

**No. 79**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Thursday, October 23, 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 Assistant Secretary of the Senate, who announced that a quorum was present.

Bennett—present  
Berryman—present  
Bouchard—excused  
Bullard—present  
Byrum—present  
Cherry—excused  
Cisky—excused  
Conroy—present  
DeBeausaert—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—excused  
Peters—present  
Posthumus—present

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

Senator Philip E. Hoffman of the 19th District offered the following invocation:

I ask you to join with me today in praying for a friend of mine who passed away on Monday.

Our Father in Heaven, we come before You today with needy hearts. We pray for the loved ones of Thelma Southworth who went home to be with You on Monday. We ask for Your comfort and grace for her husband, Charlie Southworth, the retired Sheriff of Jackson County. Please bless her children, Jerry, John and James, and their families in this time of loss.

Thank You for her service for You as Matron of the Jackson County Jail and also for her work in the Ladies Auxiliary of the Veterans of Foreign Wars and with the Fraternal Order of Police.

In Proverbs, Chapter 10:7, we read that the memory of the just is blessed. We ask You to bless the memory of Mrs. Southworth today.

Thank You for Your abundant blessings. We look to You for wisdom and courage in the tasks that lay before us today. We pray in Your name. Amen.

### **Motions and Communications**

Senators Posthumus, Conroy and Young entered the Senate Chamber.

Senator V. Smith moved that Senator Stallings be temporarily excused from today's session. The motion prevailed.

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

Senator Dunaskiss entered the Senate Chamber.

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

Senator McManus entered the Senate Chamber.

Senator DeGrow moved that Senators Bouchard and Cisky be excused from today's session. The motion prevailed.

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

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

Senator DeGrow moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

The following communications were received:  
Department of State

### **Administrative Rules Notices of Filing**

October 15, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:35 p.m. this date, administrative rule (97-10-1) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "1, 3 - *Butadiene*," effective 15 days hereafter.

October 15, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:37 p.m. this date, administrative rule (97-10-2) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "*Asbestos Standards for Construction*," effective 15 days hereafter.

October 15, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:39 p.m. this date, administrative rule (97-10-3) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "*Asbestos Standards for General Industry*," effective 15 days hereafter.

October 20, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:15 p.m. this date, administrative rule (97-10-7) for the Department of Corrections, entitled "*General Rules*," effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Helen Kruger, Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 22:

**House Bill Nos. 4893 4928 4929 5071 5220**

### Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:08 a.m.

10:13 a.m.

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

During the recess Senator Dunaskiss introduced to the Senate Wayne State University President-elect Irvin Reid, President David Adamany, Governor Denise Lewis and Governor Diane Dunaskiss.

Senator Dunaskiss also presented the Michigan Senate White Pine Award to Abe Berman, Vice President of Manufacturing for Mastercraft, and Scott Braspeninx, Environmental Engineer for the Mastercraft parent company, Eagle Ottawa Leather Company.

### Messages from the House

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

**Senate Bill No. 178**

**House Bill No. 4642**

**House Bill No. 4643**

The motion prevailed.

**Senate Bill No. 707, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14809 (MCL 324.14809), as added by 1996 PA 132.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

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

The Senate agreed to the full title of the bill.

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

**Third Reading of Bills**

Senator Berryman moved that Senator V. Smith be temporarily excused from the balance of today's session.

The motion prevailed.

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

**House Bill No. 4509**

**Senate Bill No. 613**

**Senate Bill No. 554**

**Senate Bill No. 729**

**Senate Bill No. 730**

**Senate Bill No. 731**

The motion prevailed.

Senator Stallings entered the Senate Chamber.

The following bill was read a third time:

**House Bill No. 4221, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 558, 799a, and 803 (MCL 168.558, 168.799a, and 168.803), section 558 as amended by 1996 PA 583, section 799a as amended by 1992 PA 8, and section 803 as amended by 1985 PA 160.

