

No. 25
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, March 19, 1998.

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
Jaye—present
Koivisto—present
McManus—excused
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—absent
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Pastor James E. Carter, Sr., of the Solid Rock Full Gospel Church Fellowship of Lansing offered the following invocation:

Our Father, the maker and creator of all things, we come to You just now thanking You for another opportunity to come before You and to ask for Your favor. We ask that You bless this session. We ask that You bless each one, each individual, one by one. And we just thank You right now, Lord Jesus. We pray for Thy help and Thy strength and Thy will. We ask these blessings in Jesus' name, we pray. Amen.

Motions and Communications

Senator Koivisto entered the Senate Chamber.

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

Senator McManus is attending the funeral of a family member.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, March 18:
House Bill No. 5056

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 19:
House Bill Nos. 4139 4251 4983

The Secretary announced the printing and placement in the members' files on Wednesday, March 18 of:

Senate Bill No. 1019

House Bill Nos. 5691 5692 5693 5694 5695 5696 5697 5698 5699 5700 5701 5702 5703

Messages from the Governor

The following messages from the Governor were received:

Date: March 18, 1998

Time: 9:00 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 714 (Public Act No. 32), being

An act to amend 1996 PA 202, entitled "An act to authorize the state administrative board to convey certain state owned property in Mackinac county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance," by amending sections 7, 8, and 9.

(Filed with the Secretary of State on March 18, 1998, at 2:25 p.m.)

Date: March 18, 1998

Time: 9:02 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 382 (Public Act No. 33), being

An act to amend 1966 PA 346, entitled "An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments in lieu of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act," by amending sections 1, 22, 32b, 44, and 44d (MCL 125.1401, 125.1422, 125.1432b, 125.1444, and 125.1444d), section 1 as amended by 1984 PA 215, sections 22, 32b, and 44 as amended by 1996 PA 475, and section 44d as added by 1987 PA 86.

(Filed with the Secretary of State on March 18, 1998, at 2:27 p.m.)

Date: March 18, 1998

Time: 10:30 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 363 (Public Act No. 34), being

An act to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 5 (MCL 722.115), as amended by 1995 PA 81.

(Filed with the Secretary of State on March 18, 1998, at 2:29 p.m.)

Date: March 18, 1998

Time: 10:32 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 364 (Public Act No. 35), being

An act to amend 1973 PA 8, entitled “An act to provide for the construction and maintenance of sidewalks for use by handicapped persons,” by amending the title and section 1 (MCL 125.1361).

(Filed with the Secretary of State on March 18, 1998, at 2:31 p.m.)

Date: March 18, 1998

Time: 10:34 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 365 (Public Act No. 36), being

An act to amend 1978 PA 59, entitled “An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and handicapped persons relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal certain acts and parts of acts,” by amending the title and sections 47a and 104b (MCL 559.147a and 559.204b), the title and section 104b as amended by 1982 PA 538 and section 47a as added by 1987 PA 31.

(Filed with the Secretary of State on March 18, 1998, at 2:33 p.m.)

Date: March 18, 1998

Time: 10:36 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 367 (Public Act No. 37), being

An act to amend 1964 PA 154, entitled “An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act,” by amending section 14 (MCL 408.394).

(Filed with the Secretary of State on March 18, 1998, at 2:35 p.m.)

Date: March 18, 1998

Time: 10:38 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 368 (Public Act No. 38), 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 49, 145m, 147a, 470, and 502c (MCL 750.49, 750.145m, 750.147a, 750.470, and 750.502c), section 49 as amended by 1995 PA 228, section 145m as added by 1994 PA 149, section 470 as added by 1992 PA 271, and section 502c as amended by 1995 PA 114.

(Filed with the Secretary of State on March 18, 1998, at 2:37 p.m.)

Date: March 18, 1998

Time: 10:40 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 369 (Public Act No. 39), being

An act to amend 1893 PA 206, “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act,” by amending section 7d (MCL 211.7d), as amended by 1987 PA 200.

(Filed with the Secretary of State on March 18, 1998, at 2:39 p.m.)

Date: March 18, 1998

Time: 10:42 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 372 (Public Act No. 40), being

An act to amend 1969 PA 235, entitled “An act authorizing local units of government to regulate and control traffic in parking areas; and to provide a penalty for a violation of this act,” by amending section 2a (MCL 257.942a).

