

**No. 15**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Wednesday, February 24, 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—excused  
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

Senator Dale L. Shugars of the 21st District offered the following invocation:

O, Heavenly Father, we thank You for all the blessings that we have received. Please give us the strength and wisdom as we deliberate the decisions and the policies that will affect all our citizens in Michigan. Let us be mindful of our children and our spouses and pray that our children are safe today as they go to school or day care. In Your name we pray. Amen.

Senator Murphy entered the Senate Chamber.

### Motions and Communications

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

Senator Cherry entered the Senate Chamber.

Senator Emerson moved that Senator Leland be excused from today's session.  
The motion prevailed.

Senator Rogers moved that rule 3.902 be suspended to allow the Michigan Cherry Queen, the guest of Senator McManus, admittance to the Senate floor.

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

Senator Rogers moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 102**

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

The Secretary announced the printing and placement in the members' files on Tuesday, February 23 of:

**Senate Bill No. 373**

Senator McManus entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of  
**Third Reading of Bills**

The following bill was read a third time:

**Senate Bill No. 58, entitled**

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," by amending section 1 (MCL 19.131), as amended by 1982 PA 229.

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. 33**

**Yeas—35**

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

**Nays—1**

Jaye

**Excused—1**

Leland

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 197, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 40.

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. 34****Yeas—36**

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

**Nays—0****Excused—1**

Leland

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Shugars moved that he be named co-sponsor of the following bill:

**Senate Bill No. 197**

The motion prevailed.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator Rogers moved that rule 3.901 be suspended to allow the guests of Senator McManus to film from the Senate Gallery.

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

### **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 Dunaskiss 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 with a substitute therefor, the following bill:

#### **Senate Bill No. 51, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 1995 PA 87.

Substitute (S-1).

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. 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.

Substitute (S-4).

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

1. Amend page 2, line 20, after "A" by inserting "CASINO,".
2. Amend page 2, line 22, after "SALES." by inserting "AS USED IN THIS SUBDIVISION, "CASINO" MEANS A CASINO REGULATED BY THIS STATE PURSUANT TO THE MICHIGAN GAMING CONTROL AND REVENUE ACT, THE INITIATED LAW OF 1996, MCL 432.201 TO 432.226, AND ALL PROPERTY ASSOCIATED OR AFFILIATED WITH THE OPERATION OF A CASINO, INCLUDING, BUT NOT LIMITED TO, A PARKING LOT, HOTEL, MOTEL, OR RETAIL STORE."

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. 22**

#### **Senate Resolution No. 23**

#### **Senate Resolution No. 24**

The resolution consent calendar was adopted.

Senator Young offered the following resolution:

#### **Senate Resolution No. 22.**

A resolution to congratulate Sergeant Robert Webber on his retirement from the city of Detroit Police Department.

Whereas, It is with great respect for his successful career with the Detroit Police Department that we honor Sergeant Robert Webber upon his retirement. After nearly 33 years of exemplary service in law enforcement, he is hanging up his badge and gun on March 1, 1999, to enjoy a well-deserved retirement. We thank him for his career on behalf of the people he has served so well; and

Whereas, Sergeant Webber took a courageous step when he chose his vocation. The members of this unique profession are ever aware of the dangers they face, but excellent officers like Sergeant Webber are strongly motivated by a commitment to protecting the safety of others. He served the citizens of Detroit well by working at the 1st, 9th, and 11th Precincts over the course of his career in the Tactical Reconnaissance, Organized Crime and Management Services sections; and

Whereas, Having earned several awards, including the Life Saving Award, the Commissioners Unit Award, the Chief's Unit Award, the 1980 GOP Commemorative Award, the Perfect Attendance Award, and numerous letters of commendations and praise, Sergeant Webber has truly demonstrated his dedication to his work. He was elected Secretary-Treasurer of the Detroit Police Lieutenants and Sergeants Association in 1985 and served in this capacity until his retirement. He was also Area Vice President for the National Association of Police Organizations, and Trustee of Michigan Concerns of Police Survivors (MI-COPS); and

