

No. 1
STATE OF MICHIGAN
Journal of the Senate
89th Legislature
REGULAR SESSION OF 1997

Senate Chamber, Lansing, Wednesday, January 8, 1997.

12:00 Noon.

In conformity with the requirements of the Constitution of the State of Michigan, the Senators of the 89th Legislature of the State of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January, 1997), at twelve o'clock noon, and were called to order by the Honorable Connie Binsfeld, Lieutenant Governor of the State of Michigan and President of the Senate.

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

District	Name	District	Name
1st	Joe Young, Jr.	20th	Harry Gast
2nd	Virgil C. Smith, Jr.	21st	Dale L. Shugars
3rd	Henry E. Stallings II	22nd	William Van Regenmorter
4th	Jackie Vaughn III	23rd	Joanne G. Emmons—excused
5th	Michael J. O'Brien—excused	24th	John J. H. Schwarz
6th	George Z. Hart—excused	25th	Dianne Byrum
7th	Christopher D. Dingell	26th	Mike Rogers
8th	Loren N. Bennett	27th	Dan L. DeGrow
9th	R. Robert Geake	28th	John D. Cherry, Jr.
10th	Arthur J. Miller, Jr.	29th	Joe Conroy
11th	Kenneth J. DeBeaussaert	30th	Glenn Steil
12th	Douglas Carl—excused	31st	Dick Posthumus
13th	Michael J. Bouchard	32nd	Leon Stille
14th	Gary Peters	33rd	Jon A. Cisky
15th	Bill Bullard, Jr.	34th	Joel D. Gougeon
16th	Mat J. Dunaskiss	35th	Bill Schuette
17th	Jim Berryman	36th	George A. McManus, Jr.—excused
18th	Alma Wheeler Smith	37th	Walter H. North
19th	Philip E. Hoffman	38th	Don Koivisto

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

I think it would only be appropriate today if we start our prayer with a few seconds of silence for Willis Snow, the former Secretary of the Senate, who passed away on New Year's Day. Please join me in a moment of silence for Willis Snow.

Dear God, during the election session last fall we heard about bridge building, a bridge to the future, a bridge to the past and traditional values. Let us work to build an ever-increasing bridge to You and ask that You give us the strength and the wisdom to face the challenges that lay in the future.

I have a prayer that I like called "The Serenity Prayer" and it says: "God give us the serenity to accept what cannot be changed, courage to change what should be changed, and wisdom to distinguish one from the other."

Please bless us as we take on the duties for the state of Michigan in the upcoming session. We ask this in Thy name. Amen

Senator Miller entered the Senate Chamber.

Motions and Communications

Senator V. Smith moved that Senators Hart and O'Brien be excused from today's session.
The motion prevailed.

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

Senator DeGrow moved that rule 3.902 be suspended to allow Nick Khouri, Chief Deputy Treasurer, and his family admittance to the Senate floor.

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

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

The motion prevailed.

Senator DeGrow's statement is as follows:

This is the last week of one of our state employees whose career started out in the Senate, I believe, and worked for the Senate Fiscal Agency for a number of years. He's a very good friend of mine, someone who has provided invaluable service to the citizens of this state for a number of years, has moved on to the Executive Office and has continued that service to us in the legislature and the people of this state. He's not only someone who is very bright, but someone whom I've never seen lose his cool or temper, always unflappable no matter how tough the situation, no matter what the issue. This is Nick Khouri's last week here, he's moving on to the private sector, and I just want to take a moment to thank Nick for the many times my office or myself have called him and he always had the answer or got it quickly and always with a smile.

We are really going to miss him and the role he's played for us. He's here today with his wife and their family. If I could take a moment that we have prepared for Nick: "Let it be known that is a pleasure and a privilege to extend our highest praise to Mr. Nick Khouri as he brings to a close his successful efforts as Chief Deputy Treasurer for the state of Michigan.

This successful public servant, friend and devoted family man has capable served in this capacity since 1991. We thank him for his effective leadership, hard work and many contributions that will long benefit the residents of the Great Lakes State.

Over the years, Nick has served as chief economist for the Senate Fiscal Agency, an analyst in the Macro-Economic Division of the U.S. Congressional Budget Office and is an economist with the Bureau of Economic Analysis, U.S. Department of Congress.