(Filed with the Secretary of State on March 18, 1998, at 2:41 p.m.)

Date: March 18, 1998

Time: 10:44 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 374 (Public Act No. 41), 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,” by amending sections 102 and 304b (MCL 484.2102 and 484.2304b), section 102 as amended and section 304b as added by 1995 PA 216.

(Filed with the Secretary of State on March 18, 1998, at 2:43 p.m.)

Date: March 18, 1998

Time: 10:46 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 376 (Public Act No. 42), being

An act to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the commission to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide that governmental subdivisions may with exceptions elect not to be subject to certain parts of the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish remedies and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” by amending section 2 (MCL 125.1502), as amended by 1980 PA 371.

(Filed with the Secretary of State on March 18, 1998, at 2:47 p.m.)

Date: March 18, 1998

Time: 10:48 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 383 (Public Act No. 43), being

An act to amend 1964 PA 232, entitled “An act to provide for educational and other needed services through a vocational rehabilitation program for disabled persons; to authorize an annual appropriation of funds for vocational rehabilitation; to authorize the state board of education to administer such a program; to provide for the proper custody and administration of funds received by the state from federal and other sources; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 395.82).

(Filed with the Secretary of State on March 18, 1998, at 2:47 p.m.)

Date: March 18, 1998

Time: 10:50 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 390 (Public Act No. 44), being

An act to amend 1978 PA 260, entitled “An act to revise and codify the laws relating to blind persons and visually handicapped; to create a commission; to prescribe its powers and duties and those of other state agencies relative to blind persons; to provide services, education, training, and assistance to blind persons; to regulate concessions operated by blind persons; to transfer powers, duties, functions, and appropriations; and to repeal certain acts and parts of acts,” by amending the title and sections 4 and 6 (MCL 393.354 and 393.356).

(Filed with the Secretary of State on March 18, 1998, at 2:49 p.m.)

Respectfully,
John Engler
Governor

Messages from the House

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

Senate Bill No. 361**Senate Bill No. 371****Senate Bill No. 373****Senate Bill No. 377****Senate Bill No. 381****Senate Bill No. 384****Senate Bill No. 386****Senate Bill No. 387****Senate Bill No. 388****Senate Bill No. 400****Senate Bill No. 362****Senate Bill No. 200**

The motion prevailed.

Senate Bill No. 97, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 200, 201, 204, 204a, 207, 209, 210, and 211a (MCL 750.200, 750.201, 750.204, 750.204a, 750.207, 750.209, 750.210, and 750.211a); and to repeal acts and parts of acts.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 204a, 207, 209, and 210 (MCL 750.204a, 750.207, 750.209, and 750.210); and to repeal acts and parts of acts.

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

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 House of Representatives has amended the bill as follows:

1. Amend page 3, following line 17, by inserting:

"(5) AN ENTITY DESCRIBED IN SUBSECTION (2)(A)(v) OR (vi) THAT EMPLOYS, CONTRACTS WITH, OR GRANTS PRIVILEGES TO A HEALTH PROFESSIONAL LICENSED OR REGISTERED UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838, SHALL REPORT EACH OF THE FOLLOWING TO THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES NOT MORE THAN 30 DAYS AFTER IT OCCURS:

(A) DISCIPLINARY ACTION TAKEN BY THE ENTITY AGAINST A HEALTH PROFESSIONAL LICENSED OR REGISTERED UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838, BASED ON THE HEALTH PROFESSIONAL'S PROFESSIONAL COMPETENCE, DISCIPLINARY ACTION THAT RESULTS IN A CHANGE OF THE HEALTH PROFESSIONAL'S EMPLOYMENT STATUS, OR DISCIPLINARY ACTION BASED ON CONDUCT THAT ADVERSELY AFFECTS THE HEALTH PROFESSIONAL'S CLINICAL PRIVILEGES FOR A PERIOD OF MORE THAN 15 DAYS. AS USED IN THIS SUBDIVISION, "ADVERSELY AFFECTS" MEANS THE REDUCTION, RESTRICTION, SUSPENSION, REVOCATION, DENIAL, OR FAILURE TO RENEW THE CLINICAL PRIVILEGES OF A HEALTH PROFESSIONAL BY AN ENTITY DESCRIBED IN SUBSECTION (2)(A)(v) OR (vi).

