

**No. 24**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Wednesday, March 17, 1999.

10:00 a.m.

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

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

Bennett—present  
Bullard—present  
Byrum—present  
Cherry—present  
DeBeaussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present  
Emerson—present  
Emmons—present  
Gast—present  
Goschka—present  
Gougeon—present

Hammerstrom—present  
Hart—present  
Hoffman—present  
Jaye—present  
Koivisto—present  
Leland—present  
McCotter—present  
McManus—present  
Miller—present  
Murphy—present  
North—present  
Peters—present

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

Pastor Tim Perrin of Hope Lutheran Church of Marlette offered the following invocation:

Good and gracious God, we lift up our praises to You, the creator of the universe. In Your divine wisdom, You have made us in Your image and breathed life into us.

We give You thanks for the warm weather, the sun, the rain, and the wind; all signs that You are indeed omnipresent. Everything that we see helps to remind us that even in the midst of life's ups and downs, You are with us to guide us and protect us. All good things come from Your loving hands.

As we gather today as the makers of laws in the state of Michigan, we ask Your presence that we may do our work according to Your will, that the laws that we will debate and vote on will serve the needs of all of the people of the state of Michigan with justice and compassion.

Help us to heal where there is hurt. Help us to come together where there is division. Help us to know that all we have comes from You and to You should be given all glory and honor.

Bless each of us with Your never-ending love and grace. Through Your son Jesus Christ, our Lord. Amen.

Senator Leland entered the Senate Chamber.

### Motions and Communications

Senators Jaye and Dunaskiss entered the Senate Chamber.

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

The motion prevailed.

Senator McManus' statement is as follows:

For many, many years the good Senator O'Brien furnished us with shamrocks on this the highest of holy days of the year, St. Patrick's Day. The good Senator is no longer with us, and so Thaddeus McCotter, the good Senator himself from down Novi way and myself furnish you all a shamrock this morning. And with that we would like to give you a little blessing: For each petal on the shamrock this brings a wish your way for good health, good luck, happiness for today and every day.

Now today is the feast of Saint Patrick, who of course, saved the world and a few other things. I won't go into all the details. Just to give you a little history, Saint Patrick was a gentleman who through strategy and stealth drove all the snakes from Ireland. Here's toasting to his health but not too many toasting lest you lose yourself and then forget the good Saint Patrick and see the snakes again.

Senator Rogers moved that Senator Schuette be temporarily excused from today's session.

The motion prevailed.

Senator Rogers moved that the Committee on Education be discharged from further consideration of the following bill:

**Senate Bill No. 33, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1303a.

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

Senator Rogers moved that the bill be referred to the Committee on Judiciary.

The motion prevailed.

Senator Rogers moved that the Committee on Families, Mental Health and Human Services be discharged from further consideration of the following bill:

**Senate Bill No. 154, entitled**

A bill to prohibit the selling, giving, or furnishing of laser pointers or laser pen lights to minors; to prohibit the purchase or use of laser pointers or laser pen lights by minors; to regulate the retail sale of laser pointers or laser pen lights; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments.

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

Senator Rogers moved that the bill be referred to the Committee on Judiciary.

The motion prevailed.

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

**Senate Bill No. 442**

**Third Reading of Bills**

Senator Rogers moved that consideration of the following joint resolution and bills be postponed for today:

**Senate Joint Resolution G**

**Senate Bill No. 287**

**Senate Bill No. 390**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 335, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 710d and 710e (MCL 257.710d and 257.710e), section 710d as amended by 1990 PA 90 and section 710e as amended by 1991 PA 25.

The question being on the passage of the bill,

Senator Schuette entered the Senate Chamber.

Senator Jaye offered the following amendment:

1. Amend page 3, line 26, after "state" by inserting "WHO IS LESS THAN 21 YEARS OF AGE".

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Jaye requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 57**

**Yeas—10**

Bennett  
DeBeaussaert  
Dingell

Goschka  
Jaye  
McManus

Miller  
North

Peters  
Shugars

**Nays—26**

Bullard  
Byrum  
Cherry  
DeGrow  
Emerson  
Emmons  
Gast

Gougeon  
Hammerstrom  
Hart  
Hoffman  
Koivisto  
Leland  
McCotter

Murphy  
Rogers  
Schuette  
Schwarz  
Sikkema  
Smith, A.

Smith, V.  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Excused—0**

**Not Voting—1**

Dunaskiss

In The Chair: President

Senator Jaye offered the following amendment:

1. Amend page 6, following line 2, by inserting:

"Sec. 907. (1) A violation of this act, or a local ordinance substantially corresponding to a provision of this act, ~~which~~ THAT is designated a civil infraction shall not be considered a lesser included offense of a criminal offense.