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. 535****Yeas—32**

|              |           |           |                 |
|--------------|-----------|-----------|-----------------|
| Bennett      | Dunaskiss | McManus   | Shugars         |
| Berryman     | Emmons    | Miller    | Smith, A.       |
| Bullard      | Gast      | North     | Stallings       |
| Byrum        | Geake     | Peters    | Steil           |
| Conroy       | Gougeon   | Posthumus | Stille          |
| DeBeaussaert | Hart      | Rogers    | Van Regenmorter |
| DeGrow       | Hoffman   | Schuetten | Vaughn          |
| Dingell      | Koivisto  | Schwarz   | Young           |

**Nays—0****Excused—5**

|          |       |         |           |
|----------|-------|---------|-----------|
| Bouchard | Cisky | O'Brien | Smith, V. |
| Cherry   |       |         |           |

**Not Voting—0**

In The Chair: President

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

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,”.

The Senate agreed to the full title of the bill.

The following bill was read a third time:

**House Bill No. 4815, entitled**

A bill to amend 1978 PA 90, entitled “Youth employment standards act,” by amending section 3 (MCL 409.103), as amended by 1987 PA 71.

The question being on the passage of the bill,

Senator Koivisto offered the following amendments:

1. Amend page 1, line 9, after “UMPIRE” by inserting “FOR AN AGE BRACKET YOUNGER THAN HIS OR HER OWN AGE”.

2. Amend page 1, line 11, after “OCCURRING” by inserting “AND A PERSON RESPONSIBLE FOR THE ATHLETIC PROGRAM POSSESSES A WRITTEN ACKNOWLEDGMENT OF THE MINOR’S PARENT OR GUARDIAN CONSENTING TO THE MINOR’S EMPLOYMENT AS A REFEREE OR UMPIRE”.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 536****Yeas—27**

|           |          |           |                 |
|-----------|----------|-----------|-----------------|
| Bennett   | Emmons   | McManus   | Shugars         |
| Bullard   | Gast     | Miller    | Stallings       |
| Byrum     | Geake    | North     | Steil           |
| Conroy    | Gougeon  | Posthumus | Stille          |
| DeGrow    | Hart     | Rogers    | Van Regenmorter |
| Dingell   | Hoffman  | Schuetten | Young           |
| Dunaskiss | Koivisto | Schwarz   |                 |

**Nays—5**

|              |        |           |        |
|--------------|--------|-----------|--------|
| Berryman     | Peters | Smith, A. | Vaughn |
| DeBeaussaert |        |           |        |

**Excused—5**

|          |       |         |           |
|----------|-------|---------|-----------|
| Bouchard | Cisky | O’Brien | Smith, V. |
| Cherry   |       |         |           |

**Not Voting—0**

In The Chair: President

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

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts,”.

The Senate agreed to the full title of the bill.

**Protests**

Senators DeBeaussaert, Berryman and A. Smith, under their constitutional right of protest (Art. IV, Sec. 18), protested against the passage of House Bill No. 4815.

Senator DeBeaussaert’s statement is as follows:

I voted against this bill which would allow 11-, 12- and 13-year-olds to become referees for youth sports activities. I know that there are some organizations that will be using this provision in a responsible way, and they will be using those 11-, 12- and 13-year-olds working with adults and working through a mentoring program to teach them the kinds of skills that will allow them to grow as a referee, and allow those kinds of programs to succeed. But there is nothing in the bill that requires that an 11-, 12- and 13-year-old work with an adult, that there be an adult on the premises to be working with them and to intervene in case an 11-, 12- or 13-year-old encounters an angry parent. I think that puts an awful responsibility on those very young people to be making those kinds of decisions and to face the scrutinizing and the watchful eyes of not just the young people who are participating in a contest, but the parents who are there. There are very responsible groups: U.S.A. Hockey and the others that are going to be using this provision as I said, in a responsible way, but the provision is so broad that it includes all youth sports activities. There are no requirements that adults be on the premises or working with an adult. I think, as I said, that it leaves just too much open to the possibility of abuse. It puts young people at risk and so I had to vote “no.”

Senator Berryman’s statement, in which Senator A. Smith concurred, is as follows:

I voted against the passage of the previous bill mainly for many of the same reasons that Senator DeBeaussaert mentioned.

