

No. 10
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, February 11, 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—excused
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 Roger Keur of Country Christian Church of North Branch offered the following invocation:

Our eternal God from whom all blessings flow, we praise You today for the gift of life. Through your divine power and wisdom, we ask You to guide our every thought and decision. We pray this day for Your wisdom as leaders of the people of this great state of Michigan that You have allowed us to be elected leaders of the people and prayerfully and humbly seek Your help.

Today, Father, I pray for these leaders and the awesome responsibility You have given to them. Many times, Father, we feel overwhelmed and inadequate to the role that's before us. As Moses said years ago that the burden is just too heavy to carry, so help us to rely on Your supreme power for the strength to carry on.

We today pray for the families of these elected officials as they gracefully share their loved ones with the people of this state.

I pray also today, Father, that as this day proceeds, that hearts, minds, and consciences will be free before You in every decision that is made.

Today, Father, we ask your blessing in the name of our Lord. Amen.

Senators Dunaskiss and Leland entered the Senate Chamber.

Motions and Communications

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

Senator Schuette entered the Senate Chamber.

Senator Rogers moved that Senator Bullard be excused from today's session. The motion prevailed.

Senator Bullard is attending to a personal family matter.

The Secretary announced the printing and placement in the members' files on Wednesday, February 10 of:

Senate Bill Nos.	274	275	276	277	278	279	280	281	282	283	284	285	286	287
House Bill Nos.	4240	4241												

Messages from the House

Senate Bill No. 1, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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 Rogers 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. 18

Yeas—32

Bennett	Emmons	Koivisto	Schuette
Byrum	Gast	Leland	Schwarz
Cherry	Goschka	McCotter	Shugars
DeBeaussiaert	Gougeon	McManus	Sikkema
DeGrow	Hammerstrom	Miller	Steil

Dingell
Dunaskiss
Emerson

Hart
Hoffman
Jaye

North
Peters
Rogers

Stille
Van Regenmorter
Young

Nays—2

Smith, A.

Vaughn

Excused—3

Bullard

Murphy

Smith, V.

Not Voting—0

In The Chair: President

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

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

The Senate agreed to the full title.

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

Senate Bill No. 2, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51c.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” (MCL 206.1 to 206.532) by adding section 51d.

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

Senator Rogers 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. 19

Yeas—33

Bennett
Byrum
Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

Schwarz
Shugars
Sikkema
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—1

Smith, A.

Excused—3

Bullard

Murphy

Smith, V.

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was 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. 5, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.
The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," (MCL 206.1 to 206.532) by adding section 51e.

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

Senator Rogers 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. 20**Yeas—32**

Bennett
Byrum
Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Koivisto

Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

Schwarz
Shugars
Sikkema
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—2

Emerson

Smith, A.

Excused—3

Bullard

Murphy

Smith, V.

Not Voting—0

In The Chair: President

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 141, entitled

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

The question being on the passage of the bill,
 Senator Hart offered the following amendments:

1. Amend page 3, line 12, after “(C)” by striking out “AUTHORITY” and inserting “A REQUIREMENT”.
2. Amend page 3, line 14, after “RECIPIENTS,” by striking out “OR” and inserting “AND”.

Senators Murphy and V. Smith entered the Senate Chamber.

The question being on the adoption of the amendments,
 Senator Emerson requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 21**Yeas—15**

Byrum
 Cherry
 DeBeaussaert
 Dingell

Emerson
 Hart
 Koivisto
 Leland

Miller
 Murphy
 Peters
 Smith, A.

Smith, V.
 Vaughn
 Young

Nays—20

Bennett
 DeGrow
 Dunaskiss
 Emmons
 Gast

Goschka
 Gougeon
 Hammerstrom
 Hoffman
 McCotter

McManus
 North
 Rogers
 Schuette
 Schwarz

Shugars
 Sikkema
 Steil
 Stille
 Van Regenmorter

Excused—1

Bullard

Not Voting—1

Jaye

In The Chair: President

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. 22**Yeas—19**

Bennett	Goschka	McCotter	Sikkema
DeGrow	Gougeon	McManus	Steil
Dunaskiss	Hammerstrom	Rogers	Stille
Emmons	Hoffman	Schwarz	Van Regenmorter
Gast	Jaye	Shugars	

Nays—17

Byrum	Hart	Murphy	Smith, A.
Cherry	Koivisto	North	Smith, V.
DeBeaussaert	Leland	Peters	Vaughn
Dingell	Miller	Schuette	Young
Emerson			

Excused—1

Bullard

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4033, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51c.

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. 23**Yeas—35**

Bennett	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema

Cherry	Gougeon	Miller	Smith, V.
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—1

Smith, A.