(2) If a person is determined pursuant to sections 741 to 750 to be responsible or responsible "with explanation" for a civil infraction under this act or a local ordinance substantially corresponding to a provision of this act, the judge, district court referee, or district court magistrate may order the person to pay a civil fine of not more than \$100.00 and

costs as provided in subsection (4). However, for a violation of section 674(1)(s) or a local ordinance substantially corresponding to section 674(1)(s), the person shall be ordered to pay costs as provided in subsection (4) and a civil fine of not less than \$50.00 or more than \$100.00. For a violation of section 328 or 710d, the civil fine ordered under this subsection shall not exceed \$10.00. For a violation of section 710e, the SUM OF THE civil fine and court costs ordered under this subsection shall be TOTAL \$25.00. For a violation of section 682 or a local ordinance substantially corresponding to section 682, the person shall be ordered to pay costs as provided in subsection (4) and a civil fine of not less than \$100.00 or more than \$500.00. Permission may be granted for payment of a civil fine and costs to be made within a specified period of time or in specified installments, but unless permission is included in the order or judgment, the civil fine and costs shall be payable immediately.

(3) If a person is determined to be responsible or responsible "with explanation" for a civil infraction under this act or a local ordinance substantially corresponding to a provision of this act while driving a commercial motor vehicle, he or she shall be ordered to pay costs as provided in subsection (4) and a civil fine of not more than \$250.00.

(4) ~~IF~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IF a civil fine is ordered to be paid under subsection (2) or (3), the judge, district court referee, or district court magistrate shall summarily tax and determine the costs of the action, which shall not be limited to the costs taxable in ordinary civil actions, and may include all expenses, direct and indirect, to which the plaintiff has been put in connection with the civil infraction, up to the entry of judgment. Except in a civil infraction for a parking violation, costs of not less than \$5.00 shall be ordered. Costs shall not be ordered in excess of \$100.00. HOWEVER, COSTS FOR A VIOLATION OF SECTION 710E SHALL BE AS PROVIDED UNDER SUBSECTION (2). Except as otherwise provided by law, costs shall be payable to the general fund of the plaintiff.

(5) In addition to a civil fine and costs ordered under subsection (2) or (3) and subsection (4), the judge, district court referee, or district court magistrate may order the person to attend and complete a program of treatment, education, or rehabilitation.

(6) A district court referee or district court magistrate shall impose the sanctions permitted under subsections (2), (3), and (5) only to the extent expressly authorized by the chief judge or only judge of the district court district.

(7) Each district of the district court and each municipal court may establish a schedule of civil fines and costs to be imposed for civil infractions which occur within the respective district or city. If a schedule is established, it shall be prominently posted and readily available for public inspection. A schedule need not include all violations which are designated by law or ordinance as civil infractions. A schedule may exclude cases on the basis of a defendant's prior record of civil infractions or traffic offenses, or a combination of civil infractions and traffic offenses.

(8) The state court administrator shall annually publish and distribute to each district and court a recommended range of civil fines and costs for first-time civil infractions. This recommendation shall not be binding upon the courts having jurisdiction over civil infractions but is intended to act as a normative guide for judges, district court referees, and district court magistrates and a basis for public evaluation of disparities in the imposition of civil fines and costs throughout the state.

(9) If a person has received a civil infraction citation for defective safety equipment on a vehicle under section 683, the court shall waive a civil fine and costs, upon receipt of certification by a law enforcement agency that repair of the defective equipment was made before the appearance date on the citation.

(10) A default in the payment of a civil fine or costs ordered under subsection (2), (3), or (4) or an installment of the fine or costs may be collected by a means authorized for the enforcement of a judgment under chapter 40 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or under chapter 60 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6001 to 600.6098.

(11) If a person fails to comply with an order or judgment issued pursuant to this section, within the time prescribed by the court, the driver's license of that person shall be suspended pursuant to section 321a until full compliance with that order or judgment occurs. In addition to this suspension, the court may also proceed under section 908.

(12) The court shall waive any civil fine or cost against a person who received a civil infraction citation for a violation of section 710d if the person, before the appearance date on the citation, supplies the court with evidence of acquisition, purchase, or rental of a child seating system meeting the requirements of section 710d.

(13) In addition to any fines and costs ordered to be paid under this section, the judge, district court referee, or district court magistrate shall levy an assessment of \$5.00 for each civil infraction determination, except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. Upon payment of the assessment, the clerk of the court shall transmit the assessment levied to the state treasury to be deposited into the Michigan justice training fund. An assessment levied under this subsection shall not be considered a civil fine for purposes of section 909.

(14) If a person has received a citation for a violation of section 223, the court shall waive any fine and costs, upon receipt of certification by a law enforcement agency that the person, before the appearance date on the citation, produced a valid registration certificate that was valid on the date the violation of section 223 occurred."

The question being on the adoption of the amendment,

Senator Jaye requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 58****Yeas—16**

DeBeaussaert  
Dingell  
Dunaskiss  
Emerson

Goschka  
Jaye  
Koivisto  
Leland

McManus  
Miller  
North  
Peters

Rogers  
Schuette  
Shugars  
Stille

**Nays—20**

Bennett  
Bullard  
Byrum  
Cherry  
DeGrow

Emmons  
Gast  
Gougeon  
Hammerstrom  
Hart

Hoffman  
McCotter  
Murphy  
Schwarz  
Sikkema

Smith, V.  
Steil  
Van Regenmorter  
Vaughn  
Young

**Excused—0****Not Voting—1**

Smith, A.