(B) RESTRICTION OR ACCEPTANCE OF THE SURRENDER OF THE CLINICAL PRIVILEGES OF A HEALTH PROFESSIONAL UNDER EITHER OF THE FOLLOWING CIRCUMSTANCES:

(i) THE HEALTH PROFESSIONAL IS UNDER INVESTIGATION BY THE ENTITY.

(ii) THERE IS AN AGREEMENT IN WHICH THE ENTITY AGREES NOT TO CONDUCT AN INVESTIGATION INTO THE HEALTH PROFESSIONAL'S ALLEGED PROFESSIONAL INCOMPETENCE OR IMPROPER PROFESSIONAL CONDUCT.

(C) A CASE IN WHICH A HEALTH PROFESSIONAL RESIGNS OR TERMINATES A CONTRACT OR WHOSE CONTRACT IS NOT RENEWED INSTEAD OF THE ENTITY TAKING DISCIPLINARY ACTION AGAINST THE HEALTH PROFESSIONAL.

(6) UPON REQUEST BY ANOTHER ENTITY DESCRIBED IN SUBSECTION (2) SEEKING A REFERENCE FOR PURPOSES OF CHANGING OR GRANTING STAFF PRIVILEGES, CREDENTIALS, OR EMPLOYMENT, AN ENTITY DESCRIBED IN SUBSECTION (2) THAT EMPLOYS, CONTRACTS WITH, OR GRANTS PRIVILEGES TO HEALTH PROFESSIONALS LICENSED OR REGISTERED UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838, SHALL NOTIFY THE REQUESTING ENTITY OF ANY DISCIPLINARY OR OTHER ACTION REPORTABLE UNDER SUBSECTION (5) THAT IT HAS TAKEN AGAINST A HEALTH PROFESSIONAL EMPLOYED BY, UNDER CONTRACT TO, OR GRANTED PRIVILEGES BY THE ENTITY.

(7) FOR THE PURPOSE OF REPORTING DISCIPLINARY ACTIONS UNDER SUBSECTION (5), AN ENTITY DESCRIBED IN SUBSECTION (2)(A)(v) OR (vi) SHALL INCLUDE ONLY THE FOLLOWING IN THE INFORMATION PROVIDED:

(A) THE NAME OF THE HEALTH PROFESSIONAL AGAINST WHOM DISCIPLINARY ACTION HAS BEEN TAKEN.

(B) A DESCRIPTION OF THE DISCIPLINARY ACTION TAKEN.

(C) THE SPECIFIC GROUNDS FOR THE DISCIPLINARY ACTION TAKEN.

(D) THE DATE OF THE INCIDENT THAT IS THE BASIS FOR THE DISCIPLINARY ACTION.

(8) FOR THE PURPOSE OF REPORTING DISCIPLINARY ACTIONS UNDER SUBSECTION (6), AN ENTITY DESCRIBED IN SUBSECTION (2) SHALL INCLUDE IN THE REPORT ONLY THE INFORMATION DESCRIBED IN SUBSECTION (7)(A) TO (D)."

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

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

House Bill No. 4289, entitled

A bill 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 200, 201, 204, and 211a (MCL 750.200, 750.201, 750.204, and 750.211a) and by adding section 209a.

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

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

“Enacting section 1. This amendatory act takes effect July 1, 1998.” and renumbering the remaining enacting section.

The House of Representatives has concurred in the Senate substitute (S-1) as amended, ordered that the bill be given immediate effect and agreed to the title.

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

Senate Bill No. 824, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 803 (MCL 600.803), as amended by 1980 PA 129.

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

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.

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

The House of Representatives returned, in accordance with the request of the Senate

House Bill No. 4454, entitled

A bill to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.

Senator DeGrow moved that rule 3.311 be suspended to permit reconsideration of the vote by which the House amendments to the Senate substitute were concurred in.

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

Senator DeGrow moved to reconsider the vote by which the House amendments were concurred in.