Excused—1

Bullard

Not Voting—0

In The Chair: President

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

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

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4034, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51b.

The question being on the passage of the bill,

Senator Dingell offered the following amendment:

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

“(d) Senate Bill No. 113.” and relettering the remaining subdivisions.

The question being on the adoption of the amendment,

Senator V. Smith 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. 24**Yeas—17**

Byrum	Goschka	Leland	Smith, A.
Cherry	Hart	Miller	Smith, V.
DeBeaussaert	Jaye	Murphy	Vaughn
Dingell	Koivisto	Peters	Young
Emerson			

Nays—19

Bennett
DeGrow
Dunaskiss
Emmons
Gast

Gougeon
Hammerstrom
Hoffman
McCotter
McManus

North
Rogers
Schuette
Schwarz
Shugars

Sikkema
Steil
Stille
Van Regenmorter

Excused—1

Bullard

Not Voting—0

In The Chair: President

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. 25**Yeas—35**

Bennett
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Koivisto
Leland

McCotter
McManus
Miller
Murphy
North
Peters
Rogers
Schuette
Schwarz

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

Nays—1

Smith, A.

Excused—1

Bullard

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Schuette offered the following statement:

I'm enjoying with immense interest this debate between Cliff Braley, the 39th Senator in the Michigan Legislature, and my Democratic colleagues. Cliff (Senator Braley) has sent a letter to the Democratic colleagues about the merits of the Republican-backed plan.

I told the story of what happened two weeks ago when Cliff asked what did we did for him today, and I mentioned that we cut his taxes. He was appreciative of the across-the-board tax cut, and then just this week, he hand delivered to me a letter that talks about the merits of across-the-board tax cuts, which was delivered to every member of the delegation on both sides of the aisle. The point of Cliff Braley's letter is that as an economy grows and more jobs are created we give people their money back. That is Cliff Braley's point, and that's the point of citizens across the state of Michigan. The point is give the money back. They earned it. They worked hard for it. This across-the-board tax cut is a billion dollars pumped back into the economy of Michigan, back in the taxpayers' pockets. That's the importance of this across-the-board tax cut. As the economy grows, more and more people are employed, and their income level gets greater, and tax cuts are even more meaningful. So, I would urge my colleagues to support this Republican initiative. And as our 39th de facto member of the Legislature, I appreciate how he's engaged my Democratic friends in the theory of economics across Michigan.

Senator Dingell offered the following statement:

This is the same tie-bar amendment I offered to the Senate-originated bills, and it's the same amendment I offered yesterday, which tie-bars an increase in the income tax personal exemption to this bill in the Governor's income tax-cut package. My friends in the state House have had a great deal of fun pointing out how much more us working people in Michigan could do if the Legislature were to adopt the Democratic alternative to the Governor's package. I, here in the Michigan Senate, have had the maximum fun allowed by Senate rules pointing out the microscopic nature of the Governor's package. I haven't paid quite as much attention to how much larger the relief would be to working people. To that end, I have passed out today to most of my Republican colleagues magnifying glasses so that hopefully next year, when working people in Michigan are asking them where their tax relief is, they'll be able to find it somehow. But maybe not.

I've got some interesting letters, and I'd like to use the rest of my time here reading my response to a letter from Mr. Cliff Braley, who wrote all of my Democratic colleagues. He was cited by one of my colleagues. It's a very interesting letter he wrote me but shows the kind of misconceptions that the Republicans have. The Republicans have this feeling that the Democrats are offering less relief when actually we are providing substantially more relief to working people. In recognition of the fact that the Governor's relief is so microscopic, my staff had a great deal of fun printing out my response to Mr. Braley in 4-point type, whereas the normal type written page is in 12-point type. This makes my response about the same size as the tax relief the Republicans will have to try and find next year.

“Dear Mr. Braley, I'm pleased you took the time from your ice cream delivery route to send me a copy of your letter to Senator Peters on his and my concerns about Senate Bill Nos. 1 to 5. The Governor has touted this legislation as providing meaningful relief to every citizen by having immediate impact on their withholding from their weekly check. The numbers that I have seen are not disputed for a family of four with an income of \$40,400.00 per year. These bills, in their current form, will result in between \$27.00 and \$37.00 of tax relief all of next year. This amounts to about 50 cents per week in relief only, with the aid of five years aggregation, amongst 9.5 million residents. Does the microscopic relief under the Governor's plan reach the neighborhood you mentioned?

The plan that Senate Peters and I supported did something more than the plan supported by Senator Schuette, not something different. Senator Peters had a plan that would have your cut income tax rate to 3.9 percent next year, not in five years as the Governor wants to. And I had a plan to additional raise the personal exemption by \$200.00 every year until it reached the indexed value of the personal exemption when that closet Democrat, George Romney, got it enacted. Regarding the plan I offered, I identified a series of pork items in the executive and legislative budgets which could easily pay for the \$60 million tab for the first year.