Whereas, With his retirement, the Detroit Police Department is losing an exemplary professional, one who has capably served as a frontline defender for the people of the area. His dedication, skill, and leadership deserve our highest praise; and

Whereas, Sound judgment, loyalty, and a penchant for hard work are just some of the qualities that Sergeant Webber brought to this department. He takes with him into retirement the gratitude of the people of the community. We are proud to join with his many admirers, friends, and family in saluting his successful career; now, therefore, be it

Resolved by the Senate, That we commend and congratulate Sergeant Robert Webber for his outstanding career with the Detroit Police Department. We extend our best wishes to him and his children, Donna and John, and his grandchildren, and wish him the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Sergeant Webber in appreciation of his job performance and the high esteem we have for him.

Senators Vaughn and Schwarz were named co-sponsors of the resolution.

Senator Young offered the following resolution:

**Senate Resolution No. 23.**

A resolution to congratulate Sergeant David Brozo on his retirement from the city of Detroit Police Department.

Whereas, It is a great pleasure to join with his colleagues, family, and the people of Detroit in saluting Sergeant David Brozo in recognition of his exemplary career with the city of Detroit Police Department. With over 36 years of service, he has earned the respect of the entire city as a professional who has contributed greatly to the community's safety and well-being over the years. We thank him for his career on behalf of the people he has served so well; and

Whereas, Of all the services offered in our communities, none are more important than those provided by our law enforcement professionals. In protecting our homes, places of business, and very lives, police officers cope with on-the-job challenges that are truly unique. As Sergeant Brozo can attest, the tasks facing police officers require not only courage and hard work, but preparation and knowledge. Sergeant Brozo served the citizens of Detroit well by working at the 7th, 10th, 13th, and 14th Precincts over the course of his career in the Investigations Operations, Vice, and Equipment Control sections; and

Whereas, Having earned several awards, including the Chief's Unit Award and numerous letters of commendation and praise, Sergeant Brozo has truly demonstrated his dedication to his work. He was elected Sergeant-at-Arms of the Detroit Police Lieutenants and Sergeants Association in 1987, where he served until 1996. In 1997, he was elected Vice President and served through December 1998; and

Whereas, With his retirement, the Detroit Police Department is losing an exemplary professional, one who has capably served as a frontline defender for the people of the area. His dedication, skill, and leadership deserve our highest praise; and

Whereas, Sound judgment, loyalty, and a penchant for hard work are just some of the qualities that Sergeant Brozo brought to this department. He takes with him into retirement the gratitude of the people of the community. We are proud to join with his many admirers, friends, and family in saluting his successful career; now, therefore, be it

Resolved by the Senate, That we commend and congratulate Sergeant David Brozo for his outstanding career with the Detroit Police Department. We extend our best wishes to him, his wife, Marty, his children, Rob, Paul, Ken, Laura, Beth, Jill, Gary, and Adam, and his eight grandchildren, and wish him the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Sergeant Brozo in appreciation of his job performance and the high esteem we have for him.

Senators Vaughn and Schwarz were named co-sponsors of the resolution.

Senator Young offered the following resolution:

**Senate Resolution No. 24.**

A resolution to congratulate Sergeant John Storm on his retirement from the city of Detroit Police Department.

Whereas, It is with great respect and appreciation for his service to his community that we honor Sergeant John Storm upon his retirement from the city of Detroit Police Department. A member of the force for 39 years, Sergeant Storm brought to his job a desire to help people and safeguard their community, and, over the years, he did just that—touching lives of all ages and all social levels. We thank him for his career on behalf of the people he has served so well; and

Whereas, A dedicated law enforcement officer, Sergeant Storm joined the department in 1960. Throughout his career, he served in a manner that reflected favorably on his integrity, thoroughness, strong convictions, and genuine concern for the people he encountered in the course of duty. Sergeant Storm served the citizens of Detroit well by working at the 1st and 11th Precincts over the course of his career in the Commercial Auto Theft Section; and