In The Chair: President

Senators Stille and North offered the following amendment:

1. Amend page 6, following line 2, by inserting:

“Enacting section 1. This amendatory act does not take effect unless submitted to the qualified electors of the state at the next general election in the same manner as provided by law for proposed amendments to the state constitution of 1963 and approved by a majority of the electors voting on the question. If approved by the electors in the manner prescribed in this section, this amendatory act takes effect 10 days after the date of the official declaration of the vote.”.

The question being on the adoption of the amendment,

Senator Stille requested the yeas and nays.

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

The amendment was not adopted, a majority of the members not voting therefor, as follows:

**Roll Call No. 59****Yeas—17**

DeBeaussaert  
Dingell  
Dunaskiss  
Gast  
Goschka

Hoffman  
Jaye  
Koivisto  
McManus

Miller  
North  
Peters  
Schwarz

Shugars  
Smith, V.  
Stille  
Young

**Nays—19**

Bennett  
Bullard  
Byrum  
Cherry  
DeGrow

Emerson  
Emmons  
Gougeon  
Hammerstrom  
Hart

Leland  
McCotter  
Murphy  
Rogers  
Schuette

Sikkema  
Smith, A.  
Steil  
Van Regenmorter

**Excused—0**

**Not Voting—1**

Vaughn

In The Chair: President

Senators Steil and North offered the following amendment:

1. Amend page 3, line 25, after “and” by inserting “FRONT SEAT”.

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

The question being on the passage of the bill,

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

**Roll Call No. 60****Yeas—21**

Bullard	Gast	McCotter	Smith, V.
Byrum	Gougeon	Murphy	Steil
Cherry	Hammerstrom	Peters	Van Regenmorter
Dunaskiss	Hart	Sikkema	Vaughn
Emerson	Leland	Smith, A.	Young
Emmons			

**Nays—16**

Bennett	Goschka	McManus	Schuette
DeBeaussaert	Hoffman	Miller	Schwarz
DeGrow	Jaye	North	Shugars
Dingell	Koivisto	Rogers	Stille

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protests**

Senators McManus, North, Shugars, Stille and Miller, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 335.

Senator McManus' statement is as follows:

I happen to come from an area of the state that essentially says: “Go down to Lansing and for every new law you pass take two off the books because we already have got more laws than we need.” This is an education program.

When I get in the car with the grand kids, they tell me to hook up the seat belt. When I get in the car with my wife, she tells me to hook up the seat belt. When I get in the car with my aide he tells me to hook up the seat belt. The only time I am free to do what I want is when I get in the pickup and decide to go around the orchard and take a look. I don't need some law enforcement officer putting his two cents worth in.

The other part of this thing is that we have roughly 12 hours of daylight in a 24-hour period and 12 hours of dark. I haven't figured out yet just exactly what law enforcement is going to do at midnight. Are they going to come along with a spotlight along side of my car and show the spotlight in to see if I have got my seat belt on? That's kind of an eerie feeling that I don't want to have to put up with, so I voted “no.”

Senators North, Shugars and Miller moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator North's statement, in which Senators Shugars and Stille concurred, is as follows:

Some of the framers of this discussion and debate that's going on seemed to indicate that if you're against primary enforcement, you're against the use of seat belts, and that is certainly not the case. I, like several of the previous speakers, always buckle up. I require others who ride in my car to also buckle up. But the trend line in Michigan is going in the right direction with making it an issue of education rather than enforcement.

With primary enforcement will come a diversion of the law enforcement officers of enforcing existing safety laws that are on the books. I know the budget that we just reported out for the Department of State Police will assure that we have more troopers on the road, after the next school, than in the state's history. But if, in fact, the law enforcement community would concentrate on getting the aggressive drivers off the road—those who blatantly ignore existing speed limits and traffic signals—all of the motoring public would be much safer whether they were buckled up or not.

My opposition to this legislation is certainly not on the criteria of whether a person is much more liable to survive a serious accident if they're wearing a seat belt but a sincere belief that it's a matter of education. Over 70 percent of the motorists, according to polls, in the state of Michigan are now using the seat belts. I would urge a "no" vote certainly not based on the merit of wearing seat belts but on the sincere feeling that it's a matter of education rather than enforcement.

Senator Shugars' statement is as follows:

I have thought and listened to a number of my colleagues' arguments on this particular bill, and I've made the decision to oppose this bill, based on a number of reasons. But the primary reason is I believe this is truly an individual's responsibility to wear a seat belt. I believe that there are a number of health care issues, known health risk issues, like smoking, and we don't outlaw smoking though we do know that smoking causes a tremendous amount of negative outcomes to individuals. Michigan's one of the worst states in smoking. Cancer, heart disease, other diseases; we do know that that costs us millions of dollars, costs us lives, yet we don't outlaw smoking.

