

No. 56
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, June 25, 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—excused

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
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator Walter H. North of the 37th District offered the following invocation:

I would like to observe a moment of silence before I give the invocation. Michigan lost a giant, not in stature, but certainly in effort for environmental issues and sportsmen's issues, in the passing of Rick Jameson last Saturday. So, I would appreciate it if we could observe a moment of silence in his memory.

Dear God, as we gather here to do the people's business, please give us the wisdom and the insight to focus on the message and not on the messenger. Avoid the temptation in the partisan season, in the heat of summer, to remain cool and come up with solutions to problems that are just for everyone. This we ask in Your name. Amen.

Motions and Communications

Senators Young, Dunaskiss, Steil, Posthumus, Gast and Hoffman entered the Senate Chamber.

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

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

Senator Berryman moved that Senators Miller and V. Smith be temporarily excused from today's session. The motion prevailed.

The following communications were received:
Department of State

Administrative Rules Notices of Filing

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:13 p.m. this date, administrative rule (98-05-6) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Architects*," effective 15 days hereafter.

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:15 p.m. this date, administrative rule (98-05-7) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Barbers*," effective 15 days hereafter.

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:17 p.m. this date, administrative rule (98-05-8) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Builders*," effective 15 days hereafter.

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:19 p.m. this date, administrative rule (98-05-9) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Engineers*," effective 15 days hereafter.

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:21 p.m. this date, administrative rule (98-05-10) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Foresters*," effective 15 days hereafter.

May 26, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:23 p.m. this date, administrative rule (98-05-11) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Landscape Architects*," effective 15 days hereafter.

May 28, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:08 p.m. this date, administrative rule (98-05-12) for the Department of Consumer and Industry Services, Director's Office, entitled "*Cemetery Regulation*," effective 15 days hereafter.

June 12, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:00 a.m. this date, administrative rule (98-06-2) for the Department of Transportation, Aeronautics Commission, entitled "*Michigan Aeronautics Commission - General Rules*," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

June 10, 1998

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the State Administrative Board, Department of Management and Budget, June 1998.

June 18, 1998

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Request for Proposal for the Southeast Michigan Comprehensive Health Care Program, Department of Community Health and Department of Management and Budget, June 1998.

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

The communications were referred to the Secretary for record.

The following communication was received:
Department of State Police

June 15, 1998

There have been corrections made to the STATEWIDE (COUNTY #99) sheets of the 1997 Michigan Drunk Driving Audit. Please replace the two sheets at the end of Section I with the enclosed corrected copies. The original audit was sent to your office on June 1, 1998.

If you have any questions please contact Theresa Page, Manager of the Traffic Safety Data Unit at (517) 333-5330 or Colleen Auer, Information Systems Analyst of the Traffic Safety Data Unit at (517) 333-5323.

Sincerely,
Betty J. Mercer
Division Director
Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 11:
House Bill Nos. 4304 5516

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 16:
House Bill Nos. 5398 5419 5421 5876

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 17:
House Bill Nos. 4075 5482 5699 5702 5703 5707

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 18:
House Bill Nos. 5122 5123 5620 5622 5668 5719 5795 5883 5888 5894 5895

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 23:
House Bill Nos. 4296 5355

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 24:
House Bill Nos. 4274 4364 4365 5256 5520 5521 5654 5717 5741 5798 5799 5800 5818 5835

The Secretary announced the enrollment printing and presentation to the Governor on Friday, June 12, for his approval the following bills:

Enrolled Senate Bill No. 76 at 11:54 a.m.
Enrolled Senate Bill No. 299 at 11:56 a.m.
Enrolled Senate Bill No. 434 at 11:58 a.m.
Enrolled Senate Bill No. 731 at 12:00 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, June 16, for his approval the following bill:

Enrolled Senate Bill No. 838 at 1:37 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, June 19, for his approval the following bills:

Enrolled Senate Bill No. 458 at 11:38 a.m.
Enrolled Senate Bill No. 484 at 11:40 a.m.
Enrolled Senate Bill No. 554 at 11:42 a.m.
Enrolled Senate Bill No. 583 at 11:44 a.m.
Enrolled Senate Bill No. 700 at 11:46 a.m.
Enrolled Senate Bill No. 730 at 11:48 a.m.
Enrolled Senate Bill No. 789 at 11:50 a.m.
Enrolled Senate Bill No. 894 at 11:52 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, June 22, for his approval the following bills:

Enrolled Senate Bill No. 21 at 11:25 a.m.
Enrolled Senate Bill No. 116 at 11:27 a.m.
Enrolled Senate Bill No. 443 at 11:29 a.m.
Enrolled Senate Bill No. 483 at 11:31 a.m.
Enrolled Senate Bill No. 553 at 11:33 a.m.
Enrolled Senate Bill No. 586 at 11:35 a.m.
Enrolled Senate Bill No. 587 at 11:37 a.m.
Enrolled Senate Bill No. 590 at 11:39 a.m.
Enrolled Senate Bill No. 591 at 11:41 a.m.
Enrolled Senate Bill No. 729 at 11:43 a.m.
Enrolled Senate Bill No. 780 at 11:45 a.m.
Enrolled Senate Bill No. 781 at 11:47 a.m.
Enrolled Senate Bill No. 1047 at 11:49 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, June 24, for his approval the following bills:

Enrolled Senate Bill No. 97 at 4:20 p.m.
Enrolled Senate Bill No. 613 at 4:22 p.m.
Enrolled Senate Bill No. 813 at 4:24 p.m.
Enrolled Senate Bill No. 923 at 4:26 p.m.
Enrolled Senate Bill No. 997 at 4:28 p.m.

The Secretary announced the printing and placement in the members' files on Thursday, June 11 of:

Senate Bill Nos. 1198 1199 1200 1201
House Bill Nos. 5916 5917 5918 5919 5920 5921 5922

The Secretary announced the printing and placement in the members' files on Friday, June 12 of:

House Bill Nos. 5923 5924 5925 5926

The Secretary announced the printing and placement in the members' files on Tuesday, June 16 of:

Senate Bill Nos. 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214
House Bill Nos. 5927 5928 5929 5930 5931 5932 5933 5934 5935 5936 5937 5938

The Secretary announced the printing and placement in the members' files on Wednesday, June 17 of:

House Bill Nos. 5939 5940 5941 5942 5943 5944 5945

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

House Bill Nos. 5946 5947 5948 5949 5950 5951 5952 5953 5954 5955 5956

The Secretary announced the printing and placement in the members' files on Thursday, June 25 of:

Senate Bill No. 1226
House Bill Nos. 5957 5958 5959 5960 5961 5962 5963 5964 5965 5966 5967 5968 5969

Messages from the Governor

The following messages from the Governor were received:

Date: June 24, 1998
Time: 1:12 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 74 (Public Act No. 130), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 2246.