To demonstrate the microscopic nature of the weekly relief in the Governor's plan next year, I handed out rolls of Lifesavers candy of about the same value. I also explained that they needed to be consumed slowly as they had to last a week just like your tax relief. During Senate consideration of the similar House-originated package, I used prepared comments printed in a font similar in size to the tax relief of the average taxpayer will see in their weekly checks next year. Of course, I had to use a rather large magnifying glass to read it, but then I commented that the ice cream deliveryman in Midland would have to use one to notice the difference in withholding from his check next year and that you would be welcome to borrow my magnifying glass. Sincerely,".

With that, I urge my colleagues to do something meaningful. That means voting for something more. That means voting for at least the Dingell amendment and maybe the Peters amendment.

The following bill was read a third time:

House Bill No. 4035, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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. 26

Yeas—36

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

Nays—0

Excused—1

Bullard

Not Voting—0

In The Chair: President

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

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

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

"An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 18

Senate Resolution No. 19

The resolution consent calendar was adopted.

Senators Shugars, Hammerstrom, Schuette, Bennett, Dunaskiss, Sikkema, Steil, Bullard, Goschka, Gast, Hoffman, Van Regenmorter, Schwarz, Jaye, Stille, Emmons, North, Rogers, McCotter, Dingell, McManus, DeGrow, Murphy, Vaughn, Byrum, Cherry, Young, Peters, A. Smith, DeBeaussiaert and Gougeon offered the following resolution:

Senate Resolution No. 18.

A resolution honoring T.J. Duckett.

Whereas, It is with great pleasure and privilege that we acknowledge the accomplishments of T.J. Duckett. Scholar athletes throughout Michigan high schools contribute greatly to the quality of life in this state, instilling pride in home, church, and community with their talents. T.J., a senior from Kalamazoo Loy Norrix High School, has exhibited all the fine traits and talents of a model high school scholar athlete. Maintaining a 3.2 grade point average, T.J. is a regular attendee and contributor to church life at the Christian Life Center in Kalamazoo and has followed the close guidance of his father, Ted Duckett, brothers, Tony and Tico Duckett, and mother, Jackie Barham, in being a young man with pride of family; and

Whereas, The state of Michigan has been most fortunate to have such an outstanding scholar athlete originate from within our boundaries. T.J.'s dedication throughout high school to football, track, and basketball has brought tremendous personal accolades as well as acclaim from all the student body and the administration at Kalamazoo Loy Norrix High School; and

Whereas, T.J. Duckett has recently been awarded significant praise from various scholar athlete programs, such as his recognition as the *Parade Magazine* National Football Player of the Year and a consensus pick as a High School All-American. T.J. continues to be a humble young man who serves as a role model for those around him. His recent donation of a merit scholarship to another teammate at Loy Norrix serves as a reminder of his sense of charity, family, and friendship. As T.J.'s high school career comes to a close, may he know of our deep appreciation for his long service and valuable contributions; now, therefore, be it

Resolved by the Senate, That our best wishes be extended to T.J. for continued success in both academic and athletic endeavors as he begins a new and exciting time in his life as an entering freshman at Michigan State University; and be it further

Resolved, That unanimous accolade of praise and tribute be hereby accorded to T.J. Duckett, in recognition of his outstanding service to the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Duckett as evidence of our admiration and esteem with our warmest wishes for health and happiness in the years ahead.

Senator Rogers moved that rule 3.204 be suspended to name the entire membership of the Senate as co-sponsors of the resolution.

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

Senator Bullard offered the following resolution:

Senate Resolution No. 19.

A resolution honoring the Michigan Association of Broadcasters on its 50th Anniversary.

Whereas, The Michigan Association of Broadcasters (MAB) has served the broadcasting industry and the citizens of Michigan for 50 years since its charter was signed in 1949; and

Whereas, Even at its earliest business meeting in 1949, the Board of Directors adopted a statewide community service program, promoting seat belts that saves the lives of Michigan citizens. Since then, the MAB has continued to help members serve their communities through numerous statewide efforts promoting issues of safety, health, and government services; and

Whereas, The MAB and its 269-member stations serve as the basis of the state and national Emergency Alert System (EAS), warning Michigan citizens of weather and other emergencies, funding it, and managing it with the MAB volunteer chairman; and

Whereas, Through communications, information, and advocacy, the MAB has helped the broadcasting industry to deliver quality programming, information, and news to Michigan citizens for 50 years; and

Whereas, The MAB has received numerous awards and recognition for its efforts in helping state agencies and nonprofit charitable organizations, as have the members who collectively donated more than \$24.7 million in public service announcements and issue programming, plus helped to raise more than \$15.2 million in funds for community and charitable organizations in 1997; now, therefore, be it

Resolved by the Senate, That we commend and thank the Michigan Association of Broadcasters and the more than 5,000 individuals in the broadcasting industry for their many contributions to the citizens and government of the state of Michigan on the 50th Anniversary of their trade association; and be it further

Resolved, That a copy of this resolution be transmitted to the MAB as a reflection of our appreciation.

