

**No. 35**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Wednesday, April 30, 1997.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Connie B. Binsfeld.

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

Bennett—present  
Berryman—present  
Bouchard—present  
Bullard—present  
Byrum—present  
Carl—present  
Cherry—excused  
Cisky—present  
Conroy—present  
DeBeaussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present

Emmons—present  
Gast—present  
Geake—present  
Gougeon—present  
Hart—present  
Hoffman—present  
Koivisto—present  
McManus—present  
Miller—present  
North—present  
O'Brien—present  
Peters—present  
Posthumus—excused

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

Pastor Steve Brown of the First Baptist Church of Laingsburg offered the following invocation:

Our Father and our God, we come to You this morning thanking You for the liberty that we have and thanking You for the law that You have written on our consciences and on our hearts. I pray today for these folks who have a great responsibility in our state. I pray for them that You give them conviction and that You give them an obedience to the law of the land and of the law of God. But most of all, I pray today that everyone here would come to know You in a very clear and personal way; that they would know Your Son. Father, we pray that You give us a great day of serving You and the privilege we have of living in this free country and this wonderful state. We ask it in Jesus' name. Amen.

**Motions and Communications**

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

Senator Berryman moved that Senators Cherry, V. Smith and Stallings be excused from today's session. The motion prevailed.

Senator DeGrow moved that rule 3.902 be suspended to allow the guest of Senator Steil admittance to the Senate floor.

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

Senator DeGrow moved that Senators Geake, Gougeon, Schuette and Van Regenmorter be temporarily excused from today's session.

The motion prevailed.

Senator DeGrow moved that Senators Posthumus and Rogers be excused from today's session.

The motion prevailed.

Senator Rogers is attending the funeral of a family member.

Senators A. Smith, Steil, Young and Schuette entered the Senate Chamber.

The Secretary announced the printing and placement in the members' files on Tuesday, April 29 of:

<b>Senate Bill Nos.</b>	<b>437</b>	<b>438</b>	<b>439</b>	<b>440</b>	<b>441</b>	<b>442</b>	<b>443</b>	<b>444</b>	<b>445</b>	<b>446</b>	<b>447</b>	<b>448</b>	<b>449</b>	<b>450</b>
	<b>451</b>	<b>453</b>	<b>454</b>	<b>455</b>	<b>456</b>	<b>457</b>	<b>458</b>	<b>459</b>	<b>460</b>	<b>461</b>	<b>462</b>	<b>463</b>	<b>464</b>	
<b>Senate Joint Resolution</b>	<b>L</b>													
<b>House Bill Nos.</b>	<b>4664</b>	<b>4665</b>	<b>4666</b>	<b>4667</b>	<b>4668</b>	<b>4669</b>	<b>4670</b>	<b>4671</b>	<b>4672</b>	<b>4673</b>	<b>4674</b>	<b>4675</b>	<b>4676</b>	<b>4677</b>
	<b>4678</b>	<b>4679</b>	<b>4680</b>	<b>4681</b>	<b>4682</b>	<b>4683</b>	<b>4684</b>	<b>4685</b>	<b>4686</b>	<b>4687</b>	<b>4688</b>	<b>4689</b>	<b>4690</b>	<b>4691</b>
	<b>4692</b>	<b>4693</b>	<b>4694</b>	<b>4695</b>	<b>4696</b>	<b>4697</b>	<b>4698</b>	<b>4699</b>	<b>4700</b>	<b>4701</b>	<b>4702</b>			
<b>House Joint Resolution</b>	<b>S</b>													

Senator DeGrow moved that the order of Third Reading of Bills be postponed for today. The motion prevailed.

**General Orders**

Senator DeGrow 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 Binsfeld, designated Senator Stille as Chairperson.

After some time spent therein, the Committee arose; and, the President Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2 and 698 (MCL 257.2 and 257.698), section 698 as amended by 1994 PA 101.

**House Bill No. 4076, entitled**

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," (MCL 257.1301 to 257.1340) by adding section 18a.

**House Bill No. 4202, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803e and 803i (MCL 257.803e and 257.803i), as amended by 1994 PA 104.

**Senate Bill No. 289, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 15, 16, and 17 (MCL 552.15, 552.16, and 552.17), as amended by 1996 PA 9; and to repeal acts and parts of acts.

**Senate Bill No. 290, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1996 PA 19; and to repeal acts and parts of acts.