(Filed with the Secretary of State on June 24, 1998, at 2:56 p.m.)

Date: June 24, 1998
Time: 1:15 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 75 (Public Act No. 131), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of,

departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 21072.

(Filed with the Secretary of State on June 24, 1998, at 2:58 p.m.)

Date: June 24, 1998

Time: 1:18 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 894 (Public Act No. 132), being

An act to amend 1986 PA 135, entitled "An act to provide for the licensing and regulation of asbestos abatement contractors; to create the asbestos abatement contractors licensing board; to establish the powers and duties of the department of public health and the asbestos abatement contractors licensing board; to create an asbestos abatement fund and to provide for expenditures from the fund; to provide for the promulgation of rules; to provide for certain fees; and to provide for penalties and civil fines," by amending the title and sections 103, 207, 211, 217, 220, and 221 (MCL 338.3103, 338.3207, 338.3211, 338.3217, 338.3220, and 338.3221), the title as amended by 1990 PA 2 and sections 103, 207, and 220 as amended and section 221 as added by 1993 PA 55.

(Filed with the Secretary of State on June 23, 1998, at 3:00 p.m.)

Date: June 24, 1998

Time: 1:20 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 895 (Public Act No. 133), being

An act to amend 1988 PA 440, entitled "An act to provide for the accreditation of persons who perform asbestos-related work in schools, school buildings, and public and commercial buildings; to prescribe powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees," by amending sections 2, 11, 13, and 14 (MCL 338.3402, 338.3411, 338.3413, and 338.3414), as amended by 1995 PA 127.

(Filed with the Secretary of State on June 24, 1998, at 3:02 p.m.)

Date: June 24, 1998

Time: 1:22 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 896 (Public Act No. 134), being

An act to amend 1995 PA 127, entitled "An act to amend the title and sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988, entitled "An act to provide for the accreditation of persons who perform asbestos-related work in schools and school buildings; to prescribe the powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees," being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406, 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413, 338.3414, and 338.3415 of the Michigan Compiled Laws; to add section 15a; and to repeal acts and parts of acts," by amending enacting section 2.

(Filed with the Secretary of State on June 24, 1998, at 3:04 p.m.)

Date: June 24, 1998

Time: 1:24 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 76 (Public Act No. 135), being

An act to amend 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to

provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending section 401 (MCL 550.1401), as amended by 1984 PA 66.

(Filed with the Secretary of State on June 24, 1998, at 3:06 p.m.)

Date: June 24, 1998

Time: 1:25 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 434 (Public Act No. 136), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 3406j.

(Filed with the Secretary of State on June 24, 1998, at 3:08 p.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received on June 17, 1998, and read:

EXECUTIVE ORDER
No. 1998 - 4

Reading Plan for Michigan Advisory Council
Michigan Department of Education

Whereas, a child's ability to read is paramount in securing his or her future success; and

Whereas, the educational success of Michigan's children is the key to Michigan's future; and

Whereas, Executive Directive 1998-2 states Michigan's goal of having all children reading at or above grade level by the time they reach the fourth grade; and

Whereas, the best research shows that this is an attainable goal if children are screened early for learning difficulties and are taught using effective methods; and

Whereas, Executive Directive 1998-2 establishes the framework for the Reading Plan for Michigan (RPM) and directs the Superintendent of Public Instruction to cause the Department of Education to develop materials and collateral programs to fulfill the Reading Plan for Michigan; and

Whereas, in developing these materials and programs the Department should draw upon the wealth of knowledge and experience of educators and others who influence or are affected by the ability of Michigan school children to read.

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

1. The Reading Plan for Michigan Advisory Council is hereby established within the Michigan Department of Education and is charged with providing advice and counsel to the Superintendent of Public Instruction for developing materials and programs related to the Reading Plan for Michigan (RPM). The council shall be comprised of eleven (11) members, appointed by the Governor, who possess a broad array of talents and experience relevant to the reading ability of children. The Governor shall designate the chair of the council.

2. The council shall have the following duties:

a. The Reading Plan for Michigan Advisory Council shall provide recommendations to the Superintendent of Public Instruction to guide the work of the Department of Education in the development of materials and programs related to the Reading Plan for Michigan (RPM). The RPM has four main components, as outlined in Executive Directive 1998-2: reading readiness kits, diagnostic instruments to assess reading readiness, reading progress portfolios and a summer reading program.

b. The council shall meet within one (1) month of the date of this Order at a time and location designated by the chair, and shall meet as often as necessary to fulfill its charge. The council's recommendations shall be forwarded to the Superintendent in a timely manner that corresponds with the deadlines established in Executive Directive 1998-2.

c. The council shall submit an annual report to the Governor and the Superintendent regarding progress in the implementation of the RPM.

d. Upon completion of its mission the council shall dissolve four (4) years from the date of this Order.

3. Members of the council shall not receive compensation, but may receive necessary expenses for the performance of council functions, based on existing state rates.

This Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 17th day of June, in the Year of our Lord, One Thousand Nine Hundred Ninety-eight.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

June 15, 1998

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

Commission on Spanish Speaking Affairs

Mr. Valde Garcia, 306 N. Swegles Street, St. Johns, Michigan 48879, county of Clinton, as a member representing the general public, succeeding Ms. Emily Martinez of Blissfield, whose term has expired, for a term expiring on December 10, 2000.

Ms. Carmen Munoz, 17468 Lakeview Circle, Northville, Michigan 48167, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on December 10, 1998.

Dr. Mariano Pallares, 22411 Foxton Drive, Novi, Michigan 48375, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on December 10, 2000.

Ms. Zoraida Sanchez, 1771 52nd Street, SE, Kentwood, Michigan 49508, county of Kent, as a member representing the general public, succeeding herself, for a term expiring on December 10, 2000.

Mr. Ricardo J. Verdoni, 5090 Overhill Drive, Saginaw, Michigan 48603, county of Saginaw, as a member representing the general public, succeeding himself, for a term expiring on December 10, 1999.

Mr. George E. Fierro, 3570 47th Street, Hamilton, Michigan 49419, county of Allegan, as a member representing the general public, succeeding himself, for a term expiring on December 10, 1999.

Mr. Manuel Alfonso, 701 Sheffield Road, Auburn Hills, Michigan 48326, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on December 10, 1998.

Mrs. Nelida B. Bravo, 528 Sunset, White Lake, Michigan 48383, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on December 10, 1999.

Mr. Robert C. Callejas, 592 W. 40th Street, Holland, Michigan 49423, county of Ottawa, as a member representing the general public, succeeding himself, for a term expiring on December 10, 1999.