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

The question being on concurring in the House amendments made to the Senate substitute,

Senator Rogers offered the following amendment to the House amendments:

1. Amend House Amendment No. 5, page 154, following line 26, section 916, subsection (1), after “viewing” by striking out the balance of the subsection and inserting “on the licensed premises unless the licensee has applied for and been granted an entertainment permit by the commission. Issuance of an entertainment permit under this subsection does not allow topless activity on the licensed premises.”.

The amendment to the amendments was adopted.

The question being on concurring in the House amendments, as amended,

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

Roll Call No. 121

Yeas—35

Bennett	DeGrow	Jaye	Schwarz
Berryman	Dingell	Koivisto	Shugars
Bouchard	Dunaskiss	Miller	Smith, A.
Bullard	Emmons	North	Smith, V.
Byrum	Gast	O'Brien	Steil
Cherry	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter

Conroy
DeBeaussaert

Hart
Hoffman

Rogers
Schuette

Vaughn

Nays—0

Excused—1

McManus

Not Voting—2

Stallings

Young

In The Chair: President

Third Reading of Bills

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

Senate Bill No. 789

Senate Bill No. 256

Senate Bill No. 830

Senate Bill No. 865

Senate Bill No. 897

The motion prevailed.

Senator DeGrow moved that the following bill be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 890

The motion prevailed.

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

The motion prevailed.

Senator Young entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 890, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 52 (MCL 208.52).

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. 122

Yeas—35

Bennett
Berryman
Bouchard
Bullard
Byrum

DeGrow
Dingell
Dunaskiss
Emmons
Gast

Koivisto
Miller
North
O'Brien
Peters

Shugars
Smith, A.
Smith, V.
Steil
Stille

Cherry
Cisky
Conroy
DeBeaussaert

Geake
Gougeon
Hart
Hoffman

Posthumus
Rogers
Schuette
Schwarz

Van Regenmorter
Vaughn
Young

Nays—1

Jaye

Excused—1

McManus

Not Voting—1

Stallings

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 872, entitled

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 1993 PA 13, and by adding section 30c.

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. 123

Yeas—35

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Hoffman

Koivisto
Miller
North
O’Brien
Peters
Posthumus
Rogers
Schuette
Schwarz

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

Nays—1

Jaye

Excused—1

McManus

Not Voting—1

Stallings

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 944, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57b (MCL 400.57b), as added by 1995 PA 223.

The question being on the passage of the bill,

Senator Peters offered the following amendments:

1. Amend page 3, line 7, after “(3)” by inserting “IF THE FAMILY INDEPENDENCE AGENCY HAS REASONABLE BELIEF THAT AN INDIVIDUAL APPLYING FOR ASSISTANCE UNDER THIS ACT MAY BE A SUBSTANCE ABUSER,”.

2. Amend page 3, line 14, after “57E.” by inserting “RESULTS OF SUBSTANCE ABUSE TESTING UNDER THIS SECTION ARE PRIVATE INFORMATION AND THE FAMILY INDEPENDENCE AGENCY SHALL NOT DISCLOSE THE RESULTS FOR ANY OTHER PURPOSE THAN ALLOWED IN THIS SECTION. AS USED IN THIS SUBSECTION, “TESTS POSITIVE FOR SUBSTANCE ABUSE” MEANS A GAS CHROMATOGRAPHY OR MASS SPECTROMETRY TEST HAS CONFIRMED THE PRESENCE OF A CONTROLLED SUBSTANCE REGULATED UNDER THE PUBLIC HEALTH CODE FOR WHICH THE TESTED INDIVIDUAL HAS NO AUTHORIZATION TO POSSESS OR CONSUME.”.

The question being on the adoption of the amendments,

Senator Young requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The question being on the adoption of the amendments,

Senator DeBeaussiaert moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 957, entitled

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

The question being on the passage of the bill,

Senator Steil offered the following amendment:

1. Amend page 1, line 4, after “FRAUD.” by inserting “AN INDIVIDUAL MAY PETITION THE FAMILY INDEPENDENCE AGENCY TO HAVE THEIR FINGER IMAGE REMOVED FROM THE AGENCY’S FILE IF THE INDIVIDUAL HAS NOT RECEIVED ASSISTANCE IN THE PREVIOUS FIVE YEARS.”.