Whereas, Sergeant Storm has truly demonstrated his dedication to his work. He was elected 2nd Vice President of the Detroit Police Lieutenants and Sergeants Association in 1975. In 1977, he was elected 1st Vice President, and in July 1978, he was elected President, a position he held until December 1996. He was the longest serving president in the history of the Detroit Police Lieutenants and Sergeants Association. He also served as Trustee of the Detroit Police and Fire Retirement System (1983-1989); District Director, Michigan Fraternal Order of Police (1979-1991); Area Vice President, National Association of Police Organizations (1982-1996); and Chairman, Coalition of Public Safety Trust; and

Whereas, With his retirement, the Detroit Police Department is losing an exemplary professional, one who has capably served as a frontline defender for the people of the area. His dedication, skill, and leadership deserve our highest praise; and

Whereas, Sound judgment, loyalty, and a penchant for hard work are just some of the qualities that Sergeant Storm brought to this department. He takes with him into retirement the gratitude of the people of the community. We are proud to join with his many admirers, friends, and family in saluting his successful career; now, therefore, be it

Resolved by the Senate, That we commend and congratulate Sergeant John Storm for his outstanding career with the Detroit Police Department. We extend our best wishes to him and his daughter, Alison, and wish him the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Sergeant Storm in appreciation of his job performance and the high esteem we have for him.

Senators Vaughn and Schwarz were named co-sponsors of the resolution.

#### **House Concurrent Resolution No. 10.**

A concurrent resolution to memorialize the President and the Congress of the United States to refrain from diverting transportation money from the purposes and formula already in place.

Whereas, After considerable debate, Congress and the administration agreed in 1998 to a transportation measure that set in place a formula for transportation spending. This agreement provided that unanticipated revenues would go to specific types of projects; and

Whereas, Historically low costs for gasoline have spurred a significant increase in gas tax revenues. In addition to the direct impact of the lower price per gallon while the tax per gallon is constant, the glut of oil in the marketplace has also encouraged the purchase and use of larger, less fuel efficient vehicles. As a result, gas tax revenues are higher than expected; and

Whereas, The administration has responded to the increased money available by proposing several new programs. A great number of these proposals are outside of the agreed upon provisions for transportation spending. The proportions and projects agreed upon provide a reliable tool for states in projecting how to meet future needs. It would be wrong for the federal government to ignore the agreement and the ability of the states to fill transportation needs as best serves their citizens; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the President and the Congress of the United States to refrain from diverting transportation money from the purposes and formula already in place; and be it further

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

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Rogers moved that the concurrent resolution be referred to the Committee on Transportation and Tourism.

The motion prevailed.

Senator Schwarz was named co-sponsor of the concurrent resolution.

Senator Rogers offered the following resolution:

**Senate Resolution No. 25.**

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 1.307 be added to the Standing Rules of the Senate to read as follows:

**“1.307 SEXUAL HARASSMENT**

**SEXUAL HARASSMENT OF SENATORS AND SENATE EMPLOYEES IS PROHIBITED AND WILL NOT BE TOLERATED BY THE SENATE. THE SENATE MAJORITY LEADER SHALL ESTABLISH A SENATE MAJORITY LEADER POLICY TO IMPLEMENT THIS PROHIBITION.”;** and be it further

Resolved, That former Rule 1.307 and Rules 1.308, 1.309, and 1.310 of the Standing Rules of the Senate be hereby amended to read as follows:

~~“1.307~~ **1.308 SENATE EMPLOYEES AND CONFLICTS**

Senate employees shall be accountable to the intent of Chapter I-Section 3 where applicable.

~~1.308~~ **1.309 IMPROPER USE OF STAFF AND FACILITIES**

a) A Senator shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

b) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

c) Personal and business calls must be charged to the caller’s residence telephone, personal credit card, special billing number or made from a pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

d) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate’s operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.