Mr. Raymond Bobby DeLeon, 602 Eleanor, Saginaw, Michigan 48602, county of Saginaw, as a member representing the general public, succeeding himself, for a term expiring on December 10, 1998.

Mr. David Carbajal, 488 Winthrop Lane, Saginaw, Michigan 48602, county of Saginaw, as a member representing the general public, succeeding Dr. Raul Perez Madrid of Kentwood, whose term has expired, for a term expiring on December 10, 1999.

Mr. Jorge L. Cedeno, 1409 Fisk Road, S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing the general public, succeeding Mr. Frank P. Lozano of Livonia, whose term has expired, for a term expiring on December 10, 2000.

Mr. Alberto M. Flores, 10807 Lakeside Drive, Perrinton, Michigan 48871, county of Gratiot, as a member representing the general public, succeeding Ms. Rita Sudol of Pontiac, whose term has expired, for a term expiring on December 10, 1998.

Ms. Andrea M. Rodriguez, 2315 Ridgeline Drive, Lansing, Michigan 48912, county of Ingham, as a member representing the general public, succeeding Mr. Tony Benavides of Lansing, whose term has expired, for a term expiring on December 10, 1998.

Mr. David Esparza, 1823 Leverette, Detroit, Michigan 48216, county of Wayne, as a member representing the general public, succeeding Mrs. Thelma Castillo-Dominguez of Detroit, who has resigned, for a term expiring on December 10, 2000.

June 17, 1998

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

Board of Professional Engineers

Ms. Ronnie Jean Neumann, 7 Slatestone, Saginaw, Michigan 48603, county of Saginaw, as a member representing the general public, succeeding herself, for a term expiring on March 31, 2002.

Dr. Carol J. Miller, 2412 Georgetown Boulevard, Ann Arbor, Michigan 48105, county of Washtenaw, as a member representing professional engineers, succeeding herself, for a term expiring on March 31, 2002.

June 17, 1998

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

Michigan Potato Industry Commission

Ms. Laurie Ann Jecha-Beard, 411 Hot Dog Avenue, Frankfort, Indiana 46041, as a member representing processors, succeeding Mr. Scott Carl Friedlund of Carmel, whose term has expired, for a term expiring on July 1, 2001.

Mr. Harvey A. Leep, 1631 3rd Street, Martin, Michigan 49070, county of Allegan, as a member representing growers from District 6, succeeding Mr. Glenn J. Leep of Martin, whose term has expired, for a term expiring on July 1, 2000.

Mr. Greg E. Iott, 4637 Cool Road, Kalkaska, Michigan 49646, county of Kalkaska, as a member representing growers from District 2, succeeding Mr. Donald D. Sklarczyk of Johannesburg, whose term has expired, for a term expiring on July 1, 2000.

Mr. Howard E. Viegelahn, 4444 441 Road, Rogers City, Michigan 49779, county of Presque Isle, as a member representing growers from District 3, succeeding Mr. Randall D. Styma of Posen, whose term has expired, for a term expiring on July 1, 2000.

Mr. Larry D. Jensen, 6722 10th Avenue, Blanchard, Michigan 49310, county of Isabella, as a member representing shippers, succeeding Mr. Timothy P. Wilkes of Alma, whose term has expired, for a term expiring on July 1, 2000.

Ms. Phyllis L. Larson, 14825 Almy Road, Howard City, Michigan 49329, county of Montcalm, as a member representing growers from District 4, succeeding Mr. C. Norman Crooks of Stanton, whose term has expired, for a term expiring on July 1, 2000.

June 24, 1998

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

Board of Boiler Rules

Mr. Joseph Parker Day, 5 Center Woods, Saginaw, Michigan 48603, county of Saginaw, as a member representing fire tube boiler manufacturers, succeeding himself, for a term expiring on June 30, 2002.

Mr. Louis Ronald Dykstra, 1991 Gannon Road, Howell, Michigan 48843, county of Livingston, as a member representing boiler insurance companies, succeeding himself, for a term expiring on June 30, 2002.

Mr. Daniel Price Pentecost, 509 Schoolcraft Road, Marquette, Michigan 49855, county of Marquette, as a member representing boiler repair contractors, succeeding himself, for a term expiring on June 30, 2002.

June 24, 1998

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

Employment Relations Commission

Ms. Starr (Maris Stella) Swift, 2351 Plainfield, NE, Grand Rapids, Michigan 49505, county of Kent, as a member representing Independents, succeeding herself, for a term expiring on June 30, 2001.

June 24, 1998

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

Manufactured Housing Commission

Mr. Brian W. Fannon, 21555 Chase Drive, Novi, Michigan 48375, county of Oakland, as a member representing manufacturers of mobile homes, succeeding himself, for a term expiring on May 9, 2001.

Mr. Kamal H. Shouhayib, 4909 Beach, Troy, Michigan 48098, county of Oakland, as a member representing park operators with more than 100 units, succeeding himself, for a term expiring on May 9, 2001.

Mr. F. Gerrit Veldman, 527 Galahad, Lansing, Michigan 48906, county of Ingham, as a member representing residents of mobile home parks of more than 100 units, succeeding himself, for a term expiring on May 9, 2001.

Mr. Mark M. Raukar, 2172 Garland, Sylvan Lake, Michigan 48320, county of Oakland, as a member representing park operators with less than 100 units, succeeding himself, for a term expiring on May 9, 2001.

Mr. Kevin M. Gillette, 2558 West Glenlord Road, Stevensville, Michigan 49127, county of Berrien, as a member representing elected officials of local government, succeeding Mr. Stephen M. Rice of Sterling Heights, whose term has expired, for a term expiring on May 9, 2001.

Mr. Carl Edgar Bryant, 219 Shagbark Drive, Rochester Hills, Michigan 48309, county of Oakland, as a member representing manufacturers, succeeding Mr. Douglas John Altschwager of Belmont, who has died, for a term expiring on May 9, 2000.

June 24, 1998

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

State Child Abuse and Neglect Prevention Board

Ms. Bertha L. Poe, 1310 Strathcona Drive, Detroit, Michigan 48203, county of Wayne, as a member representing organized labor, succeeding Ms. Ena L. Weathers of Ypsilanti, who has resigned, for a term expiring on December 19, 1998.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senators Geake and Miller entered the Senate Chamber.

Messages from the House

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

Senate Bill No. 200

Senate Bill No. 38

Senate Bill No. 752

Senate Bill No. 386

Senate Bill No. 866

Senate Bill No. 874

House Bill No. 4259

House Bill No. 5261

House Bill No. 5317

The motion prevailed.

Senators Schwarz and Byrum entered the Senate Chamber.