We do know that one of the number one killers in America is heart disease, and we look around and many of us are overweight and have poor eating habits. Many of us are not watching what we're eating, and it causes high cholesterol, which is a major indicator for increased risk for heart disease. But yet we don't outlaw certain types of foods or what people eat. One of the known heart risks is drinking alcohol excessively, and we don't sit there and set laws to outlaw alcohol. And we know that exercise is the right thing to do to prevent negative outcomes for negative health risks.

And finally, we don't outlaw for adults, unsafe sex. So, I believe this is an individual's responsibility, and if we cannot trust individuals to make the right decisions to wear seat belts, then how can we trust them to make the right decision on inappropriate behavior—like smoking, eating too much, drinking too much, not exercising and not practicing safe sex. And so, for those reasons and what Senator North articulated so well, I'm going to oppose this bill.

Senator Miller's statement, in which Senators North, Shugars and McManus concurred, is as follows:

I rise today being one of the few members in this body who was here in 1984-85 when we passed the original mandatory seat belt legislation. At that time, we heard all the arguments and the debate. I supported that piece of legislation some 15 years ago.

I listened to the arguments for the last three, four months because this debate came up back in late nights of the December session. I had my doubts and my concerns then. I promised the so-called advocates for change that I would listen to the arguments today. I find it a little appalling that some members here would question if I do not favor seat belt legislation that I am not for safety. I will put my record for safety against any member's record here on the floor. I think we need to address some of the issues that are of concern here.

I really am a little bit disturbed that we look at it. I am not only a Senator first, but I am also a proud father. That is my main priority in life. I preach to my children to be sure that the first thing they do when they leave that house is to put their seat belt on.

We have a record. Let's be clear. We have a record, a law on the books now. We heard some of our colleagues talk about seat belt legislation. We have it there. We do not need to have our police officers driving up and down the freeway. We heard the good Senator from the 26th District, the Majority Floor Leader, talk about the importance of our policemen riding the freeways at high speeds. Do you think they are going to be looking in to see if you are buckled up? That is not the question. We have passed seat belt legislation here. We have passed child restraint legislation here. We have been a model for the nation. For a number of members on this floor, this is the last term we have here.

The thing that disturbs me the most is the hidden cost that we are not talking about. Every member's constituents here are going to be faced with the possibility of paying anywhere from \$75 to \$100 for not wearing a seat belt.

I think that we have more dangerous things in life. Being a reformed smoker, I am one who sees the cause of death on our roadways more, not because of seat belts, but because of the abuse of alcohol. That is what we should be talking about. Or the abuse of handguns that we have here. We should just ban all those things. Maybe the next thing we should do is make sure that all drivers in cars be like motorcycle drivers and wear a helmet for their protection.

I think that it is important that we have mandatory seat belts for the drivers. I am glad that the Senator from the 30th District, Senator Steil, at least got that amendment approved. It goes a long way. But let's stop and realize. Do we want to give all of our constituents a final term ticket solution so they get that \$75 to \$100 ticket for not wearing that seat belt? You tell all your senior citizens, "Well, you mail those tickets to the people outside the chamber here because they are the ones urging you to adopt that."

We have passed good legislation. We have it on the books now, and let's not force citizens to go one step further. I have yet to hear any of the insurance companies say that they are going to roll back premiums. When one of your youngsters gets ticketed for not having that seat belt on, is he or she going to have to pay a higher insurance premium? Or are they going to go on the record of the Secretary of the State that, look, they have a violation so automatically premiums are going to go up.

I have been one here who has heard the arguments for driver's safety. We made young drivers take tougher, more rigid courses. We have made this state a safer state. I cannot go one step beyond to say that we are not working to make Michigan roads and Michigan drivers safer. I think we should focus on some of the abuses on alcohol and a few of the other problems that cause serious crimes and serious accidents on our roadways. Don't penalize senior citizens, especially, who have a difficult time putting that seat belt on. It is their safety, their life, and they are the ones who are going to have to pay that \$100 ticket.

Senators Jaye and Bullard asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Jaye's first statement is as follows:

Mr. Governor and Senate colleagues, this amendment is a repealer amendment for those 21 and over, so people who are 21 and over no longer would have to be required under the threat of fines, under the threat of law, under the threat of police stopping them whether or not they wear their seat belt.

The conduct of a person inside of their car is separate from the conduct of the vehicle. Of course, people have got to control their vehicle, to obey the speed limits, traffic signs, and lane changes. However, their conduct inside of the car should not be a point of law. This amendment says we recognize that people who are younger than 21 don't have as much road experience or aren't adults, and it is appropriate for them to have those habits. However, when you're 21 and older, I believe that people should be left alone. They should make their own decisions.

What is next? Are we going to criminalize any other distractions of conduct inside of a car? Are we going to have a law to say that you can't use a CB or a cellular phone? You can't eat food? You can't have a dog in your car? You must wear sunglasses during a sunny day? You must have your lights on during a solar eclipse? You must have your windshield wipers going in case there might be a spray in a puddle after a rainstorm?

