5302, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21542 and 21543 (MCL 324.21542 and 324.21543) and by adding sections 21312b, 21312c, and 21543a.

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

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

House Bill No. 5316, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61501 and 61517 (MCL 324.61501 and 324.61517), as added by 1995 PA 57.

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

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

House Bill No. 5317, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61513 (MCL 324.61513), as added by 1995 PA 57.

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

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

By unanimous consent the Senate returned to the order of

Messages from the House

The House of Representatives requested the return of

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.

Senator DeGrow moved that the request of the House be granted.

The motion prevailed.

The following message was received and read:

January 14, 1998

I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Very respectfully,
Mary Kay Scullion, Clerk
House of Representatives

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that when the Senate adjourns today, it stand adjourned until Tuesday, January 27.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Peters, Vaughn, Jaye and Posthumus asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Peters' statement is as follows:

I'd like to rise to recognize an outstanding organization in my district and the state of Michigan. That organization is the Detroit Skating Club in Bloomfield Township.

Over the years it has done an outstanding job training some of the world's finest figure skaters, and today is no different. The recent National Figure Skating Championship concluded with six Michigan skaters taking national awards and earning the right to represent Michigan and the United States in the upcoming Winter Olympic Games in Japan.

The skaters are Todd Eldridge, Gold medalist in the mens' event; Tara Lipinski, Silver medalist, ladies; Elizabeth Punsanlan and Jared Swallow, Gold medalists in the couples dance; and Jessica Joseph and Charles Butler, Silver medalists, couples dance.

We should all be proud of the accomplishments of these individuals who have dedicated their lives to rise to the very top of their sport, and we should also be especially proud to have such an outstanding facility like the Detroit Skating Club here in Michigan.

Madam President, I would like all of my colleagues to join me in wishing these skaters the best of luck in the upcoming Olympic Games, and hope that my colleagues will also join me in the future in supporting the work of the Detroit Skating Club in training America's skating champions.

Senator Vaughn's statement is as follows:

I'd like to personally thank my colleagues for cooperating in the Martin Luther King holiday celebration. You received a letter—both the Senate and the House—and the response was tremendous all over the state of Michigan. I'd like to bring you up-to-date on what we've been doing for the past three weeks. My office sent more than 500,000 letters asking people to pause and reflect upon this great American's day and thanks to all of you who made that possible in this body.

Secondly, I think it's important that we recognize that I'm in gratitude to you of both the Senate and the House for having a companion bill on the recognition of Mrs. Rosa Parks, a lady who is delightful, an octogenarian and still working hard in her adoptive city of Detroit. But I wanted to let you know how much we appreciate your efforts. My office has worked for the last three weeks in sending out letters to religious organizations, social organizations, schools, colleges and universities as we do every year. But I think the honor goes to you for making that holiday possible. My wish is that you and your family will have a good and safe holiday, and let's try to struggle together to make this place just a little bit better than when we came.

Lastly, there is a quotation—I hope I can get it right: "Here comes the dreamer. Let us slay him and then we shall see what becomes of his dream." In part we are carrying out the letter of the law, but it's up to you, your own community, and your own district to try to make this live so that we can have a better society and a better day. Thanks to all of you for the vision years ago when you took this unparalleled step to honor the first Afro-American with a legitimate holiday, and it's about your actions we made it true. A Chairman of the Commission for the state of Michigan, it is my responsibility to send out letters every year to encourage this kind of thinking.

Senator Jaye's statement is as follows:

Mr. Majority Leader, Madam President, Mr. Majority Floor Leader, Minority Leaders, officers, fellow colleagues, hard-working staff, news media and guests: Thank you for your warm welcome and greetings to the two most important women in my life, my wife Sharon and my mom, Wanda Jaye-Aro.

I am also particularly grateful that you extended warm greetings to my guests and friends from Macomb County and throughout Michigan, who sacrificed their time, their evenings, their weekends and resources to help me become elected to the state Senate. These American patriots and hard-working men and women of Michigan represent the backbone, the foundation that made Macomb County the heart of the automotive industry, Michigan the arsenal of democracy and America the world's super power. These are the volunteers who are the real heroes of the political process called democracy. I also appreciate the warm greetings that my colleagues from the Senate and Macomb County have extended to me and I will also extend to them the same courtesies.