His extensive career has afforded him many opportunities to fix his attention on strengthening and improving operations in state government. He's examined and evaluated numerous problems and policies, playing a special key role in Michigan school finance reform efforts." We remember that well, Nick.

"Now, he contemplates a new entrepreneurial opportunity. Nick will undoubtedly continue to use his talents to encourage progress.

A tireless fighter and an inspiring advocate for taxpayers, and an individual who is always willing to get involved, Nick Khouri has the ability, commitment and integrity in all his efforts. He has spent countless hours working side by side with his co-workers and legislators, and is well respected and liked who have had the opportunity to serve with him."

Nick, we are going to miss you. Thank you for everything and good luck.

Certified List of Representatives

The following communication was received:
Department of State

November 25, 1996

Enclosed is a certified list of the members-elect to the State House of Representatives as shown by the November 5, 1996 general election returns on file in this office. Also enclosed is a copy of the official canvass of the votes cast at the election.

Sincerely,
Candice S. Miller
Secretary of State

November 25, 1996

I, Candice S. Miller, Secretary of the State of Michigan and Custodian of the Great Seal thereof, do hereby certify that the persons whose names appear on the attached list were elected at the November 5, 1996 general election to the office of State Representative for a two-year term commencing on January 1, 1997.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State in the City of Lansing this 25th day of November, A.D. 1996.

Candice S. Miller
Secretary of State

Members-Elect of the House of Representatives

January 1, 1997 - January 1, 1999

District	Party	Name	Address
1	Rep	Andrew C. Richner	718 Berkshire Road, Grosse Pointe Park 48230
2	Dem	Curtis Hertel	12083 Wayburn, Detroit 48224
3	Dem	Mary Lou Parks	4134 Balfour, Detroit 48224
4	Dem	Ed Vaughn	5764 Woodward #5, Detroit 48202
5	Dem	Ted Wallace	20500 Goddard #106, Detroit 48234
6	Dem	Martha G. Scott	75 Rhode Island, Highland Park 48203
7	Dem	Raymond M. Murphy	610 Chicago Boulevard, Detroit 48202
8	Dem	Ilona Varga	1027 Waterman, Detroit 48209
9	Dem	Kwame M. Kilpatrick	3223 Carter Street, Detroit 48206
10	Dem	Samuel Buzz Thomas III	19260 Burlington, Detroit 48203
11	Dem	Morris Hood, Jr.	8872 Cloverlawn, Detroit 48204
12	Dem	Keith B. Stallworth	19793 Sorrento, Detroit 48235
13	Dem	Burton Leland	20765 Tireman, Detroit 48228
14	Dem	Derrick Hale	15908 Lamphere, Detroit 48223
15	Dem	Agnes M. Dobronski	5286 Mead, Dearborn 48126
16	Dem	Bob Brown	23280 S. Brookside, Dearborn Heights 48125
17	Dem	Thomas H. Kelly	4345 Chamberlain, Wayne 48184
18	Dem	Eileen DeHart	32017 Anita Drive, Westland 48185
19	Rep	Lyn R. Bankes	18670 Woodworth, Redford 48240
20	Rep	Gerald H. Law	45209 Woodleigh Way, Plymouth 48170
21	Rep	Deborah Whyman	44446 Newburyport, Canton 48187
22	Dem	Gregory E. Pitoniak	9686 Rose, Taylor 48180
23	Dem	George W. Mans	2414 West Jefferson, Trenton 48183
24	Dem	Joseph Palamara	2315 20th Street, Wyandotte 48192
25	Dem	Gloria J. Schermesser	944 Kings Highway, Lincoln Park 48146
26	Dem	William J. Callahan	20001 Chalon, St. Clair Shores 48080
27	Dem	Nick Ciaramitaro	29127 Brittany Court East, Roseville 48066
28	Dem	Paul Wojno	27365 Jean, Warren 48093
29	Dem	Dennis Olshove	29723 Roan, Warren 48093