I believe that this amendment is appropriate also because what we have right now is a situation where the police power of the state is being used to limit the lawsuits against the automotive manufacturers. These lawsuits are something that should be there when we have design failures. It's inappropriate for the Legislature to be passing laws that force people to do what perhaps is the right thing and let the manufacturers off the hook on designing other passive restraints, other air bag technology, and other collapsible designs on the cars. So there are many things people should do that we don't have laws to force them to do—exercise, good diet—that sort of thing, but having 20 and lower as the target for seat belts is appropriate. If you're 21 and higher, however, you should not be harassed. I request the Senate's consideration of the amendment.

Senator Jaye's second statement is as follows:

Mr. Governor and Senate colleagues, those who are promoting this legislation say it's only going to be a \$25 fine if people fail to wear their seat belt. This amendment makes it a guarantee that it will only be a \$25 fine if people are pulled over and ticketed for not wearing a seat belt by prohibiting any local unit of government's surcharges, court costs, fees, fines or any other financial encumbrances because while there may only be a \$25 fine to the state, you and I both know, all of us know, that a lot of local units of government look at tickets as a cash cow. They look at issuing tickets as a way to build up their treasury. In fact, some communities have more than half of their general fund generated from traffic speed traps—from issuing tickets. Entire police departments are funded by ticket-writing revenue.

So what this amendment does is it says we will truly have truth in advertising. When we say it will only be a \$25 ticket, that's all the fines that you're going to face. Now we know that their insurance rates are going to bump up a lot. However, I can't control insurance rates.

But this legislation and this Legislature certainly can limit the authority for local units of government to start tacking on another \$100, another \$50, and before you know it, somebody's grandmother gets a \$200 fine for not wearing a seat belt. People who have never received a ticket in the past get a fine of \$200 or \$300 for not wearing a seat belt.

I believe in truth in advertising, and if you believe in truth in advertising, please support this amendment to limit the financial penalties that governments can impose upon people—your neighbors, your mom, your friends—to no more than \$25.

Senator Jaye's third statement is as follows:

Mr. Governor and Senate colleagues, this body rejected my amendment to exempt people 21 and older, to require teenagers and to require children to wear seat belts, so the case isn't here about children and kids. It's about adults and senior citizens.

I know that some personal choices can lead to some very traumatic consequences. My father had open-heart surgery because he didn't have a proper diet. He lead a sedentary lifestyle. Open-heart surgery is a very horrific experience.



They saw open your chest, crack in half; they cut your veins out from your ankle up; yank out those veins and tie them up. There's a lot of cost to the community, a lot of costs to my father and in the family because of that open-heart surgery. But then are we going to say as a Legislature that we're going to pass a law banning all the jelly donut stores that he loves and prohibiting coney islands because he loves going to 7-Eleven and getting those coney dogs? Are we going to require calisthenics of an hour and a half for all of our overweight family members and friends? Because if we did ban high cholesterol, high sugar food, if we did require calisthenics, we would have a healthier population. We would have less cost to the community. We would have less personal and family tragedy. But we don't do those things—at least not yet. The point here is personal liberties and how far should the heavy-handed government extend into people's personal decision making?

Finally, there is something that the economists call an opportunity cost, which means if you do one thing, you lose an opportunity to do something else. If you have a cheeseburger today, you lose an opportunity to have pizza for lunch. Well, what I'm talking about is more serious than lunch, and that's the opportunity cost of police officers who should be targeting violent criminals, reckless drivers, violent sexual predators, violent people who are violating parole, individuals who are suspects in crimes—to investigate those crimes and solve those crimes and apprehend dangerous criminals.

The seat belt primary enforcement law presents a cost to law-abiding men and women because that police officer should be targeting violent offenders—people who have caused violence—not targeting people who might hurt themselves or somebody else. We have scarce resources, and when that police officer has you pulled off to the side of the road, that police officer isn't going after violent criminals.

It's also going to cost you more time because you're late to your business appointment. You're later to your family appointment, and it's going to cost you because then you've got money that can't be spent on family items or personal items. You've got to pay a fine.

So I believe for many reasons, particularly because this is going to limit the lawsuit exposure for these corporations. I mean, how many more corporate executives, like Bob Eaton, have to get \$80 million in bonuses, and all because we as a Legislature give special tax breaks, special privileges, and special regulations for their product, for automotive products?

So please consider the impact on all of your constituents and how disappointed they'll be to learn that you voted for a bill to cost them and their family maybe \$200 to \$300 for failing to wear a seat belt.

Senator Bullard's first statement is as follows:

There's one basic reason why we should vote for this bill. That is, if this bill goes into effect, we know from experiences in other states the percentage of people using seat belts will increase. We are going to save, in Michigan, 100 lives a year. In Michigan we are going to avoid 3,000 serious injuries a year—that is going to save us \$170 million each and every year. This is money that you pay in taxes; this is money that you pay in insurance costs. That money is going to be saved.