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

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 124**Yeas—19**

Bennett
Bouchard
Bullard
Cisky
DeGrow

Dunaskiss
Emmons
Gast
Geake
Gougeon

Hoffman
Jaye
Posthumus
Rogers
Schwarz

Shugars
Steil
Stille
Van Regenmorter

Nays—17

Berryman
Byrum
Cherry
Conroy
DeBeaussaert

Dingell
Hart
Koivisto
Miller

North
O'Brien
Peters
Schuette

Smith, A.
Smith, V.
Vaughn
Young

Excused—1

McManus

Not Voting—1

Stallings

In The Chair: President

Senator DeGrow moved to reconsider the vote by which the bill was defeated.

The question being on the motion to reconsider,

Senator DeGrow moved that further consideration of the bill be postponed for today.

The motion prevailed.

Protests

Senators Miller, A. Smith, Conroy, Hart, Young, V. Smith, Berryman and Cherry, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 957.

Senator Miller moved that the statement he made during the discussion of the bill be printed as his reasons for voting "no."

The motion prevailed.

Senator Miller's statement, in which Senators A. Smith, Conroy, Hart, Young, V. Smith, Berryman and Cherry concurred, is as follows:

Just because of my calmer demeanor doesn't mean that I'm not a little upset with this piece of legislation. Let me just say this: again, I'm probably one of the dinosaurs in this chamber. Been here a long time, maybe some people say I've been here too long. But I'll tell you what, I think that when we look at welfare reforms and assistance and programs, I would stand shoulder to shoulder with many members here, including you, including our Governor, who have worked on welfare reforms. But I think that when we talk about this particular piece of legislation, it's very appropriate today, I think, that we take up this bill because let's let everybody know besides welfare assistance checks, today is a state payday and everybody in this chamber received a paycheck. You know, some people who receive those welfare assistance checks would rather have the checks that the members in this body get compared to the check they collect from their social service office. But so be it.

I had the better opportunities in life and through my family that I didn't have to depend on aid to dependent children or a welfare check. And I'm going to reach out to some of the members here who have been here maybe as long as I have, maybe a little longer, and ask them for a little calmer situation here. I think this state is proud of the welfare reform records that we've adopted over the years here. But I don't think there's anything proud to go on record and stick your chest out unless we've been reading some polls with an election year coming that maybe welfare reform hits a button for voters back home to brag about that I cut back on welfare reforms, and I threw all the cheats out.

If we look at the record here in Michigan, we've cut back on a lot of welfare recipients. We've tightened the programs; but on the other hand, we've initiated a lot welfare assistance programs to get people off of welfare, find them jobs and make them productive citizens. But I think, just again from my own point, that we all here had a better opportunity. Most of the people in this body debating this bill had the privilege to grow up in a good family and not worry about where their next meal was coming from, worry about where they were going to get an education, worry about where they were going to get a job.

This isn't a program, welfare assistance, that just affects the people in southeast Michigan. I'll tell you, you can go from the shores of the Detroit River to the shores of Lake Superior, and you're going to find people accepting welfare. And you know, I could be either a statesman or a Senator in this body, and today, I'm probably not going to worry about being a Senator for re-election because I'm going to stand up for my convictions for people who you don't hear a lot about, and the reason you don't hear about them because, contrary to the debate here, you have people who a little pride and a little dignity, and they're a little embarrassed when they have to go collect that welfare check. And I think we can make all the rhetoric, debate and speeches, and I'll go to any district in this body and debate this issue and put my record for welfare reform next to anyone—the most conservative versus the most liberal member here, and I'll talk about welfare reform.