Senate Bill No. 273, entitled

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

Substitute (H-5).

The question being on concurring in the substitute made to the bill by the House,
Senator Gast offered the following amendment to the substitute:

1. Amend page 5, line 9, after “BE” by striking out the balance of the line through “1998,” on line 10 and inserting
“AS PRESCRIBED BY THE DEPARTMENT. BEGINNING JULY 1, 1999.”.

The amendment to the substitute was adopted.

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

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

Roll Call No. 597**Yeas—27**

Bennett	Dunaskiss	Miller	Shugars
Berryman	Gast	North	Smith, A.
Bullard	Geake	O’Brien	Steil
Byrum	Gougeon	Posthumus	Van Regenmorter
Cherry	Hart	Rogers	Vaughn
Cisky	Hoffman	Schuetten	Young
DeGrow	Koivisto	Schwarz	

Nays—6

Bouchard	DeBeaussaert	Jaye	Peters
Conroy	Dingell		

Excused—4

Emmons	McManus	Smith, V.	Stille
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Not Voting—0

In The Chair: Schwarz

Senator DeGrow moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title as amended.

Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

(For Conference Report, see Senate Journal No. 52, p. 1161.)

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

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

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

Senate Bill No. 663, entitled

A bill to designate bridges on highway M-120 within the cities of Muskegon and North Muskegon as the Veterans Memorial bridges; and to prescribe the duties of the state transportation department.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 754, entitled

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending sections 40, 41, 43, 50, and 56 (MCL 205.240, 205.241, 205.243, 205.250, and 205.256), sections 40, 41, 43, and 50 as added by 1993 PA 54 and section 56 as amended by 1994 PA 372.

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.

Senate Bill No. 847, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by repealing section 4d (MCL 205.54d).

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.

Senate Bill No. 848, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4q; and to repeal acts and parts of acts.

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.

Senate Bill No. 1158, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4 (MCL 205.54), as amended by 1993 PA 325.

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.

Senate Bill No. 281, 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 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 sections 34 and 36 (MCL 791.234 and 791.236), section 34 as amended by 1994 PA 345 and section 36 as amended by 1996 PA 554.

The House of Representatives has substituted (H-5) the bill.

The House of Representatives has passed the bill as substituted (H-5), ordered that it be given immediate effect and pursuant to Joint Rule 20, updated the act title.

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

Senate Bill No. 830, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 44522 (MCL 324.44522), as added by 1995 PA 57.

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 pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

Senator V. Smith entered the Senate Chamber.

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

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

Roll Call No. 598**Yeas—34**

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

Nays—0**Excused—3**

Emmons	McManus	Stille
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Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 837, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 506.

The House of Representatives has amended the bill as follows:

1. Amend page 3, following line 10, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 1998." and renumbering the remaining enacting section.

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

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator DeGrow moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on concurring in the amendment made to the bill by the House,
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 599**Yeas—34**

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

Nays—0**Excused—3**

Emmons	McManus	Stille
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Not Voting—0

In The Chair: Schwarz

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

Senate Bill No. 865, entitled

A bill to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; 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 1998 PA 116, entitled "An act to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts," (MCL 281.1401 to 281.1445) by adding sections 5, 15, 17, 27, 35, 37, 39, 41, and 43; and to repeal acts and parts of acts.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator DeGrow moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 600**Yeas—34**

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

Nays—0**Excused—3**

Emmons	McManus	Stille
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Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was not concurred in, 2/3 of the members serving not voting therefor.
 The Senate agreed to the title as amended.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 897, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 9f (MCL 764.9f), as amended by 1996 PA 81.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 26, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1404 TO 281.1445".

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 601**Yeas—34**

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

Nays—0

Excused—3

Emmons

McManus

Stille

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 902, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 88.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 904, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 196.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

Senator Stille entered the Senate Chamber.

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 602**Yeas—17**

Berryman
Byrum
Cherry
Conroy
DeBeaussiaert

Dingell
Gougeon
Hart
Jaye

Koivisto
Miller
O’Brien
Peters

Smith, A.
Smith, V.
Vaughn
Young

Nays—18

Bennett
Bouchard
Bullard
Cisky
DeGrow

Dunaskiss
Gast
Geake
Hoffman
North

Posthumus
Rogers
Schuette
Schwarz

Shugars
Steil
Stille
Van Regenmorter

Excused—2

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

I rise to urge a vote for concurrence in the House changes to Senate Bill No. 904. I think the House should be congratulated for their work in providing a better balance in the proposal that we are being asked to put before the voters of Michigan later this year. By adding additional dollars to address the issues of drinking water programs—clean drinking water, safe drinking water, for stopping the dumping of raw partially treated sewage provisions—to deal with the issue of lead abatement programs and pollution prevention. I think it provides the kind of balance that will help to ensure that this proposal could meet not only the requirement for the super majority in the House and Senate to get it on the ballot, but also to assure that the public will find greater support for it when it is placed before them. So, I would urge your support.

Senate Bill No. 908, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending 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.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 603**Yeas—9**

Berryman
Byrum
DeBeaussaert

Hart
Miller

O'Brien
Peters

Smith, A.
Vaughn

Nays—26

Bennett
Bouchard
Bullard
Cherry
Cisky
Conroy
DeGrow

Dingell
Dunaskiss
Gast
Geake
Gougeon
Hoffman
Jaye

Koivisto
North
Posthumus
Rogers
Schuette
Schwarz

Shugars
Smith, V.
Steil
Stille
Van Regenmorter
Young

Excused—2

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

Senate Bill No. 910, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 604**Yeas—15**

Berryman
Byrum
Cherry
Conroy

DeBeaussaert
Dingell
Hart
Koivisto

Miller
O'Brien
Peters
Smith, A.

Smith, V.
Vaughn
Young

Nays—20

Bennett
Bouchard
Bullard
Cisky
DeGrow

Dunaskiss
Gast
Geake
Gougeon
Hoffman

Jaye
North
Posthumus
Rogers
Schuette

Schwarz
Shugars
Steil
Stille
Van Regenmorter

Excused—2

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," (MCL 600.101 to 600.9948) by adding sections 2965, 2966, and 2967.

The House of Representatives has amended the Senate substitute (S-5) as follows:

1. Amend page 2, line 3, by striking out all of section 2967 and inserting:

"SEC. 2967. A FIREFIGHTER OR POLICE OFFICER HAS NO CLAIM FOR NEGLIGENCE AGAINST THE OWNER OR OCCUPIER OF PROPERTY FOR INJURY OR DEATH CAUSED BY THE CONDITION OF THE

PROPERTY IF THE FIREFIGHTER OR POLICE OFFICER WAS ON THE PROPERTY WITHIN THE SCOPE OF HIS OR HER PROFESSIONAL ACTIVITIES, DUTIES, OR FUNCTIONS. THIS SECTION DOES NOT BAR A CLAIM IF 1 OR MORE OF THE FOLLOWING EXCEPTIONS ARE MET:

(A) THE INJURY OR DEATH WAS PROXIMATELY CAUSED BY A VIOLATION OF LAW.