30	Rep	Sue Rocca	39964 Saal Road, Sterling Heights 48313
31	Dem	Sharon L. Gire	37567 Raddle, Clinton Township 48036
32	Rep	Dave Jaye	8303 Waschull, Washington Township 48094
33	Rep	Alvin H. Kukuk	23611 23 Mile Road, Macomb 48042
34	Dem	John F. Freeman	28342 Dartmouth, Madison Heights 48071
35	Dem	David M. Gubow	26728 York, Huntington Woods 48070
36	Dem	Nancy L. Quarles	18131 Magnolia Parkway, Southfield 48075
37	Rep	Andrew Raczkowski	28619 Herndonwood, Farmington Hills 48334
38	Rep	Nancy C. Cassis	22186 Daleview Drive, Novi 48374
39	Rep	Barbara Dobb	8101 Locklin, Commerce 48382
40	Rep	Patricia A.K. Godchaux	1155 West Lincoln, Birmingham 48009
41	Rep	Shirley Johnson	4222 Sheridan Drive, Royal Oak 48073
42	Rep	Greg Kaza	284 Woodside Court #187, Rochester Hills 48307
43	Dem	Hubert Price, Jr.	583 Pearsall, Pontiac 48341
44	Rep	David N. Galloway	9575 Steep Hollow, White Lake 48386
45	Rep	Penny M. Crissman	210 Charles, Rochester 48307
46	Rep	Tom Middleton	641 Hurd Road, Ortonville 48462
47	Dem	Rose Bogardus	416 West Salem Court, Davison 48423
48	Dem	Vera B. Rison	6223 Bermuda Lane, Mt. Morris 48458
49	Dem	Robert L. Emerson	1025 Kensington, Flint 48503
50	Dem	Deborah Cherry	3272 Sayre Court, Burton 48519
51	Dem	Candace A. Curtis	7100 Elms Road, Swartz Creek 48473
52	Dem	Mary Schroer	1911 Geddes, Ann Arbor 48104
53	Dem	Elizabeth S. Brater	1507 Wells Street, Ann Arbor 48104
54	Dem	Kirk A. Profit	205 Valley Drive, Ypsilanti 48197
55	Rep	Beverly S. Hammerstrom	1183 Oakmont Drive Temperance 48182
56	Dem	Lynn Owen	4826 Sycamore, Newport 48166
57	Rep	Tim Walberg	6769 Teachout Road, Tipton 49287
58	Rep	Michael E. Nye	7111 Anderson Road, Litchfield 49252
59	Rep	Glenn S. Oxender	27221 Wait Road, Sturgis 49091
60	Dem	Ed LaForge	1818 Nottingham, Kalamazoo 49001
61	Rep	Charles R. Perricone	1909 Nichols Road, Kalamazoo 49006
62	Dem	Mark Schauer	5695 Glenn Cross Road L-3, Battle Creek 49015
63	Rep	Donald H. Gilmer	7021 North 46th Street, Augusta 49012
64	Dem	Michael J. Griffin	505 North Elm, Jackson 49202
65	Rep	Clyde LeTarte	1711 Little Drive, Horton 49246
66	Rep	Judith L. Scranton	2457 Spring Lake Lane, Brighton 48116
67	Rep	Dan Gustafson	4648 Sandstone, Williamston 48895
68	Dem	Lingg Brewer	2682 Fontaine Trail, Holt 48842
69	Dem	Lynne Martinez	306 Leslie Street, Lansing 48912
70	Dem	Laura Baird	1762 Spring Lake Drive, Okemos 48864
71	Rep	Frank M. Fitzgerald	430 West Jefferson, Grand Ledge 48837
72	Rep	Mark C. Jansen	6857 Linden Avenue SE, Grand Rapids 49548
73	Rep	Jack Horton	1625 Parnell Avenue NE, Lowell 49331
74	Rep	Ken Sikkema	3885 Omaha, Grandville 49418
75	Rep	William R. Byl	1241 Benjamin Avenue SE, Grand Rapids 49506
76	Dem	Thomas C. Mathieu	762 Tamarack, Grand Rapids 49504
77	Rep	Harold J. Voorhees	5380 Kenowa SW, Grandville 49418
78	Rep	Ron Jelinek	7605 Stickles Road, Three Oaks 49128
79	Rep	Bob Brackenridge	2211 Wilson Court Street, Joseph 49085
80	Rep	James Mick Middaugh	603 West Michigan Avenue, Paw Paw 49079
81	Rep	Terry London	1020 Illinois, Marysville 48040
82	Dem	Karen Willard	8974 Anchor Bay Drive, Algonac 48001
83	Rep	Kim A. Rhead	190 West Speaker Street, Sandusky 48471
84	Rep	Mike Green	1405 Blackmore Road, Mayville 48744
85	Dem	Clark Harder	807 North Chipman Street, Owosso 48867
86	Rep	Alan L. Cropsey	7730 Loomis Road, DeWitt 48820
87	Rep	Terry Geiger	950 Maple Street, Lake Odessa 48849
88	Rep	Patricia Birkholz	3413 Sixty Fourth Street, Saugatuck 49453