~~1.309~~ **1.310 ADVISORY OPINIONS**

All questions relating to the interpretation and enforcement of these rules concerning legislative conduct and ethics shall be referred to the Committee on Government Operations. A Senator who has a question regarding legislative conduct and ethics may submit a factual situation to the Committee on Government Operations with a request for an advisory opinion establishing the standard of public duty. The Committee shall respond to each inquiry. All opinions shall, after hearing, be numbered, dated, and printed in the Journal. No opinion shall identify the requesting Senator without his or her consent.

~~1.310~~ **1.311 PENALTIES FOR VIOLATION**

If a Senator is alleged to have violated the provisions of the rules regulating ethics and conduct, the Committee on Government Operations shall determine if the facts underlying the allegation are sufficient to merit a hearing. If a hearing is held, the Senator charged with a violation shall be given notice and granted the opportunity to appear at the hearing and be represented by counsel. The determination and any disciplinary action shall be made and taken only by a two-thirds vote of the Senators elected and serving on recommendation of the Committee on Government Operations. A Senator determined to have violated the provisions of the rules regulating ethics and conduct may be reprimanded, censured, or expelled. Any actions undertaken under this section shall be separate from any prosecutions or penalties otherwise provided by law.”; and be it further

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

**“2.103 STANDING COMMITTEES**

The standing committees of the Senate shall be:

Appropriations (16 members)

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

Education (5 members)

Families, Mental Health and Human Services (5 members)

Farming, Agribusiness and Food Systems (5 members)

Finance (5 members)

Financial Services (7 members)

Gaming and Casino Oversight (5 members)

Government Operations (5 members)

Health Policy (5 members)

Human Resources, Labor, Senior Citizens and Veterans Affairs (5 members)

Hunting, Fishing and Forestry (5 members)

Judiciary (7 members)

Local, Urban and State Affairs (5 members)

Natural Resources and Environmental Affairs (5 members)

Reapportionment (9 members)

Technology and Energy (7 members)  
 Transportation and Tourism (5 members)  
 Statutory standing committees:

Administrative Rules (5 members) (see MCL 24.235)

Legislative Council (6 members and 3 alternates) (see MCL 4.1103)

Legislative Retirement Board of Trustees (4 2 members) (see MCL 38.1026)

Michigan Capitol Committee (4 members) (see MCL 4.1701)"; and be it further

Resolved, That Rule 3.507 of the Standing Rules of the Senate be hereby amended to read as follows:

**"3.507 ANNOUNCEMENTS AND STATEMENTS**

a) Announcements may be made during any order of business. Announcements are remarks concerning the session schedule, committee meetings, introduction of guests, congratulations, condolences or illness, requests to co-sponsor bills and resolutions, requests to be removed as a sponsor or co-sponsor of bills and resolutions, past vote intentions or intentions of introducing legislation or resolutions.

b) Statements on topics, issues or items not properly before the Senate shall be made during the order of business of Statements. Dissent statements may be made under the order of business of Statements.

C) A SENATOR IS LIMITED TO ONE STATEMENT EACH DAY UNDER THE ORDER OF BUSINESS OF STATEMENTS, EXCEPT FOR DISSENT STATEMENTS WHICH ARE UNLIMITED IN NUMBER.

⇨ D) Each statement shall be limited to five minutes orally or, if submitted in writing, shall be no greater than 1,000 words, except an oral dissent statement made on the order of Statements shall not be limited in length.

⇨ E) With the leave of the Senate, the President of the Senate may request that a statement made by the President be printed in the Journal."; and be it further

Resolved, That Rule 3.902 of the Standing Rules of the Senate be hereby amended to read as follows:

**"3.902 FLOOR PRIVILEGE AND CONDUCT**

A) A session of the Senate shall be defined, for the purposes of this rule, as any period of time when the Senate is in session, any recess, and any 15-minute period before the Senate convenes and five minutes after it adjourns. The Senate floor is defined as the Senate Chamber and adjoining Rooms S212, S204 (E. Lakin Brown Room), S204A, S201 and S207. Access to the Senate floor shall be restricted as outlined below during any session of the Senate, except that members of the public are permitted in Room S204 when a scheduled press conference is held there during session.