**Senate Bill No. 291, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), section 7 as amended by 1996 PA 308, section 10 as amended by 1996 PA 18, and section 11 as amended by 1990 PA 244; and to repeal acts and parts of acts.

**Senate Bill No. 292, entitled**

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 1996 PA 17; and to repeal acts and parts of acts.

**Senate Bill No. 293, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1996 PA 5; and to repeal acts and parts of acts.

The bills were placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendments, the following bill:

**House Bill No. 4238, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding sections 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, and 735; and to repeal acts and parts of acts.

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

1. Amend page 6, line 7, by inserting "SECTION 736 AND".
2. Amend page 12, line 5, after "HELD" by inserting "DIRECTLY OR BENEFICIALLY".
3. Amend page 13, line 2, by inserting "FROM A CLIENT".
4. Amend page 13, line 3, after "PERFORM" by inserting "FOR THE CLIENT".
5. Amend page 13, line 4, after "ANY" by inserting "OF SUCH CLIENT'S".
6. Amend page 17, following line 14, by inserting:

"SEC. 736. IF REQUESTED BY AN INSURER, A LICENSEE WHO AGREES TO ISSUE AN AUDIT REPORT CONCERNING THE STATUTORY FINANCIAL STATEMENTS OF A DOMESTIC INSURER SHALL INCLUDE AN OPINION AS TO WHETHER THE FINANCIAL INFORMATION IS PRESENTED ACCORDING TO STATUTORY ACCOUNTING PRINCIPLES AS PRESCRIBED OR PERMITTED BY THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.1 TO 500.8302, OR ORDERS ISSUED OR RULES PROMULGATED UNDER THAT ACT. AN OPINION ISSUED PURSUANT TO THIS SECTION MAY BE SEPARATE FROM THE AUDIT REPORT IF THE LETTER OF ENGAGEMENT PROVIDES THAT THE OPINION BE AVAILABLE FOR GENERAL DISTRIBUTION."

The Senate agreed to the amendments recommended by the Committee of the Whole and the bill as amended 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. 199, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending section 5 (MCL 28.295), as amended by 1984 PA 335.

Substitute (S-3).

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. 288, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and sections 2 and 27 (MCL 552.602 and 552.627), the title as amended by 1996 PA 25, section 2 as amended by 1996 PA 239, and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, 5b, and 5c.

Substitute (S-1).

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

1. Amend page 5, line 25, after "HOURS" by inserting "ROUND-TRIP".
2. Amend page 7, line 22, by striking out all of enacting section 1 and renumbering the remaining enacting section.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 4219, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

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:

**House Bill No. 4220, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

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.

During the Committee of the Whole, Senators Miller, Gast, Geake, Gougeon and Van Regenmorter entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 20**

**Senate Concurrent Resolution No. 11**

**Senate Concurrent Resolution No. 18**

**Senate Concurrent Resolution No. 19**

**Senate Concurrent Resolution No. 20**

**Senate Concurrent Resolution No. 21**

**Senate Concurrent Resolution No. 22**

The motion prevailed.

**Senate Resolution No. 27.**

A resolution to request all state agencies and institutions to begin planning and budgeting for adjustments to computer software and operations necessitated by the turn of the century.

The question being on the adoption of the resolution,

The resolution was adopted.

**Senate Resolution No. 45.**

A resolution to encourage the Department of Natural Resources and the Natural Resources Commission to increase efforts to reduce deer crop damage and the number of deer/car accidents.

(For text of substitute, see Senate Journal No. 30, p. 491.)

The question being on the adoption of the following committee substitute,

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

Senator Vaughn was named co-sponsor of the resolution.

**Senate Concurrent Resolution No. 25.**

A concurrent resolution to memorialize the President and the Congress of the United States to work for the admission of Latvia, Estonia, and Lithuania into the North Atlantic Treaty Organization.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

**House Concurrent Resolution No. 17.**

A concurrent resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include the Republic of Poland.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senators Vaughn, DeBeaussaert and Miller were named co-sponsors of the concurrent resolution.

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

**Senate Resolution No. 49**

**Senate Resolution No. 50**

**Senate Resolution No. 51**

**Senate Resolution No. 52**

The resolution consent calendar was adopted.

Senators O'Brien and Hoffman offered the following resolution:

**Senate Resolution No. 49.**

A resolution honoring John T. Johnson.