89	Rep	Jon Jellema	510 Park, Grand Haven 49417
90	Rep	Jessie F. Dalman	450 Brecado Court, Holland 49423
91	Dem	Paul T. Baade	3131 Maplegrove Road, Muskegon 49441
92	Dem	James G. Agee	1454 East Harbour Towne Circle, Muskegon 49441
93	Rep	Larry L. DeVuyst	3813 East Pierce Road, Ithaca 48847
94	Rep	Michael J. Goschka	16393 Schroeder Road, Brant 48614
95	Dem	Michael J. Hanley	203 South Bates, Saginaw 48602
96	Dem	A. T. Frank	6090 Western Drive #18, Saginaw 48603
97	Dem	Howard J. Wetters	1866 Wetters Road, Kawkawlin 48631
98	Rep	James McNutt	4000 Haskin, Midland 48640
99	Rep	Jim McBryde	1812 Stockman, Mt. Pleasant 48858
100	Rep	John T. Llewellyn	5588 West 32nd, Fremont 49412
101	Rep	Bill Bobier	4220 Loop Road, Hesperia 49421
102	Rep	John Gernaat	10104 South Blodgett Road, McBain 49657
103	Dem	Tom Alley	920 West Wright Street, West Branch 48661
104	Rep	Michelle A. McManus	7883 East Alpers Lake, Leelanau 49653
105	Rep	Allen Lowe	1101 Ottawa, Grayling 49738
106	Rep	Beverly A. Bodem	121 East White Street, Alpena 49707
107	Dem	Pat Gagliardi	P.O. Box 191 Tourist Road, Drummond Island 49726
108	Dem	David Anthony	314 South 3rd Street, Escanaba 49829
109	Dem	Michael Prusi	Rt. 3 Box 1034A, Ishpeming 49849
110	Dem	Paul Tesanovich	Rt. 2 Box 758, L'Anse 49946

The communication was referred to the Secretary for record.

The following communication was received:

Department of Civil Service

December 30, 1996

As the statutorily designated Secretary to the State Officers Compensation Commission, I hereby submit the Commission's 1996 report and determinations. The report was also filed today with the Clerk of the House of Representatives and the Director of the Department of Management and Budget, pursuant to law.

Copies of the report will be provided to the Governor, Lieutenant Governor, Justices of the Supreme Court, and members of the Legislature, in accordance with Act 357 of 1968 as amended.

Sincerely,
John F. Lopez
State Personnel Director

The communication was referred to the Secretary for record.

The following communication was received:

Central Area Partnership Consortium

January 2, 1997

The Job Training Partnership Act and the Michigan Jobs Commission require that job training plans and modifications be sent to specific individuals and agencies. These plans are also available to the public in general. To that end, I have enclosed the following document:

CAPC No Wrong Door Implementation Plan (01/15/97 to 12/31/97)

In accordance with the Americans with Disabilities Act (ADA), this information will be made available in alternative format (large type, audio tape, etc.) upon special request.

Please feel free to direct your questions to Tim Vanaman (ext. 3337).

Ralph F. Loeschner
President

The communication was referred to the Secretary for record.

The following communication was received:

Livingston Jobs Center

January 6, 1997

Enclosed is the summary of the No Wrong Door Plan for the Livingston County Michigan Works! Agency for the period January 15, 1997 to December 31, 1997.

This summary is being forwarded in accordance with the provisions of the Michigan Jobs Commission requiring that a copy of the plan, or plan summary be submitted to the appropriate persons in the State Legislature.