(B) THE INJURY OR DEATH WAS PROXIMATELY CAUSED BY THE SUBSEQUENT NEGLIGENCE OF THE OWNER OR OCCUPIER OF THE PROPERTY AFTER THE FIREFIGHTER OR POLICE OFFICER WAS AT THE SCENE.

(C) THE FIREFIGHTER OR POLICE OFFICER WAS IN A PLACE OPEN TO THE GENERAL PUBLIC AND WAS NOT ENGAGED IN AN ACTIVITY THAT EXPOSED HIM OR HER TO A GREATER RISK OF HARM THAN ANOTHER MEMBER OF THE GENERAL PUBLIC.”.

2. Amend page 4, following line 12, by inserting:

“Enacting section 1. Sections 2965, 2966, and 2967 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2965, 600.2966, and 600.2967, as added by this amendatory act, do not apply to a cause of action arising before the effective date of this amendatory act.”.

The House of Representatives has concurred in the Senate substitute (S-5) as amended and agreed to the title as amended. Pursuant to rule 3.202, the bill was laid over one day.

House Bill No. 5280, entitled

A bill to amend 1991 PA 179, entitled “An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date,” (MCL 484.2101 to 484.2604) by adding section 505.

The House of Representatives has amended the Senate substitute (S-6) as follows:

1. Amend page 2, following line 12, by inserting:

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

The House of Representatives has concurred in the Senate substitute (S-6) as amended and agreed to the title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 605

Yeas—35

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

Nays—0

Excused—2

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

House Bill No. 5387, entitled

A bill to amend 1913 PA 206, entitled “An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates,” by amending section 25 (MCL 484.125), as added by 1980 PA 47.

The House of Representatives has substituted (H-3) the Senate substitute (S-1).

The House of Representatives has concurred in the Senate substitute (S-1) as substituted (H-3).

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 606**Yeas—35**

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

Nays—0**Excused—2**

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

The House of Representatives requested the return of:

Senate Bill No. 299, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 1105, 1206, 4104, 5114, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 9103, 9105, 9106, 9203, 9301, 9302, 9303, 9304, 9305, 9306, 9309, 9312, and 9994 (MCL 440.1105, 440.1206, 440.4104, 440.5114, 440.8101, 440.8102, 440.8103, 440.8104, 440.8105, 440.8106, 440.8107, 440.8108, 440.8201, 440.8202, 440.8203, 440.8204, 440.8205, 440.8206, 440.8207, 440.8208, 440.8301, 440.8302, 440.8303, 440.8304, 440.8305, 440.8306, 440.8307, 440.8401, 440.8402, 440.8403, 440.8404, 440.8405, 440.8406, 440.8407, 440.9103, 440.9105, 440.9106, 440.9203, 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9309, 440.9312, and 440.9994), section 1105 as amended by 1992 PA 101, section 4104 as amended by 1993 PA 130, sections 5114, 8102, 8103, 8104, 8105, 8106, 8107, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 9103, 9203, 9304, 9305, 9309, and 9312 as amended and sections 8108 and 8407 as added by 1987 PA 16, section 9105 as amended by 1988 PA 130, section 9301 as amended by 1984 PA 170, and section 9302 as amended by 1996 PA 72,

and by adding sections 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8210, 8501, 8502, 8503, 8504, 8505, 8506, 8507, 8508, 8509, 8510, 8511, 8601, 9115, and 9116; and to repeal acts and parts of acts.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that a respectful message be sent to the Governor requesting the return of the following bill:
Senate Bill No. 299

The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following message from the Governor was received and read:

June 25, 1998

Ms. Carol Viventi, Secretary
Michigan State Senate
State Capitol Building
Lansing, Michigan 48909

Dear Ms. Viventi:

Per the request of the Michigan State Senate, I am returning Enrolled Senate Bill 299.

Sincerely,
John Engler
Governor

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the enrollment be vacated on the following bill:

Senate Bill No. 299

The motion prevailed.

The following communication was read:

June 25, 1998

Mary Kay Scullion, Clerk
House of Representatives
State Capitol
Lansing, Michigan 48909

Dear Madam:

Pursuant to Joint Rule 12, this is to notify the House of Representatives that the Senate has found errors in Enrolled Senate Bill No. 299. Senate Bill No. 299 (S-1) should be amended as follows:

1. Amend page 30, line 3, after "SECTION" by striking out "8108(1)(A) OR (2)(B)" and inserting "8108(1) OR (2)".
2. Amend page 30, line 8, after "SECTION" by striking out "8108(1)(A) OR (2)(B)" and inserting "8108(1) OR (2)".
3. Amend page 61, line 6, after "SECTION" by striking out "8403(2)" and inserting "8403".
4. Amend page 61, line 7, after "SECTION" by striking out "8403" and inserting "8403(2)".
5. Amend page 90, line 9, after "SECTION" by striking out "8-110(D)" and inserting "8110(4)".
6. Amend page 90, line 15, after "SECTION" by striking out "8-110(E)" and inserting "8110(5)".
7. Amend page 97, line 18, after "SECTION" by striking out "8-106" and inserting "8106".
8. Amend page 100, line 21, after the first "SECTION" by striking out "9-312(5)" and inserting "9312(5)".
9. Amend page 100, line 21, after the second "SECTION" by striking out "9-312(4)" and inserting "9312(4)".

The Senate has agreed to the above amendments by a majority of the members elected and serving on June 25, 1998.

Sincerely,
Carol Morey Viventi, J.D.
Secretary of the Senate

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

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

Roll Call No. 607**Yeas—35**

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

Nays—0**Excused—2**

Emmons

McManus

Not Voting—0

In The Chair: Schwarz

By unanimous consent the Senate returned to the order of

Messages from the House**Senate Bill No. 313, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a. The House of Representatives has nonconcurred in the Senate amendments to House substitute (H-4) and appointed Reps. Gire, Schauer and Dalman as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 907, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

The House of Representatives has appointed Reps. Price, Kelly and McBryde as conferees to join with Senators Gast, DeGrow and Vaughn.

The bill was referred to the Conference Committee on June 18, 1998.

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.

The House of Representatives has appointed Reps. Owen, Rison and Geiger as conferees to join with Senators Cisky, Hoffman and Vaughn.

The bill was referred to the Conference Committee on June 18, 1998.

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.