Whereas, John Johnson has spent the better part of three decades serving the members of Teamsters Local Union 164 in Jackson, Michigan; and

Whereas, Brother Johnson has been a member of the International Brotherhood of Teamsters since 1970 and for 20 years, from 1972 through 1992, he served with honor, distinction, tenacity and commitment as the steward of the bargaining unit at Jacobson Stores; and

Whereas, From 1986 until 1997, Brother John Johnson served as a trustee of the Local Union 164 Executive Board, and there he served with honesty, attention to detail and concern for the members, which has set a standard for all trustees who follow; and

Whereas, Brother John Johnson served the citizens of Jackson County on various committees of the United Way of Jackson County, including allocations, and he served the citizens of Jackson County with his work as a member of the Jackson County Labor Coalition; and

Whereas, Brother John Johnson has been a good family man and husband to Lucy Johnson throughout all the years of service to others; and

Whereas, Citizens of Jackson County and especially the Teamsters at Local Union 164, and in particular those members at Jacobson Stores, have been the recipients of John's concern, attention, help, time and energy over nearly three decades; now, therefore, be it

Resolved by the Senate, That tribute be hereby accorded to John T. Johnson for his exemplary service over the past three decades. His citizenship and example of commitment to others is most worthy of recognition and honor by the Michigan State Senate; and be it further

Resolved, That a copy of this resolution be transmitted to John T. Johnson as evidence of our respect and esteem. Senators Young, Schwarz and Vaughn were named co-sponsors of the resolution.

Senator Van Regenmorter offered the following resolution:

**Senate Resolution No. 50.**

A resolution honoring Haywood Walker Julian.

Whereas, It is with gratitude for his outstanding efforts over the past three decades that we honor and thank Haywood Walker Julian as he brings his grand career in public service to a close; and

Whereas, His professionalism on behalf of the State of Michigan Office of Attorney General has contributed a great deal to the people of this state. On behalf of the lawyers, lawmakers, staff and all who have worked with him, we extend our best wishes to this talented and conscientious citizen; and

Whereas, Haywood's public service career has taken many forms. Prior to applying his skills as Assistant Deputy Attorney General for Legislative and Governmental Affairs, Haywood received numerous commendations as a Military Police Officer with the United States Air Force and later served as a Lieutenant with the Department of Public Safety at Michigan State University. The valuable experiences gained in those capacities have lent significantly to his contributions in the Office of the Attorney General and the Legislature; and

Whereas, His insight has had no small impact upon several important pieces of legislation, which have been passed into law. Quite simply, Haywood's background and ability to communicate clearly his understanding of the law to others has earned him the respect and admiration of all with whom he comes in contact; now, therefore, be it

Resolved by the Senate, That this tribute be dedicated to honor and thank Haywood Walker Julian for his services on behalf of the people of the state of Michigan; and be it further

Resolved, That Haywood Walker Julian may know of our admiration for his talent, our gratitude for his professionalism and our best wishes for happiness and health; and be it further

Resolved, That a copy of this resolution be transmitted to Haywood Walker Julian as evidence of our respect and esteem.

Senators Koivisto, Young, Shugars, Schwarz, Hoffman, DeBeaussaert, McManus, Gast, O'Brien and Vaughn were named co-sponsors of the resolution.

Senators McManus and Van Regenmorter offered the following resolution:

**Senate Resolution No. 51.**

A resolution commemorating Missing Children's Awareness Week, May 10 - 17, 1997.

Whereas, The most precious and valuable assets of our nation are our children and we must continue to make diligent efforts to curb the incidences of missing, exploited and abused children, creating a cohesive and coordinated network for tracking and finding abducted and runaway children; and

Whereas, We dedicate ourselves, our energy and our resources to the nurturing and protection of these most vulnerable individuals in our homes, neighborhoods and cities across the state and throughout the nation; and

Whereas, The epidemic of missing and abused children continues to spread. Six thousand abduction attempts and 1.3 million runaways are reported, on average, in the United States each year; and

Whereas, The efforts of parents, community agencies, law enforcement agencies and government officials in conjunction with groups such as the Missing Children's Network of Michigan have made the first steps to address this crisis. However, it is time for a collective, concerted effort to change the trend that has sadly become the norm. A number of recent initiatives, such as increased awareness of child abuse through the Sex Offender Identification legislation, attention to children's mental health, and continued education of parents, social agencies, law enforcement and the schools are steps in the right direction toward bringing about positive change; and

Whereas, We must now progressively continue the efforts we have begun by dedicating ourselves in unflinching, unselfish concern for the prevention of abducted, exploited and runaway children; now, therefore, be it

Resolved by the Senate, That we hereby commemorate May 10-17, 1997, as Missing Children's Awareness Week.