The original intent of the bill and what the good Representative from the U.P. was talking about is hockey. Then what developed with the bill was that a lot of it became just referees and it expanded to softball, baseball, soccer and bridge caddies. I think by using 11-year-olds, we are not letting kids be kids. I mean, we’re talking about 11-year-old kids, and I think to open this up to all of those different sports—many of those here have witnessed some of the soccer games and Little League baseball games how fervently some parents or adults can get involved in these games. It is going to put an awful lot of pressure on some very young children. Again, in many instances this will work very well. But there will be instances where it has an adverse effect on a child and I think that instead of lowering the age to 11, we ought to be encouraging young adults and adults to be responsible and come back and do that referring—not continually lowering the age. But do what we always talk about—where is parental responsibility? Where’s the responsibility of 18-, 19- or 20-year-olds who went through that system where they would come back and volunteer their time. That’s where we ought to be recruiting from—the older teens and the parents—not going down and changing this law to allow 11-year-olds to referee.

Senator V. Smith entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

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

**Senate Resolution No. 104**

The resolution consent calendar was adopted.

Senators DeGrow, Shugars, McManus, Rogers, Cisky, Gougeon, Steil, Bennett and Stille offered the following resolution:

**Senate Resolution No. 104.**

A resolution commemorating the week of October 26 to November 2, 1997, as White Ribbon Against Pornography Week in Michigan.

Whereas, The physical safety and emotional health of the men, women and children of Michigan is a high priority for the Michigan Senate; 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 where children feel safe and loved; there 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. However, the proliferation of pornographic materials, particularly those which portray violence and sexual behavior degrading to women and children, undermines the very fabric of society; and

Whereas, Concerned citizens throughout the Great Lakes State act both individually and as members of civic groups and churches to raise public awareness of the destructive nature of pornographic materials. This effort is highlighted by the annual observance of White Ribbon Against Pornography Week, when citizens display white ribbons on clothing, cars, bicycles and other prominent locations to demonstrate their support of family values. The White Ribbon Campaign, which began in a small Pennsylvania town in 1987, has become a national program to symbolize the fight for decency; now, therefore, be it

Resolved by the Senate, That the week of October 26 to November 2, 1997, be declared White Ribbon Against Pornography Week in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to individuals, businesses, civic organizations and congregations who demonstrate their resolve to improve their communities by participating in this important national campaign.

Senators Conroy, Young, Hoffman, Stallings and Schwarz were named co-sponsors of the resolution.

Senators Dingell, Miller, O'Brien, Schwarz, Vaughn, Hart, Conroy, Gast and Geake offered the following resolution:

**Senate Resolution No. 103.**

A resolution to urge the Michigan Capitol Committee to commission and install in the Senate Chambers gallery window a stained glass likeness of the late Senator William "Bill" Faust as a suitable memorial, and to authorize the Secretary of the Senate to receive donations in furtherance of that end.

Whereas, William Faust served in the Michigan Senate from 1966 until his death in 1994, setting a standard for not just his colleagues then, but also future members of the Michigan Senate. Bill was first elected to the Senate in 1966, and served as Senate Democratic Leader from 1976 until 1985; and

Whereas, Bill greeted every day and every person with a smile, even those whose interests were at odds with those he represented. Strength of will, hard work, courage, and determination were always facets of his character; and

Whereas, Bill dealt with physical challenges every day, with decorum, and was a role model for all who knew him. Although confined to a wheelchair for much of his life, Bill still did what he wanted to. He loved outdoor activities, especially activities as unlikely as icefishing. Truly in Bill's case, his will being strong always made up for his body being weak; and

Whereas, Bill enjoyed simple things and being with people, including a card game every now and again, visits to the Upper Peninsula cottage at Trout Lake, and the occasional baseball trivia debate; and

Whereas, Bill was a charter member of STEWED, a group of fun loving individuals who tested their knowledge of Detroit Tigers lore and history; and

Whereas, Bill was a remarkable leader, not only serving as an example to disabled and challenged people throughout the state, but also as a person of keen mind and intellect who led through quiet example and force of will; and

Whereas, Bill was the foremost advocate and champion for libraries and the availability of library materials to all people in the State of Michigan; and

Whereas, William Faust will be missed by those who were privileged to serve with him and by those who knew him; now, therefore, be it

Resolved by the Senate, That the Michigan Senate directs the Secretary of the Senate to accept contributions from Senator William Faust's friends and admirers for the purpose to install in the Senate Chambers gallery window a stained glass likeness of the late Senator William "Bill" Faust and asks the Michigan Capital Committee to select an artist and approve the installation.