The House of Representatives has appointed Rep. Kelly to replace Rep. Rison as conferee.

The message was referred to the Secretary for record.

Senate Bill No. 911, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1999; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Hood, Martinez and Gilmer as conferees to join with Senators Schwarz, Cisky and Koivisto.

The bill was referred to the Conference Committee on June 18, 1998.

House Bill No. 5424, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250, and by adding section 1311b.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Gire, Schauer and Dalman as conferees.

The message was referred to the Secretary for record.

House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Rep. Prusi to replace Rep. Hale as conferee.

The message was referred to the Secretary for record.

House Bill No. 5594, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1999; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Harder, Hale and Jellema as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 726, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 1993 PA 25.

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.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communications were received and read:

Office of the Senate Majority Leader

June 15, 1998

Pursuant to Senate Rule 1.105, I hereby appoint the members below to the following Conference Committee:

HB 5594 Senator Philip Hoffman, Chair

 Senator Dan DeGrow

 Senator Joe Young, Jr.

Please make this communication part of the official Senate record.

June 18, 1998

Pursuant Senate Rule 1.105, I hereby appoint the members below to the following Conference Committees:

SB 313 Senator Leon Stille, Chair
 Senator Joanne Emmons
 Senator Gary Peters
SB 908 Senator Robert Geake, Chair
 Senator John Schwarz
 Senator Joe Conroy
SB 910 Senator Dan DeGrow, Chair
 Senator John Schwarz
 Senator Joe Conroy
HB 5424 Senator Leon Stille, Chair
 Senator Joanne Emmons
 Senator Gary Peters

Please make this communication part of the official Senate record.

Sincerely,
Dick Posthumus
Senate Majority Leader

The communications were referred to the Secretary for record.

The following bill was referred to the Conference Committee:

Senate Bill No. 313

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

Senators Van Regenmorter, Bouchard, Hoffman, Bullard, Shugars, Hart and Dingell introduced

Senate Bill No. 1215, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

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

Senator Dingell introduced

Senate Bill No. 1216, entitled

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

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

Senator Dingell introduced

Senate Bill No. 1217, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 416a.

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

Senator Geake introduced

Senate Bill No. 1218, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 1001b and 1003b (MCL 330.2001b and 330.2003b), section 1001b as amended by 1995 PA 290 and section 1003b as amended by 1993 PA 252.

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. 1219, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

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

Senator Bouchard introduced

Senate Bill No. 1220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 193 and 231 (MCL 750.193 and 750.231), section 193 as amended by 1988 PA 167 and section 231 as amended by 1981 PA 103.

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

Senator Bennett introduced

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 23 of chapter IV (MCL 764.23), as amended by 1988 PA 137.

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

Senator Cisky introduced

Senate Bill No. 1222, 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 sections 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 34 as amended by 1994 PA 345, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

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

Senator Rogers introduced

Senate Bill No. 1223, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41).

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

Senator Bouchard introduced

Senate Bill No. 1224, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," by amending section 1a (MCL 800.281a), as added by 1982 PA 343.

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

Senator Cisky introduced

Senate Bill No. 1225, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 748 (MCL 330.1748), as amended by 1996 PA 588.

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

Senators Schuette, Stille, Bennett, North, Gougeon, Steil and Koivisto introduced

Senate Bill No. 1226, 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 1998 PA 114, and by adding section 61505a; 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 Economic Development, International Trade and Regulatory Affairs.

House Bill No. 4075, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539a (MCL 380.1535a and 380.1539a), as amended by 1995 PA 289.

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 Education.

House Bill No. 4274, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

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

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

House Bill No. 4296, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16350 and part 189.

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. 4304, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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. 4364, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1994 PA 445.

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. 4365, entitled

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending sections 3 and 5 (MCL 801.83 and 801.85), section 3 as amended by 1994 PA 212.

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. 5122, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

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. 5123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625n and 904 (MCL 257.625n and 257.904), section 625n as added by 1996 PA 491 and section 904 as amended by 1994 PA 450.

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. 5256, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 219e and 219f.

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. 5355, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16323a and part 168.

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. 5398, 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 sections 33, 34, 34a, 35, 36, 65, and 65a (MCL 791.233, 791.234, 791.234a, 791.235, 791.236, 791.265, and 791.265a), sections 33, 35, and 65 as amended by 1994 PA 217, section 34 as amended by 1994 PA 345, section 34a as amended by 1998 PA 84, section 36 as amended by 1996 PA 554, and section 65a as amended by 1997 PA 13, and by adding section 7a.

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 Judiciary.

House Bill No. 5419, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 8, 10, 11, 12, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.10, 769.11, 769.12, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 10 and 11 of chapter IX as amended by 1988 PA 90, and section 12 of chapter IX and section 14 of chapter XI as amended and sections 31, 33, and 34 of chapter IX as added by 1994 PA 445, and by adding section 35 to chapter IX and adding chapter XVII.

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 Judiciary.

House Bill No. 5421, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending sections 34 and 35 (MCL 800.34 and 800.35), section 34 as amended by 1996 PA 83 and section 35 as added by 1994 PA 218; and to repeal acts and parts of acts.

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 Judiciary.

House Bill No. 5482, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1309 and 1310.

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 Education.

House Bill No. 5516, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11i, 20, 25, 51a, 62, 81, 101, and 166b (MCL 388.1611, 388.1611i, 388.1620, 388.1625, 388.1651a, 388.1662, 388.1681, 388.1701, and

388.1766b), sections 11, 20, 51a, 62, 81, and 101 as amended and section 11i as added by 1997 PA 142, section 25 as amended by 1997 PA 93, and section 166b as amended by 1996 PA 300, and by adding sections 11j, 11k, 11l, 25a, 31b, 31d, and 63.

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

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

House Bill No. 5520, entitled

A bill to regulate certain persons engaged in business as travel promoters; and to provide for certain remedies.

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. 5521, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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. 5620, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 795.

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.

Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5622, entitled

A bill to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest on the bonds to finance environmental and natural resources protection programs that would remediate and redevelop contaminated sites, protect and improve water quality, upgrade wastewater systems, improve drinking water infrastructure, prevent pollution, abate lead contamination, reclaim and revitalize community waterfronts, enhance recreational opportunities, and clean up contaminated sediments in lakes, rivers, and streams; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state.

The House of Representatives has passed the bill by a 2/3 vote and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 5654, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and 125.1528), section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, and section 28 as amended by 1996 PA 48, and by adding section 8a; and to repeal acts and parts of acts.

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

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

House Bill No. 5668, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending the title and sections 151a and 151b (MCL 600.151a and 600.151b), section 151a as amended by 1996 PA 374 and section 151b as amended by 1996 PA 524, and by adding section 1488.