Senators Young, Shugars, Schwarz, Hoffman, Posthumus and Vaughn were named co-sponsors of the resolution.

Senator Shugars offered the following resolution:

**Senate Resolution No. 52.**

A resolution establishing an annual State Trail Day in Michigan, and calling on the Governor to proclaim May 1, 1997, as State Trail Day in Michigan.

Whereas, The vast natural resources of the state of Michigan receive constitutional protection for the good of the citizens of this state, and access to those resources helps to improve the quality of life for those who live and recreate in this state; and

Whereas, The state of Michigan has vast opportunities for bringing citizens and visitors closer to those resources in both urban and rural settings through the large number of recreational trails that are currently available; and

Whereas, Michigan leads the country in the number of miles of recreational trails converted from abandoned railroad corridors, working in concert with the Michigan Chapter of the Rails to Trails Conservancy and the Department of Natural Resources in forging these important cultural, historical, environmental and recreational trails; and

Whereas, The Michigan Legislature has embraced the importance of creating a statewide system of trailways in this state to link up communities and provide for both alternative methods of travel and allow citizens and visitors to learn more about the Great Lake State; and

Whereas, Legislators, citizens and others throughout the state can use this day to reflect on the importance of these trails and to commit to an enduring effort to provide more and better trailway opportunities; now, therefore, be it

Resolved by the Senate, That members of the Michigan Senate hereby call upon the Governor of the state of Michigan to proclaim May 1, 1997, as State Trail Day in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the coordinators of this observance, the Natural Resources Commission, the Rails to Trails Conservancy and the Office of the Governor of Michigan.

Senators Stille, Young, McManus, Schwarz, Posthumus and Vaughn were named co-sponsors of the resolution.

#### **House Concurrent Resolution No. 34.**

A concurrent resolution to create a special committee to study and make recommendations regarding Michigan's campaign finance laws.

Whereas, Trust and integrity are the cornerstone of democracy. The people must believe that the men and women they elect to represent them will be acting on the basis of information, knowledge, and commitment to the common good of society and fairness. This trust and integrity should not be compromised by financial obligations; and

Whereas, In recent years, dramatic escalations in the costs of campaigns has caused great concern. It has become routine for the costs of certain campaigns to exceed by many times the salary paid for the elective offices. The need for more and more money brings a host of problems and results in people becoming increasingly cynical about elections; and

Whereas, The issue of campaign finance reform is difficult to resolve. Attempts at public financing, controlling levels of certain contributions, and requirements for reporting have proven to be of only limited effectiveness. Any effective solution will have to come from a truly bipartisan effort and discussions outside of the standing committee process; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That there be created a special committee to study and make recommendations regarding Michigan's campaign finance laws. The special committee will consist of eight members, two from each caucus in each house, with the members for each of the respective caucuses selected by the Speaker and by the Minority Leader of the House of Representatives and by the Majority Leader and by the Minority Leader of the Senate. The committee will report its recommendations to the legislature by September 30, 1997.

The House of Representatives has adopted the concurrent resolution.

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

#### **House Concurrent Resolution No. 14.**

A concurrent resolution memorializing the United States Congress to return to the states the revenue collected under the gasoline tax increase of 1993.

Whereas, The maintenance of a high quality road network is vital to the economic health of our state. As the home of the city that put America on wheels, we in Michigan appreciate this relationship instinctively. Roads of less than excellent quality impede commerce, discourage job formation, and diminish our quality of life. Road maintenance is simultaneously one of the least glamorous of tasks and one of the most important responsibilities that the state carries out; and

Whereas, We in Michigan levy a tax on the purchase of gasoline in order to repair and improve our system of roads and highways. As a tax on those who use the highways, it is one of our fairest means of raising revenue. Just as the states levy a tax on gasoline purchases, so too does the federal government. One consequence of the federal government's taxation of gasoline is the effective limit it places on states that need additional revenue for road repair. As maintenance costs rise and as cars become more fuel efficient, the ability of gasoline tax revenue to fund road work is diminished. In addition, increases in federal gasoline taxes effectively block states from raising state taxes on fuel due to the need to avoid too steep of an increase that might stifle economic growth; and

Whereas, If the federal government used its revenue from the federal gasoline tax to help states maintain their roads, this dual taxation might not be harmful in practice because the tax money would still repair our roads regardless of who collected the funds. Unfortunately, the 1993 federal gasoline tax increase of 4.3 cents per gallon has been devoted to deficit reduction. While deficit reduction is a valid and admirable goal, utilizing revenue from a source which should be ear-marked for road maintenance effectively deprives the states of an adequate means to repair and expand their roads; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to return to the states the revenue collected under the gasoline tax increase of 1993; and be it further

Resolved, That a copy of this resolution be transmitted to 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,

The question being on the adoption of the concurrent resolution,  
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 concurrent resolution,

Senator DeGrow moved that further consideration of the concurrent resolution be postponed temporarily.