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

Senators Young and Stallings were named co-sponsors of the resolution.

Senators Bennett, Stille, Gast, North, Koivisto, Hoffman, Dunaskiss and Shugars offered the following resolution:

**Senate Resolution No. 105.**

A resolution to urge the Department of Natural Resources and the Department of Environmental Quality to promote a "Take a Minute" program to clean up public lands.

Whereas, The citizens of our state are truly blessed with abundant natural resources. Michigan's forests, rivers, and lakes are treasures of beauty, riches, and wildlife. These resources are also vulnerable to abuse by a small percentage of those using them; and

Whereas, It is incumbent on all citizens who utilize Michigan's lands and waters for hunting and fishing or any other outdoor recreation to maintain this heritage for future generations; and

Whereas, The Department of Natural Resources and the Department of Environmental Quality are responsible for promoting policies to safeguard our recreational and environmental riches. These state agencies currently offer substantial information to the citizens of the state relative to the use and preservation of our scenic wilderness; and

Whereas, The departments should also initiate a "Take a Minute" campaign to urge those citizens who utilize our forests, rivers, and lakes to take at least one minute for every hour spent in recreation to clean up any trash or refuse after they have finished with their activities. This program will help to instill a stronger sense of stewardship for the preservation of our natural resources; now, therefore, be it

Resolved by the Senate, That we urge the Department of Natural Resources and the Department of Environmental Quality to institute a "Take a Minute" program to request those who enjoy the state's forests, rivers, and lakes to take at least one minute per hour of recreation to clean up after they have enjoyed our natural resources in order to preserve our natural beauty for future generations; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Natural Resources and the Department of Environmental Quality.

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

Senators Stallings, Young and Schwarz were named co-sponsors of the resolution.

### Introduction and Referral of Bills

Senator Emmons introduced

**Senate Bill No. 772, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending sections 11, 12a, and 13 (MCL 141.911, 141.912a, and 141.913) section 11 as amended by 1996 PA 468 and section 12a as added and section 13 as amended by 1996 PA 342; 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 Appropriations.

Senators Gast, Steil, Geake, DeGrow and Schwarz introduced

**Senate Bill No. 773, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 241a, 242, 244, 247, 248, 251, 303, 305, 342, 344, 350, 350a, 350d, 350e, 352, 355, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 451, 454, 461, 462, 484, 485, 486, 488, 492, and 493 (MCL 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1241a, 18.1242, 18.1244, 18.1247, 18.1248, 18.1251, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350d, 18.1350e, 18.1352, 18.1355, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1488, 18.1492, and 18.1493), sections 115, 203, 205, 217, 221, 244, 247, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 241a, 350a, 350d, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, 486, and 488 as added by 1986 PA 272; 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 Appropriations.

**House Bill No. 4893, entitled**

A bill to require certain persons that provide automatic teller machine services to disclose information regarding fees and charges.

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

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

**House Bill No. 4928, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8117 (MCL 600.8117).

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

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

**House Bill No. 4929, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 40 (MCL 211.40), as amended by 1995 PA 143.

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

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

**House Bill No. 5071, entitled**

A bill to amend 1968 PA 39, entitled "Michigan food law of 1968," by amending sections 7 and 10 (MCL 289.707 and 289.710), as amended by 1982 PA 43.

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

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

**House Bill No. 5220, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8112 (MCL 600.8112).

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

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

**Recess**

Senator DeGrow moved that the Senate recess subject to the call of the President.

The motion prevailed, the time being 10:37 a.m.

10:42 a.m.

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

**Joint Convention**

The Sergeant at Arms announced that a committee from the House of Representatives who, through their Chairperson, Representative Baird, reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Binsfeld, announced that the hour had arrived for the meeting of the two Houses in Joint Convention.

Senator DeGrow moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 10:43 a.m.

(For proceedings in Joint Convention, see House Journal No. 83, p. 2192.)