But I think Michigan is taking the wrong approach when we start to fingerprint recipients of welfare. You know, there are a lot of mothers who have children, and I don't see the great stories and debates that welfare fraud is rising. I see the stories how welfare fraud is decreasing. Our roles are diminishing. We're adopting new programs to help people with welfare. I don't think there's anything proud to say that we're out there to demand people to fingerprint before they get that first check because the abuse hasn't been there. I've been reading the other parts. I think that we should look at this issue in a more calm, realistic approach. I appeal to not only the members on this side of the aisle, but some of my colleagues who I consider very good friends who this issue affects people in your district. You might not hear from them, and we might not figure, well, none of my family members are ever going to need a welfare check—that's not the point. Give a little respect and pride to the people here in this state due to some circumstance either through birth or through jobs or education or intelligence need to get assistance, whether it be temporarily or till they raise their children. I'm not going to be part of any fingerprint program because the next stage we go—we might as well just tell people who collect welfare in this state to get a badge so you can walk around the shopping centers and your neighborhoods and tell people you're collecting welfare. That's not the role of this body, and I challenge any member in this body who got their paycheck today—think of the other people who you don't hear about who have a little pride and a little dignity.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Gougeon, McManus, Schuette, Schwarz, Emmons, North, Cisky, Koivisto, Stille and Gast introduced
Senate Bill No. 1025, entitled

A bill to define certain fruit and vegetable processing uses and practices; to provide certain disclosures; to provide for circumstances under which a processing operation is not considered to be a public or private nuisance; to provide for certain powers and duties for certain state agencies and departments; and to provide for certain remedies for certain persons.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senators Rogers, Steil, Dunaskiss, Bullard, Bennett and Shugars introduced

Senate Bill No. 1026, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 315, 319, and 323 (MCL 257.315, 257.319, and 257.323), section 319 as amended by 1996 PA 587 and section 323 as amended by 1994 PA 449.

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

Senators Jaye, Emmons, Bullard, Shugars, V. Smith, Peters, DeBeaussaert, Miller, Byrum, Cherry, Dingell, Stille, McManus, North, Dunaskiss, Rogers, Bennett, Steil, Schwarz, Gougeon, Schuette, Koivisto and Geake introduced

Senate Bill No. 1027, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

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

Senator Steil introduced

Senate Bill No. 1028, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 504, 701, 702, 705, 706, 711, 715, and 716 (MCL 38.2104, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, 38.2661, 38.2665, and 38.2666), section 104 as amended by 1995 PA 193 and sections 701, 702, 705, 706, 711, 715, and 716 as added by 1996 PA 523, and by adding sections 701a and 718a.

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

House Bill No. 5056, entitled

A bill to require food service establishments to give notice of certain charges; and to prescribe penalties for a violation of this act.

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 Economic Development, International Trade and Regulatory Affairs.

House Bill No. 5491, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3104a.

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

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

Statements

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

The motion prevailed.

Senator Emmons' statement is as follows:

I would like to make some remarks about the fingerprinting of welfare recipients. We have to have fingerprints for gun permits, and if you are joining the state bar you have to be fingerprinted. I think taxpayers have a right to have the assurance that their tax dollars are used wisely, that they are not abused, and that nobody is double-dipping into their tax dollars.

The taxpayers who mostly have an interest in this are the dozens and thousands of welfare recipients who through their hard work have now gotten a job and are paying taxes. They especially should have the assurance that the state of Michigan will do everything in its power to keep as many tax dollars in their pockets and not use it for purposes that they have worked so hard to escape.

There is one item that has never been mentioned in this debate that I think is criminal. That is, the number of predatory males who leave women and their children to fend for themselves. Of all people, we need to make a further effort to go after these sperm donors, who that's all they think they are. Its important that when a woman has a child, that she has not only her labor taking care of that child, but whatever male was involved. We need to make a far greater effort in this whole area to make sure that those men step up to the plate and take care of their children.

In the meantime, we need to assure that all these Work First women, who have worked so hard to take care of themselves and their families, are not taxed to take care of somebody who believes that when they are left with children that the taxpayers must support them.

Senator Berryman's statement is as follows:

Madam President, my respect for you and your judgement has never changed—I have the highest respect for you and your decisions, and I'm always very happy to publicly state that admiration for you, and I would never put you in a bad position intentionally. But what I couldn't say on the debate of Senate Bill No. 957, I want to use "Statements" for.

I was happy that we had enough colleagues to defeat the bill, at least for a day, we hope, and I'd like to see it defeated because there are other bills that are coming that, I think, expand what that bill would do. In Senate Bill No. 1020 that was introduced, it states that not later than January 1, 1999, the Family Independence Agency shall implement an automated finger imaging system. Beginning at the effective date of the amendatory act, which added this subsection: "An individual applying for the benefits described in this section "Must" provide the Family Independence Agency with an automated finger imaging as a condition of eligibility." And it goes beyond cash assistance. It talks about receiving temporary aid to needy families, family independence assistance, food stamps and similar public assistance benefits—similar public assistance benefits, which can be interpreted, that, I have asked, can include Medicaid.