The motion prevailed.

Senator Gougeon offered the following concurrent resolution:

**Senate Concurrent Resolution No. 29.**

A concurrent resolution to create a special committee to study and make recommendations regarding Michigan's campaign finance laws.

Whereas, Trust and integrity are the cornerstone of democracy. The people must believe that the men and women they elect to represent them will be acting on the basis of information, knowledge, and commitment to the common good of society and fairness. This trust and integrity should not be compromised by financial obligations; and

Whereas, In recent years, dramatic escalations in the costs of campaigns has caused great concern. It has become routine for the costs of certain campaigns to exceed by many times the salary paid for the elective offices. The need for more and more money brings a host of problems and results in people becoming increasingly cynical about elections; and

Whereas, The issue of campaign finance reform is difficult to resolve. Attempts at public financing, controlling levels of certain contributions, and requirements for reporting have proven to be of only limited effectiveness. Any effective solution will have to come from a truly bipartisan effort and discussions outside of the standing committee process; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That there be created a special committee to study and make recommendations regarding Michigan's campaign finance laws. The special committee will consist of eight members, two from each caucus in each house, with the members for each of the respective caucuses selected by the Speaker and by the Minority Leader of the House of Representatives and by the Majority Leader and by the Minority Leader of the Senate. The committee will report its recommendations to the legislature by September 30, 1997.

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

Senators McManus and Posthumus were named co-sponsors of the concurrent resolution.

Senators Shugars, Gougeon and Steil offered the following resolution:

**Senate Resolution No. 53.**

A resolution to memorialize Michigan music venues to restrict the admission of minors to performances by artists whose recorded music carries parental advisories.

Whereas, Michigan's children are the Great Lakes State's most precious resource, representing a bridge between generations past and generations yet unborn; and

Whereas, Helping our children to succeed is the highest priority for the Michigan Senate, whether working to make our schools safer and more challenging, fighting to make our streets safe from crime and drugs, keeping those who prey on young people behind bars, or working to conserve our natural resources. We owe it to all Michigan citizens to create a future of opportunity and hope in which our young people can realize their dreams and the dreams of parents for them; and

Whereas, We know that there is no substitute for families who love, nurture and protect Michigan's children, taking an active role in the lives of Michigan's youth. The family is the building block of Michigan society and where children feel safe and loved, where we find children with strong character and self-esteem; and

Whereas, Television, movies and music can be a source of shared family enrichment. Much of popular culture affirms the dignity of the soul and asks important questions about the human experience, with music playing a special role in our lives; and

Whereas, Some of today's music stars have found a lucrative market niche with recordings, stage performances and public personas which celebrate sex, violence, despair and suicide. Much of this recorded music carries parental advisories regarding its content, but concerts featuring such artists are often open to all ages; now, therefore, be it

Resolved by the Senate, That entertainment venues in Michigan should voluntarily prohibit attendance by minors under 18 years of age who are not accompanied by parents or guardians at musical performances of artists whose recordings carry parental advisory labels; and be it further



Resolved, That a copy of this resolution be transmitted to major musical entertainment venues throughout Michigan who feature performances by artists whose recorded music bears parental advisory warnings.

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 further consideration of the resolution be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate returned to consideration of the following concurrent resolution:

**House Concurrent Resolution No. 14.**

A concurrent resolution memorializing the United States Congress to return to the states the revenue collected under the gasoline tax increase of 1993.

(This concurrent resolution was read in earlier today, rule 3.204 suspended and consideration postponed. See p. 515.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

By unanimous consent the Senate returned to consideration of the following resolution:

**Senate Resolution No. 53.**

A resolution to memorialize Michigan music venues to restrict the admission of minors to performances by artists whose recorded music carries parental advisories.

(This resolution was read in earlier today, rule 3.204 suspended and consideration postponed. See p. 516.)

The question being on the adoption of the resolution,

The resolution was adopted.