The Senate reconvened at the expiration of the recess at 11:44 a.m. and was called to order by the Associate President pro tempore, Senator Vaughn.

The Associate President pro tempore, Senator Vaughn, announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the Judiciary message.

**Committee Reports**

The Committee on Health Policy and Senior Citizens reported

**Senate Bill No. 640, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402b (MCL 550.1402b), as added by 1996 PA 516.

With the recommendation that the bill pass.

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

Dale L. Shugars  
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, October 21, 1997, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz and Byrum

Excused: Senators Bullard and O'Brien

The Committee on Judiciary reported

**Senate Bill No. 163, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6304 (MCL 600.6304), as amended by 1995 PA 249, and by adding section 1484.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

William Van Regenmorter  
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell, Peters and V. Smith

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 502, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2912a (MCL 600.2912a), as amended by 1993 PA 78.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

William Van Regenmorter  
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky and Geake

Nays: Senators Dingell, Peters and V. Smith

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 694, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 92 (MCL 750.92).

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

William Van Regenmorter  
Chairperson

## To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell, Peters and V. Smith

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 4039, entitled**

A bill to create the model law enforcement vehicle pursuit and response policy advisory panel within the law enforcement council; to prescribe its membership, powers, and duties; to prescribe the powers and duties of certain state and local agencies and departments; to provide for the development of law enforcement vehicle pursuit and response policies; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

William Van Regenmorter  
Chairperson

## To Report Out:

Yeas: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell, Peters and V. Smith

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 Judiciary submits the following:

Meeting held on Tuesday, October 21, 1997, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), Rogers, Cisky, Geake, Dingell, Peters and V. Smith

The Committee on Appropriations reported

**Senate Bill No. 34, entitled**

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," (MCL 38.1501 to 38.1555) by adding section 10b.

With the recommendation that the bill pass.

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

Harry Gast  
Chairperson

## To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 35, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g.

With the recommendation that the bill pass.

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

Harry Gast  
Chairperson

## To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 36, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 1996 PA 390.

With the recommendation that the bill pass.

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 37, entitled**

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," (MCL 38.1001 to 38.1080) by adding section 23f.

With the recommendation that the bill pass.

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 38, entitled**

A bill to regulate benefits provided to certain public employee retirement system participants in this state; and to prescribe powers and duties of certain retirement systems, state departments, public officials, and public employees.

With the recommendation that the bill pass.

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 411, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 13a.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, DeGrow, McManus, Schwarz, Steil, Conroy and Koivisto

Nays: Senator Cisky

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Bill No. 742, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, and 63103d.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 49.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Science Facility.

(For text of resolution, see Senate Journal No. 75, p. 1531.)

With the recommendation that the concurrent resolution be adopted.

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 50.**

A concurrent resolution approving an increase in the total project cost and a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Power Plant Project.

(For text of resolution, see Senate Journal No. 75, p. 1532.)

With the recommendation that the concurrent resolution be adopted.

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 51.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Wayne State University relative to the Wayne State University Undergraduate Library.

(For text of resolution, see Senate Journal No. 75, p. 1533.)

With the recommendation that the concurrent resolution be adopted.

Harry Gast  
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Nays: None

The concurrent resolution was placed on the order of Resolutions.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, October 22, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Geake, Cisky, DeGrow, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, Young and Vaughn

Excused: Senator Hoffman

**Scheduled Meetings**

Agriculture and Forestry Committee - Tuesday, November 4, at 1:30 p.m., Room 210, Farnum Building (3-7670).

Capital Outlay Joint Subcommittee - Thursday, October 30, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Judiciary Committee - Wednesday, October 29, at 6:00 p.m., Saginaw Valley State University, Curtiss Hall, Seminar Rooms D and E, 7400 Bay Road, University Center (3-6920).

Natural Resources and Environmental Affairs Committee - Tuesday, October 28, at 3:00 p.m., 8th Floor Conference Room, Farnum Building (3-7350).

Trial Court Assessment Commission - Fridays, November 7 and 21, at 10:00 a.m., 8th Floor Conference Room, Farnum Building (3-7000).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 11:45 a.m.

The Associate President pro tempore, Senator Vaughn, declared the Senate adjourned until Tuesday, October 28, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.