Today, Wednesday, January 14, 1998, I am the luckiest man in Michigan. I won a Michigan House seat in 1988 and the State Senate seat in 1997 as a grandson of poor Polish immigrants. My Polish grandparents and my parents taught me the values of hard work, persistence, family loyalty, volunteerism, frugality with money, energetic patriotism for America and respect for all people, regardless of their nationality, ethnicity, gender or race. I and the hard working people of Macomb County were not born to privilege. We are not country club elites we are hard-working conservatives of the heart. Macomb County is not populated with RHINOS, (Republicans In Name Only). We won this seat without having a rich daddy, without having a political family name, without powerful unions, without a political machine, without the Chamber of Commerce, without the Farm Bureau, without big corporations, and without the rich social elites. My career in the Michigan House of Representatives is proof that a person can win without being a puppet of special interests and party bosses. If a person is willing to work hard, has a supportive and energized family and friends, aggressively pursues a sound ideology, and is willing to take a chance by advocating on behalf of the taxpayers, then you too can win an office. My election to the State Senate should demonstrate to all Michigan taxpayers and elected officials that ideas matter. We can run and win for office if we face controversial issues head on instead of sweeping tough issue underneath the rug.

For the first time in history a hunting and fishing committee has been created in the Michigan State Senate. The sportsmen and gun communities have grown in political strength in Macomb County and Michigan. The sportsmen and gun communities have grown in strength and Majority Leader Dick Posthumus has responded to this strength by giving the hunting, fishing, and gun community their own permanent standing committee. I am grateful that Majority Leader Dick Posthumus has given me and the Michigan hunters, fishermen, and gun rights advocates this top priority.

I'm hitting the road running by introducing a 25-bill package to promote hunting, fishing, and gun rights, and I look forward to working with each of you in the next few weeks. As chairman of this committee, I pledge to you that my

policy will be to treat each person with respect and dignity, whether they agree or disagree on any of the elements of this package.

My taxpayers' agenda as a State Senator includes cutting taxes, forcing welfare recipients to work, cutting wasteful government spending, defending the Second Amendment, and abolishing reverse discrimination by ending racial quotas, minority set-asides, and minority special privileges.

We may not always agree in the important issues that face the great state of Michigan, but I will always accord my adversaries with respect and courtesy. I will work very hard to maintain the Senate traditions with respect, diplomacy, and courteous debate.

Madam President, Mr. Majority Leader, Mr. Republican Leader, and leaders of the opposite party: for nine years I served as a State Representative, and I had the privilege of serving with many of you in the Michigan House. During that time I had the pleasure of serving with my former seatmate, Senator Dale Shugars, I also served with Senator Mike Bouchard, Senator Joanne Emmons, Senator Bill Bullard, Senator Dianne Byrum, Senator Ken DeBeaussaert, Senator Mat Dunaskiss, Senator Phil Hoffman, Senator Leon Stille, Senator Bill Van Regenmorter, and Senator Joe Young, Jr., who I was also a co-chairman with. I have also made many new friends of additional State Senators, Senators Bennett, Schuette, Rogers, and Stille and other staffers who sacrificed their personal and family time on my election two days before Thanksgiving in 1997. I think this was an unprecedented time and it showed an unprecedented amount of sacrifice and friendship.

Senator Posthumus' statement is as follows:

First of all, I do want to welcome Senator Jaye to the Senate, but, in addition, I want to welcome everybody back. I don't know whether all of you realize it or not, but this is the final event of the Sesquicentennial of the Capitol Year. This is the 150th time that the Legislature has gathered in Lansing. I want to welcome all of you back to that session, and I also challenge us all to work hard this year. There are some in the media who have been writing that this is going to be a difficult year—that we're not going to get much done because of the elections coming up in 1998. Certainly, the elections are an important event in a democracy, and we will all be laying out where we think our vision of Michigan is and is going. But in the meantime, we have a lot to do on behalf of the state to make sure that our streets are safer for our families, to making surer our children are getting a good education, and I'm sure that as last year this Senate will be able to work very well together as Democrats and Republicans accomplish that. I wish everybody well.

Scheduled Meetings

Community Health Appropriations Subcommittee - Wednesday, January 27, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1707).

Health Policy and Senior Citizens Committee - Monday, February 2, at 6:00 p.m., Media Room, Kalamazoo Center for Medical Studies, 1000 Oakland Drive, Kalamazoo (3-0793).

Legislative Council - Thursday, January 29, at 12:30 p.m., Rooms 402 and 403, Capitol Building (3-0170).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 12:49 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, January 27, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.