1) No person, other than the following, shall be admitted to the Senate floor:

a) Senators or Representatives

b) The President of the Senate

c) The Governor

d) Senators or Representatives in Congress

e) Former Michigan Legislators

f) The Secretary of the Senate and his or her support staff

g) Legislative staff as authorized in guidelines issued by the Senate Majority Leader

h) One representative of the Governor

i) Members of the immediate family of a Senator or the President of the Senate

j) Registered members of the media pursuant to Rule 3.901

k) A guest who has been invited by a Senator to offer the invocation, and an immediate family member of that guest.

2) No registered lobbyist agent, including former Legislators, shall be allowed on the Senate floor. They shall not be allowed in the hallway behind the Senate rostrum, unless en route to or from the Lieutenant Governor's Office (S215) or the Elijah Myers Room (S208).

B) No person shall engage in any conduct on the Senate floor during any session of the Senate which undermines the decorum of the Senate. All persons who are admitted to the Senate floor shall observe the following guidelines:

1) No Senator shall speak until recognized by the presiding officer, unless the Senator rises to make a point of order.

2) Except as otherwise outlined in other Senate rules, no Senator shall speak on any matter not properly before the Senate.

3) No Senator shall speak more than twice in any one debate on the same day, without leave of the Senate, except the Senator who sponsored the matter under consideration, THE SENATOR WHO SPONSORED THE BILL OR RESOLUTION IF AN AMENDMENT IS UNDER CONSIDERATION, the chairperson of the committee which reported it and the chairperson of the subcommittee which considered the matter. Each speech shall not exceed five minutes or, if submitted in writing, not exceed 1,000 words, except there is no limit on the length of a speech on Third Reading of Bills or an oral dissent statement.

4) No Senator shall speak impertinently, attack the motives of any Senator who proposes or advocates a particular position, use indecent language or other disorderly words, or refer to another Senator by name in a disparaging way.

5) NO SENATOR SHALL USE A DISPLAY, EXHIBIT, OR PROP ON THE SENATE FLOOR DURING DISCUSSIONS, DEBATE, STATEMENTS, OR THE ANNOUNCEMENT OF THE INTRODUCTION OF A BILL OR RESOLUTION.

5) 6) No person other than a Senator or the President of the Senate shall pass through the well of the Senate Chamber which is immediately in front of the Senate rostrum.

6) 7) No person shall pass between the presiding officer and a Senator who is speaking.

7) 8) No person other than a Senator or the President of the Senate shall use the center aisle of the Chamber.

8) 9) No person other than a Senator shall sit in a Senator's chair.

9) 10) No staff shall be allowed on the Senate floor unless they wait in the majority or minority lounge or the lounge at the rear of the Chamber until they are needed by a Senator and shall then be seated at a Senator's desk.

10) 11) No member of the media shall be allowed on the Senate floor unless he or she is in the media's designated area, except as otherwise provided in Rule 3.901.

11) 12) No smoking shall be permitted on the Senate floor. Room S202 is a designated smoking area for Senators."

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

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

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

By unanimous consent the Senate proceeded to the order of

### Statements

Senators Jaye, Miller and Hart 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 statement is as follows:

Mr. Governor and Senate colleagues, I object, and I believe it is inappropriate for us to be moving on legislation that violates our own rules. One day would have given us enough time to research the various items and aspects of this corporate welfare program, Senate Bill No. 102, which is a bill that gives special tax breaks just to one company, General Motors.

I found out after the debate that there is no linkage between this tax break and the number of employees that GM will hire or keep on the payroll. If we're going to give a tax break to a large corporation, one of the largest corporations in the world, don't you think if they only keep on board or hire half the people they promise that they should only get half the tax break? And the cost of these tax breaks are going to be paid statewide because the state of Michigan has to make up in state revenue any loss of revenue by the local schools. Will the residents of the state of Michigan get a coupon that we can use to get a discount on our purchases of General Motors cars? No.