The summary identifies the proposed activities and budget. A copy of the complete plan is available for review and may be requested.

In accordance with the Americans with Disabilities Act (ADA) of 1990 (Public Law 101-336), the final plan summary will be available in large print or audio tape upon request.

You are invited to submit comments of the plan summary to: Livingston County Job Training Services, 828 East Grand River Avenue, Howell, MI 48843.

Sincerely,
William S. Sleight
Director

The communication was referred to the Secretary for record.

Messages from the Governor

The following messages from the Governor were received and read:

December 30, 1996

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

Ferris State University Board of Control

Mr. Jack R. Bates, 17005 Timberdunes Drive, Grand Haven, MI 49417, county of Ottawa, as a member representing the general public, succeeding Mr. Ted B. Whaby of St. Clair Shores, whose term has expired, for a term expiring December 31, 2004.

December 30, 1996

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

Grand Valley State University Board of Control

The Honorable Paul Hillegonds, A-6530 142nd Avenue, Holland, Michigan 49423, county of Ottawa, as a member representing the general public, succeeding Mr. Charles G. Conville of Traverse City, whose term has expired, for a term expiring December 31, 2004.

December 30, 1996

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

Michigan Racing Commissioner

Mr. Nelson W. Westrin, 1245 Burlington Drive, Grand Ledge, Michigan 48837, county of Eaton, as Michigan Racing Commissioner, succeeding himself, for a term effective January 1, 1997 and expiring December 31, 2000.

December 30, 1996

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

Western Michigan University Board of Regents

Mr. Daniel Pero, 7783 Timber Canyon Dr. SE, Ada, Michigan 49301, county of Kent, as a member representing the general public, succeeding Ms. Lana L. Boldi of Grand Rapids, whose term has expired, for a term expiring December 31, 2004.

January 2, 1997

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

Michigan Certificate of Need Commission

Mr. Robert T. McDonough, 900 Elm Street, Three Rivers, Michigan 49093, county of St. Joseph, as a member representing Republicans, succeeding himself, for a term expiring January 1, 2000.

Mr. James E. Maitland, 4448 Maitland Road, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing Republicans, succeeding himself, for a term expiring January 1, 2000.

January 7, 1997

Please be advised that the appointments term expirations on the letter dated December 23, 1996, were incorrect and should read as follows:

Civil Service Commission

Dr. David Adamany, 441 W. Ferry Mall, Detroit, Michigan 48202, county of Wayne, as a member representing Democrats, succeeding Mr. Peter Ellsworth of Okemos, who has resigned, for a term expiring December 31, 1998.

Ms. Susan Grimes Munsell, 332 S. First Street, Brighton, Michigan 48116, county of Livingston, as a member representing Republicans, succeeding Mr. Laurence Deitch of Birmingham, whose term has expired, for a term expiring on December 31, 2004.

Mr. Robert Pettigrew Hunter, 510 Morningside Drive, Midland, Michigan 48640, county of Midland, as a member representing Republicans, succeeding Honorable Peter Secchia of East Grand Rapids, who has resigned, for a term expiring on December 31, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator DeGrow offered the following resolution:

Senate Resolution No. 1.

A resolution notifying the Governor and the House of Representatives that the Senate is ready to proceed with the business of the session.

Resolved by the Senate, That the Secretary of the Senate inform the Governor and the House of Representatives that a quorum of the Senate is present and that the Senate is ready to proceed with the business of the session.

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

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

The resolution was adopted.

Senator DeGrow offered the following resolution:

Senate Resolution No. 2.

A resolution for the adoption of temporary Standing Rules of the Senate.

Resolved by the Senate, That the Standing Rules of the Senate in effect on December 30, 1996, be hereby adopted as the temporary Standing Rules of the Senate.

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

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

The resolution was adopted.

Senator DeGrow offered the following concurrent resolution:

Senate Concurrent Resolution No. 1.

A concurrent resolution granting authority for adjournment for more than 2 days.

Resolved by the Senate (the House of Representatives concurring), That each House hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each House shall determine at any time during the 1997 and 1998 regular sessions.

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

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator DeGrow offered the following concurrent resolution:

Senate Concurrent Resolution No. 2.