By unanimous consent the Senate proceeded to the order of
Statements

Senator Rogers moved that rule 2.106 be suspended to allow the Committee on Appropriations to meet during Senate session.

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

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

The motion prevailed.

Senator Leland's statement is as follows:

First of all, I want to thank the members and staff for their prayers regarding former Senate employee, Tom Lawton. I just want to let people know that the viewing and visitation will be Friday at the Harris Funeral Home, and they are located at 15451 Farmington Road, and that's one block north of Five Mile. The funeral will be Saturday morning at St. Valentine's Church, and that is 14841 Beech Daly Road between Schoolcraft and Five Mile Road.

In lieu of flowers, we've asked his friends and loved ones to write a check to the Tom Lawton Scholarship Fund, and we'll be setting up a scholarship fund for his children. You can just get those checks over to my office.

The next issue I want to address the chamber about regards Senate Bill No. 297. I, along with Senator Peters, have sent a letter to Senator Bennett regarding having a meeting in Detroit on the school takeover bill, Senate Bill No. 297. We and particularly those who live in Detroit think that we need to have our comments heard about what's going on. We had probably 200 people show up in the House Appropriations Room yesterday to talk about the legislation, and because there were so many folks there to testify, we had very little time for public opinion from constituents from Detroit.

This is a monumental piece of legislation. We are talking about the takeover here of a school system that spends a billion and a half dollars, that affects 18,000 employees and 175,000 children. We have gone on the road and have held public hearings on issues that were a lot smaller and a lot less significant than this monumental takeover legislation. What we are talking about here, folks, is process. We understand there are problems with the Detroit school board. We understand that there are some changes that need to be made in the school system, but we are affected by these changes. We want to be included in the process. We want our constituents, our parents, our teachers, and our elected officials to be heard in the process. It's not right to dictate from Lansing exclusively. This process ought to be inclusive, not exclusive. I'm asking the good Senator, the chairman of the Senate Education Committee, if he could just kind of put the brakes on this or the Senator from the 27th District or the Governor could just kind of put their brakes on this.

We know what time it is. We know who's in charge of this process. We know the Governor, the Legislature, and the courts are controlled by you folks. You're going to get this bill down the road—the votes are there. It's going to be hard to stop the train, but don't run over us! Include us. It's process—it's fair. Don't humiliate us. Don't take away our dignity. Include my constituents. They want to be heard. If this bill eventually brings in the community people from Detroit, if you can bring in the Council of Baptist Ministers, if you can bring in legislative leaders in both the House and the Senate, if you can bring on some school board members, if you can bring on some parents, if you can bring on the NAACP (by the way, the NAACP is having a hearing tonight at 6:00 p.m. at the Northwest Activity Center on Meyers and Curtis), if you can bring in the Reverend Anthony, and everybody else, you may get us, too. Let's just chill here for awhile. Let's just make this a fair process.

I hope that Senator Bennett will take this show on the road, come on down to Detroit, and hear what a million people have to say.

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

Senators Stille, Bennett, Goschka, Bullard, Hammerstrom and Jaye introduced

Senate Bill No. 298, 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 34 and 44 (MCL 791.234 and 791.244), section 34 as amended by 1998 PA 512 and section 44 as amended by 1992 PA 181.

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

Senator Jaye introduced

Senate Bill No. 299, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40113b.

The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Jaye introduced

Senate Bill No. 300, entitled

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

The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Rogers introduced

Senate Bill No. 301, entitled

A bill to require certain local governmental units that approve the construction or operation of a gaming facility by an Indian tribe on land contiguous to or within its boundaries to reimburse surrounding local governmental units for certain costs; to prescribe the powers and duties of certain state and local agencies and officials; and to provide remedies.

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

House Bill No. 4090, entitled

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

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

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

House Bill No. 4091, entitled

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

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

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

Scheduled Meetings

Appropriations Committee - Wednesday, February 17, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Government Operations Committee - Thursday, February 18, at 1:00 p.m., Room 110, Farnum Building (3-1758).

Scheduled Meeting Changed

Health Policy Committee and Financial Services Committee, Joint Meeting - Tuesday, February 23, at 3:30 p.m., Room 100, Farnum Building (3-0793).

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 10:54 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Tuesday, February 16, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.