There is no information on this bill about the cost to the state budget for reimbursement for keeping the Lansing School District whole. There is no information to the cost to Ingham County for the property tax revenue they would lose. There is no information on the cost to the city of Lansing for the property tax money that they would lose, and there's also no information on the cost per job. We've got a limited amount of revenue. Maybe, if this going to cost us \$100,000 in tax breaks for jobs that only pay \$60,000, it's not a good deal.

I have gotten some reassurances that we'll get this information before Third Reading, but I believe it's imprudent for us to be proceeding so quickly on legislation that will cost potentially millions of dollars with no guarantees that the corporation is going to stand by its promise. We've abused the tax payers of the state of Michigan too much. This is another example of this sort of item, and I hope the Committee of the Whole will support my legislation to link this tax break to the actual number of GM employees who will be promised to be kept on the payroll by General Motors.

Senator Miller's statement is as follows:

I'd like to make a statement concerning a great community activist who last Wednesday passed away in my district. He didn't live in my district, Mr. President, but he was a very, very strong advocate for children's programs for our schools. He was recognized as a leader in our local chamber of commerce, and he was not only one of the biggest automobile dealers in Macomb County, but he was the number one promoter for Chrysler Jeep saleswise in this great country.

I'm talking about Jim Riehl, who passed away last week, and he was not only recognized by so many community leaders for his contributions to business, but Mr. President, he was a leader for all the communities in Roseville where he founded his Chrysler dealership. He started out as a salesman for a local Chrysler dealership about 30 years ago and then branched out on his own. When Chrysler Corporation was facing some hard times in the late '70s, early '80s, there was no bigger promoter, who had faith in the survival of the Chrysler Corporation, than Jim Riehl.

Jim Riehl was a man who had confidence. He had integrity, and he had a lot of will power that not only would Chrysler Corporation be successful and survive, but that it would grow. If we look back now on his words of wisdom some 19 years ago, he was a man who had a lot of foresight. As it turned out, Chrysler Corporation not only survived, but it grew to now an international company.

Jim Riehl did so much for the communities of Roseville and Eastpointe and was active in the chamber of commerce to make sure that our community and that avenue prospered and grew, and he helped in the D.A.R.E. school program for Roseville schools donating cars and allowing young people the opportunity to work in his dealership.

Mr. President, Jim Riehl is a man who is not only going to be missed by business community, but he is a man who is going to be missed by his wife, Norma, and his five children. I just wanted to bring to the attention of this body that we hear so much about small business people—how they're successful in coming up through the ranks—but he was also a giant in the community for children, for all the employees he gave an opportunity to work in his fine corporation, and believe me, the people in Macomb County are going to miss the contributions that Jim Riehl has made to make Macomb County a better place for all of us.

Senator Hart's statement is as follows:

For purposes of further enlightenment of this body, the purpose of the Detroit students being here in the balcony today is because they're on a winter break. They're out of school this week, so we ought to commend them rather than blast them for being here and compliment them for being here, at least.

By unanimous consent the Senate returned to the order of

### **Motions and Communications**

The Secretary announced that the Majority Leader has made the appointment of the following standing committee and statutory standing committee:

**Families, Mental Health and Human Services** - Senators Schuette and Goschka.

**Legislative Retirement Board of Trustees** - Senators McManus and Emerson.

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

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senator McManus admittance to the Elijah Myers Room.

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

### **Introduction and Referral of Bills**

Senator Steil introduced

**Senate Bill No. 374, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 10 (MCL 125.2690), as amended by 1998 PA 239.

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

Senators Gougeon, Goschka and Hammerstrom introduced

**Senate Bill No. 375, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

Senators Gougeon, Goschka and Hammerstrom introduced

**Senate Bill No. 376, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39d.

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

Senators Gougeon, Goschka and Emerson introduced

**Senate Bill No. 377, entitled**

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

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

Senators Gougeon, Hammerstrom, Rogers and McCotter introduced

**Senate Bill No. 378, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Hammerstrom introduced

**Senate Bill No. 379, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18f of chapter XII (MCL 712A.18f), as amended by 1998 PA 480.