A concurrent resolution prescribing the Joint Convention Rules for the Legislature.

Resolved by the Senate (the House of Representatives concurring), That the following be and are hereby adopted as the Joint Convention Rules of the Senate and House of Representatives:

**JOINT CONVENTION RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES**

Held in Hall of House.

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the 2 Houses shall meet in joint convention, a concurrent resolution shall be introduced in one House setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other House for concurrence.

Secretaries-Journals.

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be the secretaries of the joint convention. The proceedings of the joint convention shall be published with the Journals of the House, and the final result, as announced by the President on the return of the Senate to its chamber, shall be entered on the Journals of the Senate.

Rules of House to Govern.

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint convention.

President pro tempore of Convention.

Rule 4. Whenever the Speaker of the House presides, he or she shall be entitled to vote on all occasions, and in case of a tie the question shall be declared lost.

Power to Compel Attendance.

Rule 5. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed in the rules of the House to which such members respectively belong, and for that purpose the Sergeant at Arms of each House shall attend.

May Adjourn from Time to Time.

Rule 6. Joint conventions may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the joint convention, at the time fixed by law or resolution, or to which the joint convention may have adjourned.

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

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator DeGrow offered the following concurrent resolution:

Senate Concurrent Resolution No. 3.

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives meet in joint convention in the Hall of the House of Representatives on Tuesday, January 28, 1997, at 7:00 p.m. to receive the message of Governor John Engler.

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

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator DeGrow offered the following concurrent resolution:

Senate Concurrent Resolution No. 4.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, January 8, 1997, it stand adjourned until Tuesday, January 28, 1997, at 6:15 p.m.; and be it further

Resolved, That when the House of Representatives adjourns on Wednesday, January 8, 1997, it stand adjourned until Tuesday, January 28, 1997, at 6:00 p.m.

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

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator Dunaskiss offered the following resolution:

Senate Resolution No. 4.

A resolution to request the Federal Communications Commission to authorize Ameritech Michigan to provide interLATA long distance telecommunications service.

Whereas, The federal government, through the actions of the Federal Communications Commission and the Justice Department, effected the divestiture of the telecommunications monopoly enjoyed by the American Telephone and Telegraph for the purpose of fostering greater competition and providing consumers with greater telecommunications options at both the local and national level; and

Whereas, In amending the Michigan Telecommunications Act by enacting 1995 PA 216, the Michigan Legislature sought to accelerate the development of competition in Michigan by easing the entry of new providers into local and long distance markets that they had never served before; and

Whereas, Michigan led the nation in the development of competition at the local level by authorizing the entry of competing providers and requiring the large existing local exchange providers to interconnect with competitors, unbundle their networks, offer services for resale at wholesale rates, offer number portability, permit access to call completion data bases, and allow competitors to collocate their equipment; and

Whereas, The statute has encouraged more than a dozen companies, including Brooks Fiber, AT&T, MCI Metro, MFS and Teleport to obtain licenses to provide basic local exchange services and to negotiate interconnection agreements; and

Whereas, The Michigan Legislature also sought to encourage and facilitate the lifting of the interLATA prohibitions, in part, by requiring the Michigan Public Service Commission “to immediately take the necessary actions to receive the federal waivers” or authority necessary for providers to offer interLATA service; and

Whereas, The entry of a competitor such as Ameritech into the interLATA market will significantly increase competition and provide the benefits of such competition to residents and businesses of Michigan; now, therefore be it

Resolved by the Senate, That the Federal Communications Commission be encouraged to find that Ameritech Michigan satisfies the competitive checklist and other requirements of Section 271 of the Federal Telecommunications Act of 1996, and to authorize Ameritech Michigan to provide interLATA long distance services; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the House of Representatives, the members of the Michigan congressional delegation, the Michigan Public Service Commission, and the Federal Communications Commission.

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

Senator DeGrow moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senator DeGrow moved that the statement made by the Lieutenant Governor be printed in the Journal.

The motion prevailed.