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. 5699, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306. 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 Education.

House Bill No. 5702, entitled

A bill to create a state anti-gang assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation. 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. 5703, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXVIII. 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 Education.

House Bill No. 5707, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303. 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 Education.

House Bill No. 5717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c. 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. 5719, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 716. 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. Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5741, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8312 (MCL 600.8312). 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. 5795, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 23 and 23b (MCL 208.23 and 208.23b), as amended by 1995 PA 282. 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. 5798, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4r. 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. 5799, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4q. 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. 5800, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," (MCL 440.1101 to 440.11102) by adding section 1210. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Financial Services..

House Bill No. 5818, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82108 and 82120 (MCL 324.82108 and 324.82120), as added by 1995 PA 58, and by adding sections 82107a and 82123a. 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. 5835, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," (MCL 440.1101 to 440.11102) by adding section 1211. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Financial Services.

House Bill No. 5876, entitled

A bill to amend 1975 PA 46, entitled "An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts," by amending sections 1, 4, 6, 7, 10, and 13 (MCL 4.351, 4.354, 4.356, 4.357, 4.360, and 4.363), as amended by 1995 PA 197. 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 Government Operations.

House Bill No. 5883, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43525a. 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. Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5888, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d; and to repeal acts and parts of acts. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title. Senator DeGrow moved that rule 3.203 be suspended to permit referral of the bill to the Committee of the Whole and placed on the order of General Orders. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5894, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36111 (MCL 324.36111), as amended by 1996 PA 567, and by adding the part heading to part 362 and sections 36201, 36202, and 36203. 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 Farming, Agribusiness and Food Systems.

House Bill No. 5895, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 36204, 36205, 36206, 36207, and 36208.

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 Farming, Agribusiness and Food Systems.

By unanimous consent the Senate returned to the order of
Resolutions

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

Senate Resolution No. 207**Senate Resolution No. 208****Senate Resolution No. 209****Senate Resolution No. 210**

The resolution consent calendar was adopted.

Senator Bouchard offered the following resolution:

Senate Resolution No. 207.

A resolution to commend the Hockey Hall of Fame for including the name of Vladimir Konstantinov on the Stanley Cup this season.

Whereas, Last year, the Detroit Red Wings won the Stanley Cup for the city. This year, they won it for their hearts. It was a hard fought battle, tiring, and painful at times, but their motivation was backed by a higher cause, one of “belief”; and

Whereas, One year ago, as the Detroit Red Wings patiently waited in the sitting room at Beaumont Hospital, doctors explained to the team that maybe Vladi will live and maybe he’ll die. One year later, the Wings were doing what they had dreamed of doing all year long. With tears in their eyes, they handed the Stanley Cup to their colleague, Vladimir Konstantinov—the main motivation behind the repeat; and

Whereas, An inspiration to all and an excellent player, Vladi will always be remembered as one of the leading defense men in the game of hockey. He led the club’s defense men with plus-6 in playoffs, he played on the NHL All-Rookies team from 1991-1992, received his 100th NHL point in 1995, played seven seasons with the Central Red Army and was Captain of the Red Army Soviet national teams, appeared in four World Championships beginning in 1986, was second scoring among defense men in the Soviet Elite League in 1989-1990, and was selected for 1996 World Cup Hockey. Not only was Vladimir Konstantinov known as a leading defense man, but he was also famous for his toughness on the ice. No one put their head down while playing against the “Vladinator”; and

Whereas, Sincere admiration goes out to Vladimir Konstantinov’s wife, Irina, and daughter, Anastasia, for their tremendous support, strength, and love for Vladi; now, therefore, be it

Resolved by the Senate, That members of this legislative body wish to commend the Hockey Hall of Fame for including the name of Vladimir Konstantinov on the Stanley Cup. He is an idol, a motivator, and an inspiration to all; and be it further

Resolved, That a copy of this resolution be transmitted to the Hockey Hall of Fame, the Detroit Red Wings, and Vladimir Konstantinov as a reminder of the faith and unity this team shares and their love and loyalty to their friend and teammate, Vladi.

Senator Bouchard offered the following resolution:

Senate Resolution No. 208.

A resolution to call special attention to the drivers of Michigan about the dangers of driving while fatigued, sedated, or otherwise impaired.

Whereas, Drivers must perform a series of coordinated tasks using their hands, feet, eyes, ears, and body movement to drive safely and defensively, and to effectively perform of such tasks may be affected by fatigue; and

Whereas, The National Highway Transportation Safety Administration reports that driver fatigue is responsible for over 100,000 crashes per year, which kill 1,500 people and injure 71,000 people. Driver fatigue is the cause of a great number of motor vehicle fatalities annually in Michigan; and

Whereas, Driver fatigue and impairment is often caused by excessive driving and foregoing of necessary sleep in order to make unreasonable deadlines and schedules; and

Whereas, Driver fatigue and impairment may often be caused or worsened by the use of substances other than alcohol that may include herbal remedies, “designer drugs,” and sedating medications—both prescription and over-the-

counter. Consumption of these substances prior to driving a motor vehicle has the potential to impair the driver's ability to safely maneuver a motor vehicle; and

Whereas, Citizens Against Drug Impaired Drivers reports that of the approximately 43,000 annual motor fatalities in the United States, 10,000 to 15,000 fatalities involve substances other than alcohol; now, therefore, be it

Resolved by the Senate, That members of this legislative body remind drivers that fatigue contributes significantly to traffic accidents that may result in death and serious injury to Michigan motorists and pedestrians; and be it further

Resolved, That a copy of this resolution be transmitted to Robert Lammers and the members of the Madison Heights School Board as a token of appreciation for their efforts as advocates for this cause.

Senators DeGrow, Geake, Gast, Hoffman, Schwarz, Conroy, Peters, Bennett, Shugars, Dunaskiss, Gougeon, Cisky, Bullard, Steil and Rogers offered the following resolution:

Senate Resolution No. 209.

A resolution honoring Dr. Barbara Atkins.