I think we also have to think of our children. I have two adult children, and I taught them to buckle up from the very day that they got out of their child seat and they buckle up today. I haven't had any bad experiences like we've heard other people relate to regarding injuries, and I just pray that if my children are in an accident, their seat belts are going to save their lives and save them from being seriously injured. We have a responsibility to be a role model for our children, and the studies show that when adults buckle up, over 80 percent of the children also buckle up. But when adults don't buckle up, barely half of the children buckle up.

So, we need to be an example for our children, and I urge support of this bill.

Senator Bullard's second statement is as follows:

I'd just like to thank all my colleagues. I think we've had a good debate on this bill. The opponents of this bill are sincere, as we are.

I just wanted to briefly respond to a couple of the arguments. The arguments have been made that we should use education rather than enforcement. Well, we've been educating people for ten years, since the original bill was passed. And we've been stuck at around 70 percent seat belt compliance for the last couple of years. When this bill has passed in other states, there's been a 10 to 15 percent increase in seat belt usage. We're stuck around 70 percent. This bill will get more people to buckle up and will save lives and prevent injuries.

The argument also was made that this will divert law enforcement energies from enforcement of other laws. Nothing could be further from the truth. We have letters from the Michigan Sheriffs' Association and Michigan Association of Chiefs of Police. Both organizations support the bill. In their letters they point out that investigating a death or investigating a serious injury takes many more hours than just a simple property damage collision. So, encouraging more people to buckle up is going to result in less police time on these serious injury cases. Also I'll just repeat again the experience in California. Less seat belt violations are written after the law is passed because when people know that there's primary enforcement, they buckle up, there are fewer violators, and fewer tickets written.

Then finally, the issue of personal liberties has been raised. Driving is a privilege. When we get our driver's license, we agree to stop at stop signs, we agree to stop at red traffic signals, and we give up some of our personal liberties. We agree to abide by a thousand other things in the vehicle code. It's not a matter of personal liberties. It's a matter of sanity and saving lives.

Senator Bullard's third statement is as follows:

Just a brief response to my friend from the 10th District.

There are no points under current law for seat belt violation. If this bill passes, there will be no points. There's no way an insurance company can find out through the Secretary of State because it's not going to be on your record. So, it's not going to result in any adverse insurance rate consequences.

The following bill was read a third time:

**House Bill No. 4059, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1603 (MCL 324.1603), as added by 1995 PA 60.

The question being on the passage of the bill,

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

**Roll Call No. 61**

**Yeas—35**

Bennett	Gast	McCotter	Shugars
Bullard	Goschka	McManus	Sikkema
Byrum	Gougeon	Miller	Smith, A.
DeBeaussaert	Hammerstrom	Murphy	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Jaye	Rogers	Vaughn
Emerson	Koivisto	Schuetz	Young
Emmons	Leland	Schwarz	

**Nays—0**

**Excused—0**

**Not Voting—2**

Cherry

Smith, V.

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts;"

The Senate agreed to the full title.

Senator Emerson moved that Senators V. Smith and Cherry be temporarily excused from the balance of today's session. The motion prevailed.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

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

**Senate Bill No. 102**

The motion prevailed, and the bill was placed on the order of Messages from the House.

**Messages from the House**

**Senate Bill No. 102, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as added by 1998 PA 328.

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

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

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

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

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

Senator Emmons offered the following amendment to the amendments:

1. Amend House Amendment No. 3, page 4, line 2, after “(J)” by inserting a comma and “IF THOSE BUILDINGS OR THAT PERSONAL PROPERTY WAS NOT PREVIOUSLY EXEMPT FROM THE COLLECTION OF TAXES UNDER THIS ACT PURSUANT TO A RESOLUTION ADOPTED UNDER SUBSECTION (1) PRIOR TO JANUARY 1, 2000”.

The amendment to the amendments was adopted.

Senator Cherry entered the Senate Chamber.

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

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

**Roll Call No. 62**

**Yeas—35**

Bennett	Emmons	McCotter	Shugars
Bullard	Gast	McManus	Sikkema
Byrum	Goschka	Miller	Smith, A.
Cherry	Gougeon	Murphy	Steil
DeBeaussaert	Hammerstrom	North	Stille
DeGrow	Hart	Peters	Van Regenmorter
Dingell	Hoffman	Rogers	Vaughn
Dunaskiss	Koivisto	Schuette	Young
Emerson	Leland	Schwarz	

**Nays—1**

Jaye

**Excused—1**

Smith, V.

**Not Voting—0**

In The Chair: President

**General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Hoffman as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**Senate Bill No. 303, entitled**

A bill to amend 1986 PA 268, entitled “Legislative council act,” by amending section 203 (MCL 4.1203).

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 260, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416b.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 261, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406n.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 262, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053e.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 414, entitled**

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.962) by adding section 33.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 49, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 1b.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 1, line 1, after "SEC. 1B." by inserting "(1)".
2. Amend page 1, following line 7, by inserting:

"(2) SUBSECTION (1) DOES NOT REQUIRE A ZONING ORDINANCE TO PROHIBIT OR LIMIT THE KEEPING OF FARM ANIMALS ON A PARCEL OF LESS THAN 40 ACRES."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 395, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 1b.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 1, line 1, after "SEC. 1B." by inserting "(1)".
2. Amend page 1, following line 7, by inserting:

"(2) SUBSECTION (1) DOES NOT REQUIRE A ZONING ORDINANCE TO PROHIBIT OR LIMIT THE KEEPING OF FARM ANIMALS ON A PARCEL OF LESS THAN 40 ACRES."