Now, what do you think is going to happen to this bill between now and committee or when it gets to the floor? That we can include every senior that applies for Medicaid would have to be fingerprinted. You watch how fast seniors will be excluded, as they should, but it will show you that you don't want to offend the seniors; but all the other groups, food stamps, aid to needy families, it's okay to offend those individuals who need assistance or who need temporary aid. I hope that we don't do the seniors; I hope this bill never sees the light of day. But Senate Bill No. 1020 can mandate that every senior in the state of Michigan who applies for Medicaid will have to be fingerprinted. That is an insult, and I would ask my senior friends throughout the state of Michigan to use your network to make sure that this bill does not see the light of day.

Senator Peters' statement is as follows:

I think today that we saw a victory for those of us who believe that poor people in this state should not be painted with a broad brush—that if you are poor, if you've fallen on hard times then there must be something wrong with you. You must either be a drug addict or you must be out in order to try to commit some sort of fraud and commit a crime and, therefore, you must be fingerprinted. I was proud to see this chamber stand up and say "no" to that type of very cruel behavior.

If we had some evidence that accountability was in question with the fingerprinting bill, there may have been a different vote. But I want to reiterate—there were no numbers whatsoever given as to the amount of fraud that exists in the system. There were also no numbers given as to what such a program would cost, and there was no idea what it would save. There was absolutely no objective basis by which we could do a cost/benefit analysis to know whether or not such a draconian affront to civil liberties would have any benefit to the taxpayers. Most of us in this chamber believe that we need some objective measure of what a public policy will do before we adopt it. So, I was pleased to see the fingerprinting bill defeated.

There have been some individuals who have said that other people get fingerprinted now, but I want to remind everybody that all of the folks who get fingerprinted do it on a voluntary basis—they may want to be a child care worker; they may want to be a stockbroker. Some professions require fingerprinting, but it is their choice to have the fingerprinting. The only people who have no choice are those who are arrested and suspected of a crime. If the fingerprinting bill passes, we would add another element to those who are suspected of a crime. We would add it to those who are seeking assistance in very difficult times for themselves. It would be very questionable whether or not those individuals really have a voluntary basis by which they are going to the Family Independence Agency. Their choice is either to feed their children, to feed their babies or to go hungry. Most people believe that is not a voluntary choice. They need to seek help.

I cannot understand why the fingerprinting bill was put before us. There was no evidence on an objective basis to support it. I can only suspect that perhaps it was a way to further reduce caseloads by keeping people who are already very proud, to keep them away from seeking assistance because they were too proud—one, to get assistance and were not going to subject themselves to mandatory fingerprinting and peeing in a bottle while being watched by a stranger.

So, I certainly hope that these two bills do not come back and do not get support. It's very important that we send a strong message to the individuals who are having a hard time in our society that we will not paint them with a broad brush. We will not suspect them of being a drug addict. We will not suspect them of trying to defraud the system unless we have some sort of evidence.

Senator Jaye's statement is as follows:

Minutes ago, a Detroit jury convicted Walter Budzyn of involuntary manslaughter, and today a former Detroit police officer has suffered a terrible injustice. This jury's guilty verdict in the retrial of Walter Budzyn repeats a serious mistake that was made in the former police officer's earlier trial. Walter Budzyn was victimized a second time because he was a white police officer in the predominantly black city of Detroit. The new jury verdict failed to correct the injustices committed against Walter Budzyn, because the suspect he was trying to arrest, an acknowledged drug user, Malice Green, also happened to be black.

The 1998 Budzyn conviction was compromised when judge Thomas Jackson refused to allow testimony from three different police officers from three different Illinois cities about Malice Green's extensive history of cocaine use, assaulting police officers, and resisting arrest. Judge Jackson refused to allow testimony by an FBI agent and the U.S. District Attorney that a key prosecution witness, Theresa Pace, admitted that she has and will lie under oath.