Whereas, It is a special privilege to acknowledge the contributions of Dr. Barbara Atkins, as she brings to a close a career in state government which has spanned more than two decades. She is deserving of our gratitude and praise for her contributions to the people of the state of Michigan. With the commitment Barbara has given to the Michigan Department of Education, she has exhibited the highest standards of citizenship and unselfishness; and

Whereas, Born in Marshall, Barbara is a lifelong resident of this state, and Michigan has been most fortunate to have had such a leader in its service. After graduating with a bachelor's degree from Michigan State University in 1971, Barbara became an Instructional Manager for the Calhoun Area Vocational Center. In 1975, she completed her master's degree with honors from Western Michigan University and was shortly thereafter, chosen for the position of assistant principal at Waverly High School. Barbara joined the Department of Education in 1977 as a consultant, and nine years later, she became Executive Director of the Michigan Council on Vocational Education. During her years with the Council, Barbara also earned her Ph.D. from Michigan State University. From 1993 to 1996, she served as Supervisor of the Department's Curriculum Development Program, and for the past two years, Barbara has successfully performed as the State Director of the Office of Career and Technical Education; and

Whereas, We extend to Barbara our heartfelt gratitude and wish her the best in her newest career endeavor as Superintendent for the Bellaire Public School District. We are confident that she and her husband, Clifford Jump, will be significant assets to the community; and

Whereas, Barbara is an outstanding, compassionate, committed, valued, and dedicated person, who has been a strong advocate for students of all ages. The citizens of the state of Michigan are better off because of her years of service. As Barbara's career with the Michigan Department of Education comes to a close, may she know of our deep appreciation for her long service and valuable contributions; now, therefore, be it

Resolved by the Senate, That unanimous accolades of praise and tribute be hereby accorded to Dr. Barbara Atkins in recognition of her outstanding service to the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Atkins as evidence of our admiration.

Senators Hoffman Byrum, Bennett, Dunaskiss, Gast and North offered the following resolution:

Senate Resolution No. 210.

A resolution memorializing Richard L. Jameson.

Whereas, We extend our heartfelt sympathies and deepest respect to the family and many friends of Richard L. Jameson, whose passing has saddened all who had the good fortune of knowing him. This loving family man and dedicated conservation activist devoted his life to promoting wildlife and environmental issues; and

Whereas, A graduate cum laude of Michigan State University with both bachelor's and master's degrees in natural resources policy, Rick began his initial tenure of service with the Michigan United Conservation Clubs in 1976. His first assignment was to the position of special projects coordinator, where he successfully assisted in the passage of Michigan's monumental beverage container deposit law; and

Whereas, Following eight years of service with the Oklahoma Wildlife Federation as the executive director, Rick returned to Michigan as the assistant executive director for the Michigan United Conservation Clubs. In the last ten years he coordinated efforts to obtain passage of numerous legislative initiatives, including measures to protect Great Lakes shoreline dunes, allow voters to guarantee funding for Michigan state parks, and assure that Michigan game animals will be managed on the basis of sound biological science; and

Whereas, Rick organized a group of concerned individuals to ultimately attain a court ruling that blocked an attempt to divert \$31 million in tax credit revenue from state land oil and gas leases. His other contributions include alerting policymakers and the public to the problem of the underpayment of royalties to the state by oil and gas producers, and serving on a committee that worked with the Michigan Department of Natural Resources and oil and gas producers on reforming the way Michigan does business with the petroleum industry. Additionally, Rick represented the Michigan

United Conservation Clubs on the Citizens Committee for State Parks, State Forest Recreation Advisory Committee, Act 307 Environmental Response Advisory Committee, and the Game and Fish Fund Advisory Committee; and

Whereas, While many people came to know him through his work in these organizations, Rick was also well-known for his courage and strength during a difficult illness. Indeed, he was admired and highly respected by family, friends, and colleagues for his generosity and fortitude—two characteristics that combined to help make him a gentleman who gained strength from giving to others. We are grateful for the legacy of service Rick has left for all who had the privilege of knowing him. Truly, his wife, Robbie, and their daughter, Christina, can be justifiably proud of his outstanding contributions; now, therefore, be it

Resolved by the Senate, That this document be signed and dedicated to offer the highest praise and tribute to the memory of Richard L. Jameson; and be it further

Resolved, That a copy of this resolution be transmitted to his wife, Robbie, and their daughter, Christina, as evidence of our deepest respect.

Senator Schuette was named co-sponsor of the resolution.

Statements

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

The motion prevailed.

Senator Dingell's statement is as follows:

High technology intrusion devices are generally illegal in Michigan, yet it's apparently common practice for stalkers, busybodies, no-good-nicks and private investigators to use electronic devices to track the citizens of Michigan whereabouts without their knowledge.

Today, I've introduced legislation that prevents violation of the citizen's privacy through this kind of tracking device. It's Senate Bill No. 1217, which would stop the placement of a tracking device on someone else's vehicle without the owners knowledge. The bill would not prevent law enforcement officials from legitimately using tracking devices to apprehend criminals. My bill would put a stop to this kind of gross intrusion of privacy. It would make it illegal for anyone but the police to place a tracking device on someone else's car without permission. Law enforcement officials currently make very limited use of tracking devices, but they only do so on investigations that would satisfy their requirements of a search warrant.

In these days of readily accessible high technology we must protect citizens from unwanted and potentially dangerous intrusions into their private lives. My bill will do just exactly that.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, June 11, 1998, at 8:45 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), DeGrow, Geake, Schwarz, McManus, Conroy and Koivisto

COMMITTEE ATTENDANCE REPORT

The Trial Court Assessment Commission submits the following:

Meeting held on Friday, June 12, 1998, at 10:00 a.m., 8th Floor Conference Room, Farnum Building

Excused: Senators Van Regenmorter and Dingell

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 911 submits the following:

Meeting held on Tuesday, June 23, 1998, at 9:00 a.m., Senate Appropriations Room, Capitol Building

Present: Senator Schwarz (C)

Excused: Senators Cisky and Koivisto

Scheduled Meetings

Capital Outlay Joint Subcommittee - Tuesday, June 30, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Conference Committee on House Bill No. 4738 - Tuesday, June 30, at 12:00 Noon, Room 427, Capitol Building (3-7946).

Conference Committee on House Bill No. 4740 - Tuesday, June 30, at 12:00 Noon, Room 427, Capitol Building (3-7946).

Conference Committee on House Bill No. 5424 - Tuesday, June 30, at 9:30 a.m., Room 405, Capitol Building (3-1635).

Conference Committee on House Bill No. 5594 - Tuesday, June 30, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-2426).

Conference Committee on House Bill No. 5595 - Monday, June 29, at 4:00 p.m., House Appropriations Room, Capitol Building (3-7708).

Conference Committee on House Bill No. 5596 - Tuesday, June 30, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-7708).

Conference Committee on Senate Bill No. 909 - Tuesday, June 30, at 9:00 a.m., Room 110, Farnum Building (3-1760).

Technology and Energy Committee - Friday, June 26, at 8:00 a.m., Hart Community Center, 495 Broadway, Davisburg, and Thursday, July 9, at 8:00 a.m., White Lake Township Hall, 7525 Highland Road, White Lake (3-2417).

Trial Court Assessment Commission - Friday, July 17, at 10:00 a.m., 8th Floor Conference Room, Farnum Building (3-7000).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 11:24 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, June 30, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.