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

### Resolutions

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

**Senate Resolution No. 34**

**Senate Resolution No. 35**

The resolution consent calendar was adopted.

Senators Hammerstrom and Goschka offered the following resolution:

**Senate Resolution No. 34.**

A resolution honoring Steven L. Alexander as a foremost historian on the life of George Armstrong Custer and Sandy K. Alexander as a foremost historian on the life of Elizabeth Bacon Custer.

Whereas, The members of the Senate of the great state of Michigan are pleased to recognize Steven L. Alexander and his wife, Sandy K. Alexander, of Monroe, Michigan, for their historical tributes to the lives and times of George and Libbie Custer; and

Whereas, These tributes in the first person recreate the lives and times of Michigan's boy general and his devoted wife for audiences all over the country; and

Whereas, These tributes reveal the true character of George Armstrong Custer as a young man from Monroe, Michigan, who graduated from West Point Military Academy; and

Whereas, These tributes honor George Armstrong Custer as the hero of Gettysburg while leading the Michigan Calvary Brigade to victory over J.E.B. Stuart's "Invincibles" on July 3, 1863; and

Whereas, These tributes highlight the contributions of the First, Fifth, Sixth, and Seventh Volunteer Regiments of the Michigan Calvary during the Civil War; and

Whereas, These tributes reveal the adventures faced by Elizabeth Bacon Custer with her husband on the front and on the western frontier; and

Whereas, These tributes provide a historically correct impression of life in Michigan during the Victorian era; and

Whereas, Steven and Sandy Alexander have given freely of themselves, their time, and services for appearances at schools, churches, civic events, historical societies, and living history impressions; and

Whereas, Steven and Sandy Alexander have brought distinction and honor to the state of Michigan through their living history impressions of George and Libbie Custer; now, therefore, be it

Resolved by the Senate, That we, the members of the Michigan State Senate, in adopting this resolution, salute and recognize with highest praise Steven L. Alexander and Sandy K. Alexander for their outstanding performance, determination, and forthright impressions of General and Mrs. George Armstrong Custer; and be it further

Resolved, That a copy of this resolution be transmitted to Steven and Sandy Alexander as a reflection of our esteem and gratitude.

Senator Young was named co-sponsor of the resolution.

Senators Stille and Goschka offered the following resolution:

**Senate Resolution No. 35.**

A resolution honoring McGraft Memorial Congregational Church on its Centennial Anniversary.

Whereas, It is with great respect and deep appreciation for the spiritual guidance this congregation has given to generations in the Muskegon community that we join with the members of the McGraft Memorial Congregational Church in celebrating its centennial anniversary. This is indeed a momentous milestone in the church's history and a time to reflect on their history of faith and service; and

Whereas, McGraft Memorial Congregational Church began as the Highland Park Congregational Church in 1899, meeting in a building at the corner of McGraft and Montgomery Streets. Reverend Frank Bloomfield served Highland Park as well as the Fruitport Congregational Church. By 1927, the church had grown significantly, the old building was demolished, and a new structure was erected at the site. In recognition of the generous support of the McGraft family, the church was officially named McGraft Memorial Congregational Church. Newcomb McGraft was one of the early "lumber barons" of Muskegon. He also served as the first president of the Muskegon Chamber of Commerce; and

Whereas, The present church building on Palmer Boulevard was dedicated in 1966. It is situated on land donated by the McGraft family, adjacent to Muskegon's McGraft Park; and

Whereas, In 1970, McGraft Memorial and St. John's Evangelical and Reformed Churches merged, thus blending the histories and strengths of both congregations in a new commitment of worship and community service; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of praise and tribute be hereby accorded to McGraft Memorial Congregational Church in celebration of its centennial anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to McGraft Memorial Congregational Church as evidence of our admiration and esteem.

Senator Young was named co-sponsor of the resolution.

Senator Emmons offered the following concurrent resolution:

**Senate Concurrent Resolution No. 7.**

A concurrent resolution concerning the plan of the United States Census Bureau to use statistical sampling in the decennial census.