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

Senators Hammerstrom, Rogers, Steil, Gast and Shugars introduced

**Senate Bill No. 380, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7417. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Stille, Goschka, Hammerstrom, Shugars, Sikkema, Hoffman, Schwarz, Rogers and Bennett introduced

**Senate Bill No. 381, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10204 (MCL 333.10204), as amended by 1988 PA 63.

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

Senators Jaye and Shugars introduced

**Senate Bill No. 382, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 136b, 317, 520b, 520c, and 520d (MCL 750.136b, 750.317, 750.520b, 750.520c, and 750.520d), section 136b as added by 1988 PA 251, sections 520b and 520c as amended by 1983 PA 158, and section 520d as amended by 1996 PA 155.

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

Senators Jaye and Shugars introduced

**Senate Bill No. 383, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1998 PA 512.

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

Senators Jaye and Shugars introduced

**Senate Bill No. 384, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16g and 16p of chapter XVII (MCL 777.16g and 777.16p), as added by 1998 PA 317.

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

Senators Bennett, McManus, Goschka, Steil and McCotter introduced  
**Senate Bill No. 385, entitled**

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

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

Senators Bennett, McManus, Goschka, Steil and McCotter introduced  
**Senate Bill No. 386, entitled**

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

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

Senators Bennett, McManus, Goschka, Steil and McCotter introduced  
**Senate Bill No. 387, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675 (MCL 257.675), as amended by 1998 PA 68.

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

Senators Bennett, McCotter and Emmons introduced

**Senate Bill No. 388, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113 (MCL 324.40113), as added by 1995 PA 57.

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

Senator A. Smith introduced

**Senate Bill No. 389, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

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

Senator Van Regenmorter introduced

**Senate Bill No. 390, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as added by 1998 PA 317.

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

### Committee Reports

The Committee on Finance reported

**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.

With the recommendation that the substitute (S-4) be adopted and that the bill then 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 and the substitute recommended by the committee were referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, February 23, 1999, at 1:05 p.m., 8th Floor Conference Room, Farnum Building  
Present: Senators Emmons (C), Bullard, Hammerstrom, Peters and Dingell

## COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Thursday, February 18, 1999, at 8:30 a.m., Room 100, Farnum Building  
Present: Senators Hammerstrom (C), Gougeon, Jaye and Hart  
Absent: Senator Vaughn

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Thursday, February 18, 1999, at 1:00 p.m., Senate Appropriations Room, Capitol Building  
Present: Senators Goschka (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Tuesday, February 23, 1999, at 1:00 p.m., Senate Appropriations Room, Capitol Building  
Present: Senators Goschka (C), Gougeon and Emerson

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submits the following:

Meeting held on Tuesday, February 23, 1999, at 1:00 p.m., Room 405, Capitol Building  
Present: Senators McManus (C), Gast and Koivisto

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submits the following:

Meeting held on Tuesday, February 23, 1999, at 1:30 p.m., Room 404, Capitol Building  
Present: Senators Schwarz (C), Steil and Young

## COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Tuesday, February 23, 1999, at 3:30 p.m., Room 100, Farnum Building  
Present: Senators Shugars (C), Hammerstrom, Schwarz, Byrum and Murphy

## COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Tuesday, February 23, 1999, at 3:38 p.m., Room 110, Farnum Building  
Present: Senators Emmons (C), Shugars and Dunaskiss  
Excused: Senators Jaye, Miller and Leland

**Scheduled Meeting**

Families, Mental Health and Human Services Committee - Thursday, February 25, at 9:00 a.m., Room 100, Farnum Building (3-3543).

Senator McCotter moved that the Senate adjourn.  
The motion prevailed, the time being 11:04 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, February 25, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.