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

The motion prevailed.

Senator Shugars' statement is as follows:

I rise to explain to my colleagues what has happened with this resolution and why it's needed so quickly.

First of all, I was not even aware of a group called Marilyn Manson until about two or three weeks ago when all of a sudden our office and my home have been inundated with phone calls with concerns about this concert that's performing this evening in Wings Stadium in Kalamazoo. What apparently is going on is (if you haven't heard of Marilyn Manson) Marilyn is from Marilyn Monroe and Manson is from Charles Manson. They have a number of people in the group and they use the first name from movie stars and then the last name from serial killers. Their message is to kill God, kill your parents and then commit suicide.

I handed out to all my colleagues (and I won't read any of it) an article about what Mr. Manson confesses that he's done on the stage, from sexual types of acts to a number of vulgar types of things that promote violence in our society, and I'm very concerned about that. So with that, we put a resolution together that addresses the Michigan music venues—these businesses that actually have these concerts—we would like to encourage them (we are not mandating them) that anyone under 18 years of age be accompanied by their parents because some of their promoters even admit that the message to these teens who are very impressionable can actually go too far and carry it too seriously.

Just some other footnotes. We've received about 10,000 signatures just in the Kalamazoo area that are against this concert. As far as the question about freedom of speech and censorship, this absolutely is not dealing with that. What this is doing is asking music theaters to restrict the attendance of minors under 18, and it's voluntary. As you remember from a policy prospective, we require anyone under 18 to get parental consent on pierced ears, tattoos, using a tanning salon and giving blood. I would suggest that these are important, but the psyche of a young person going to an explicit rock concert is very important also. I think the parental involvement should be a part of both decisions. So, I urge my colleagues to support this.

Senator Berryman's statement is as follows:

I am going to support the resolution, and everything the good Senator from the 21st talked about. Certainly if anyone has sat at their desk and read any of the descriptions of what this particular group does, I think it is objectionable not only for children, but to most adults sitting there and watching those kinds of antics. The only question I have is that the state has to make this motion. I am with many of my colleagues in this Chamber that believe in parental control. The state does not need to interject its stamp of approval of whether kids can see a particular group or not. My wife and I have raised 3 children. They have gone to rock concerts, but they have gone to ones that we've approved of. If my daughter wanted to go to a concert and I knew this was going on, she would not go. There have been other concerts

where she has wanted to attend and her mother and I have said “no.” That’s where the real responsibility lies, with parents taking control and saying what is acceptable and what is not acceptable. That is the voluntary part, having parents voluntarily taking responsibility for their children.

Again, I am going to support this, but how many things are we going to have to put a state approval on of what they can see and can’t see. I think that is what most people around the state are saying—government ought to stay out. We’ve got too much government in our lives, and I agree with that. This is one area that I don’t think the state has to put a G or PG rating on. Parents ought to know what concerts and what events their children are going to and let the parents make those decisions.

By unanimous consent the Senate returned to the order of

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

Senators Koivisto, Miller, Vaughn, Peters, A. Smith, DeBeaussaert, Berryman, North and Schwarz introduced **Senate Bill No. 468, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4h. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Geake, Gast, Gougeon, Schwarz, Hoffman, Cisky, Conroy, Steil, Bullard, Emmons and Shugars introduced **Senate Bill No. 469, entitled**

A bill to amend 1991 PA 190, entitled “An act to provide for the direct deposit of state employee payrolls, state university payments, and state retirement benefit payments into financial institutions; to allow any financial institution to participate in a state employee payroll deduction program; and to prescribe the powers and duties of certain state agencies and officials,” by amending the title and sections 1, 2, 3, 4, and 5 (MCL 487.2101, 487.2102, 487.2103, 487.2104, and 487.2105), section 4 as amended and section 5 as added by 1993 PA 100.

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

Senators Geake, Gast, Gougeon, Schwarz, Hoffman, Cisky, Conroy, Steil, Bullard, Emmons and Shugars introduced **Senate Bill No. 470, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 6 (MCL 408.476).

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

#### **Scheduled Meetings**

Gaming and Casino Oversight Committee - Wednesday, May 7, at 2:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Judiciary Committee - Tuesday, May 6, at 1:00 p.m., Room 100, Farnum Building (3-6920).

School Aid (K-12) and Department of Education Appropriations Subcommittee - Tuesday, May 6, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-7708).

Senator DeGrow moved that the Senate adjourn.  
The motion prevailed, the time being 11:33 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, May 1, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.