Whereas, The United States Constitution requires an actual enumeration of the population every ten years, and entrusts Congress with overseeing all aspects of each decennial enumeration; and

Whereas, The sole constitutional purpose of the decennial census is to apportion the seats in Congress among the states; and

Whereas, An accurate and legal decennial census is necessary to apportion properly United States House of Representatives seats among the 50 states and to create legislative districts within the states; and

Whereas, An accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas, Article I, Section 2 of the United States Constitution, in order to ensure an accurate count and to minimize the potential of political manipulation, mandates an "actual enumeration" of the population, which requires a physical headcount of the population and prohibits statistical guessing or estimates of the population; and

Whereas, Title 13, Section 195 of the United States Code, consistent with this constitutional mandate, expressly prohibits the use of statistical sampling to enumerate the United States population for the purpose of reapportioning the United States House of Representatives; and

Whereas, Legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas, The United States Supreme Court, in No. 98-404, Department of Commerce, et al. v. United States House of Representatives, et al., together with No. 98-564, Clinton, President of the United States, et al., v. Glavin, et al. ruled on January 25, 1999, that the Census Act prohibits the Census Bureau's proposed uses of statistical sampling in calculating the population for purposes of apportionment; and

Whereas, In reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of "one-person, one-vote"; and

Whereas, Consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the United States House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate "one-person, one-vote" legal protections. This would expose the state of Michigan to protracted litigation over legislative redistricting plans at great cost to the taxpayers of the state of Michigan and likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts based solely on statistical inference; and

Whereas, Consistent with this ruling, no person enumerated in the census should ever be deleted from the census enumeration; and

Whereas, Consistent with this ruling, every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population possible, including appropriate funding for state and local census outreach and education programs, as well as a provision for post census local review; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical headcount of the population and bar the use of statistical sampling to create or in any way adjust the count; and be it further

Resolved, That the Michigan Legislature opposes the use of P.L. 94-171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts; and be it further

Resolved, That the Michigan Legislature demands that it receive P.L. 94-171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the United States House of Representatives consistent with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical headcount of the population and bar the use of statistical sampling to create or in any way adjust the count; and be it further

Resolved, That the Michigan Legislature urges Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally; and be it further

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

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

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

Senators Leland and Miller asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Leland's statement is as follows:

I just wanted to say a couple words about a dear, departed friend of mine, who many of you remember, Tom Lawton, on this very famous day, being St. Patrick's Day. There's probably not a day in my life that goes by when I don't think about you, Tommy, as well as my wife and my children. I know that I wouldn't be in this chamber today if it wasn't for your help, and I miss you dearly. I know that your eyes are shining on me down here, and you're proud of me. I love you, and we all miss you dearly.

Senator Miller's statement is as follows:

On this great day today, St. Patrick's Day, this happens to be probably close to my 23rd year here, and I just wanted to say that it is still great to come here on this St. Patty's Day not so much to celebrate the spirit of partying, but the celebration of spring.

I just want to thank the new Senator, Senator McCotter from Wayne County, and my good friend, Senator McManus, from the north country. During my short stay here in this body, I had the privilege to serve with a number of outstanding Senators of Irish heritage. I know today, wherever they are, they are looking at this grand day. I would like to mention that it has been a privilege to serve with a leader like Senator Bill Fitzgerald from Detroit; Senator Pat McCollough who represented Dearborn; Senator Jerry Hart who represented the great city of Saginaw; Senator John Kelly who many members here served with and who served the fine people in the eastside of Detroit, Grosse Pointe, for a number of years.

The Senator who started this tradition, Senator Mike O'Brien, who for many, many years brought in these shamrocks and followed in his fathers' footsteps. I want to thank Senator McCotter and Senator McManus. The only question I have, Mr. President—I thought that all Irishmen were potato farmers, and I'm trying to figure out how the good Senator from Traverse City switched from being a potato farmer to a cherry farmer. Anyway, I wish his spring crop of cherries does well and hope that all of the Irish people celebrating today make sure they buckle up with their seat belts.

Senator V. Smith entered the Senate Chamber.

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

Senator Bennett introduced  
**Senate Bill No. 444, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 104a and 164c (MCL 388.1704a and 388.1764c), section 104a as amended by 1997 PA 176 and section 164c as added by 1995 PA 130.

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

Senators Bennett, Byrum and Bullard introduced  
**Senate Bill No. 445, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 1993 PA 312.

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

Senator Bennett introduced  
**Senate Bill No. 446, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1272d, 1279, and 1613 (MCL 380.1272d, 380.1279, and 380.1613), section 1272d as amended by 1993 PA 335, section 1279 as amended by 1997 PA 175, and section 1613 as added by 1982 PA 333, and by adding section 1292; 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 Education.

Senator Emmons introduced  
**Senate Bill No. 447, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).  
 The bill was read a first and second time by title and referred to the Committee on Education.

Senator Emmons introduced  
**Senate Bill No. 448, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1246 (MCL 380.1246), as amended by 1995 PA 289.

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

Senator Emmons introduced  
**Senate Bill No. 449, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 3 (MCL 141.903), as amended by 1980 PA 275.

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

### Committee Reports

The Committee on Finance reported

**Senate Bill No. 311, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4h.  
 With the recommendation that the bill pass.

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

Joanne Emmons  
 Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, March 16, 1999, at 1:05 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons (C), Bullard, Hammerstrom, Peters and Dingell

### Scheduled Meeting

Administrative Rules Joint Committee - Thursday, March 25, at 2:30 p.m., Rooms 402 and 403, Capitol Building (3-6476).

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 12:05 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, March 18, at 10:00 a.m.

CAROL MOREY VIVENTI  
 Secretary of the Senate.