America's judicial system should be color-blind, but the reality of Walter Budzyn's nightmare trial betrays that basic human right. Budzyn was convicted in both trials simply because he is white, and that is an outrageous truth and a sad miscarriage of justice. I am going to request that legislation be drafted today and that Governor Engler pardon Walter Budzyn, since the jury failed to free this officer who served more than four years in prison before having his verdict in the first trial thrown out by the Michigan State Supreme Court. Larry Nevers, who was Walter Budzyn's partner on the Detroit police force, also had his guilty verdict overturned by a federal judge.

Walter Budzyn and Larry Nevers were the thin blue line between good and evil, and their reward for placing themselves and their families in jeopardy is imprisonment, having their careers destroyed, and now having them and their families go through a second round of trials. Budzyn and Nevers have had their lives forever damaged by a system that has been built on racial and gender quotas. It is a sad commentary on how preferential treatment rules the American judicial system.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 905, entitled

A bill to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Hoffman, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussaert

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 908, entitled

A bill to make appropriations for the department of community health and certain state purposes related to aging, mental health, public health, and medical services for the fiscal years ending September 30, 1998 and September 30, 1999; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussaert

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 909, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussiaert

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Tuesday, March 17, 1998, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussiaert

The Committee on Judiciary reported:

Senate Bill No. 443, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 202, 203, 204, 204a, 205, 206, 210, 211, 212, 327, 327a, and 328 (MCL 750.200, 750.201, 750.202, 750.203, 750.204, 750.204a, 750.205, 750.206, 750.210, 750.211, 750.212, 750.327, 750.327a, and 750.328); and to repeal acts and parts of acts.

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

William Van Regenmorter
Chairperson

To Report Out:

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

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. 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.

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

William Van Regenmorter
Chairperson

To Report Out:

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

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. 1011, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Tuesday, March 17, 1998, 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 Economic Development, International Trade and Regulatory Affairs reported

House Bill No. 5566, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 1998 PA 1.

With the recommendation that the bill pass.

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

Bill Schuette

Chairperson

To Report Out:

Yeas: Senators Schuette, Shugars and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, International Trade and Regulatory Affairs reported

House Bill No. 5607, entitled

A bill to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 4, line 11, after "effective" by striking out "June 30, 2002" and inserting "December 31, 2001.

Enacting Section 1. This act takes effect 180 days after the date this act is enacted."

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

Bill Schuette

Chairperson

To Report Out:

Yeas: Senators Schuette, Shugars and Peters

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Wednesday, March 18, 1998, at 1:10 p.m., Room 210, Farnum Building

Present: Senators Schuette (C), Shugars and Peters

Excused: Senators Jaye and O'Brien

The Committee on Financial Services reported

Senate Bill No. 1019, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204c (MCL 500.1204c), as amended by 1996 PA 466.

With the recommendation that the bill pass.

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

Michael J. Bouchard

Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

House Bill No. 4784, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2211.

With the recommendation that the bill pass.

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

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

House Bill No. 4972, entitled

A bill to amend 1990 PA 48, entitled "An act to prohibit the use of a facsimile machine to transmit unsolicited advertising messages; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties," by amending section 6 (MCL 445.1776).

With the recommendation that the bill pass.

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

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Bullard and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Wednesday, March 18, 1998, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bouchard (C), Bennett, Bullard and Berryman

Excused: Senator Miller

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 962, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 2 (MCL 28.422), as amended by 1994 PA 338.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, Byrum and Dingell

Nays: None

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 963, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43517 and 43520 (MCL 324.43517 and 324.43520), as added by 1995 PA 57.

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

Dave Jaye

Chairperson

To Report Out:

Yeas: Senators Jaye, Byrum and Dingell

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Tuesday, March 17, 1998, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Jaye (C), Byrum and Dingell

Absent: Senators McManus and Hoffman

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submits the following:

Meeting held on Tuesday, March 17, 1998, at 12:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Schwarz (C), Cisky and Koivisto

Scheduled Meetings

Administrative Rules Joint Committee - Wednesday, March 25, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-6476).

Judiciary Committee - Tuesday, March 24, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-6920).

Transportation and Tourism Committee - Wednesday, March 25, at 3:00 p.m., Room 405, Capitol Building (3-2413).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 11:57 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, March 24, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