Lieutenant Governor Binsfeld’s statement is as follows:

I would like to take this opportunity to tell you how much your friendship has meant to us, your caring notes, flowers, tributes to the Childhood Foundation at the time of the loss of our son. I always knew you were good friends, but believe me, your friendship was really felt. All our good staff, people who aren’t even on the floor now, but who come and go in the Chambers, were just tremendous. They were difficult days, but you helped us. Thank you.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Bouchard, Shugars, Hoffman, Steil, Bennett and North introduced

Senate Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 2/3 of the members of each house to impose certain taxes or to make certain modifications to certain taxes.

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

Senators Schuette and Shugars introduced

Senate Joint Resolution B, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 48 and 53 of article IV and section 6 of article XI and repealing section 5 of article XI, to eliminate the state civil service commission.

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

Senators Bennett and North introduced

Senate Bill No. 1, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, and 7a (MCL 408.382, 408.384, 408.384a, 408.387, and 408.387a), section 2 as amended by 1980 PA 97, and by adding section 4b.

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

Senator Bouchard introduced

Senate Bill No. 2, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 7a of chapter VIII (MCL 768.7a), as amended by 1988 PA 48.

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

Senators Bouchard and Shugars introduced

Senate Bill No. 3, entitled

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

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

Senators Bennett and Shugars introduced

Senate Bill No. 4, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11514a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Bennett introduced

Senate Bill No. 5, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11151 (MCL 324.11151).

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator Bennett introduced

Senate Bill No. 6, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217b.

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

Senator Bennett introduced

Senate Bill No. 7, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 726 (MCL 168.726) and by adding sections 750a, 750b, 750c, 750d, 750e, 750f, 750g, 750h, 750i, 750j, 750k, 750l, 750m, and 750n.

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

Senator Bennett introduced

Senate Bill No. 8, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended 1995 PA 261.

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

Senators Schuette and Shugars introduced

Senate Bill No. 9, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 1996 PA 300; 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.

Senators Schuette and Shugars introduced

Senate Bill No. 10, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37e.

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 Schuette and Shugars introduced

Senate Bill No. 11, 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 bill was read a first and second time by title and referred to the Committee on Finance.

Senators Schuette and Shugars introduced

Senate Bill No. 12, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9f.

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

Senators Schuette and Shugars introduced

Senate Bill No. 13, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9f.

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

Senator Peters introduced

Senate Bill No. 14, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253.

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

Senator Peters introduced

Senate Bill No. 15, entitled

A bill to define misappropriation of a trade secret; to provide and limit remedies for misappropriation of a trade secret; to create a cause of action; and to provide for certain procedures.

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

Senator Peters introduced

Senate Bill No. 16, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1996 PA 347.

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

Senator Peters introduced

Senate Bill No. 17, entitled

A bill to regulate certain commercial arbitrations occurring in this state; and to provide for the enforcement of certain arbitration agreements executed in this state, another state, or another nation.

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

Senator DeGrow introduced

Senate Bill No. 18, entitled

A bill to amend 1921 PA 246, entitled "An act to regulate the service, rates, fares and charges of carriers by water within this state," (MCL 460.201 to 460.206) by adding section 7.

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

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

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

Senator DeGrow introduced

Senate Bill No. 19, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32312a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senator DeGrow introduced

Senate Bill No. 20, 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 bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Van Regenmorter, Dingell, Hoffman and Shugars introduced

Senate Bill No. 21, entitled

A bill to define certain crimes against prenatal children; to define and allow certain practices; and to prescribe certain penalties.

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

Senator Peters introduced

Senate Bill No. 22, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 10 and 13 (MCL 15.240 and 15.243), section 13 as amended by 1993 PA 82, and by adding section 13b.

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

By unanimous consent the Senate returned to the order of

Resolutions

Senate Concurrent Resolution No. 4.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see p. 8.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Messages from the House

The following message was received:

January 8, 1997

By direction of the House of Representatives, I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Further, I am directed by the House to notify you that the House of Representatives has elected Representative Curtis Hertel, Speaker; Representative Raymond M. Murphy, Speaker Pro Tempore; Representative Sharon Gire, Associate Speaker Pro Tempore; and Mary Kay Scullion, Clerk.

Very respectfully,
Mary Kay Scullion, Clerk
House of Representatives

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 12:38 p.m.

Pursuant to Senate Concurrent Resolution No. 4, the President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, January 28, at 6:15 p.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

