

# JOURNAL OF THE SENATE

---

No. 73

Senate Chamber, Lansing, Thursday, October 9, 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  
Cherry—present  
Cisky—present  
Conroy—present  
DeBeussaert—present  
DeGrow—present  
Dingell—present  
Dunaskiss—present  
Emmons—present

Gast—present  
Geake—present  
Gougeon—present  
Hart—present  
Hoffman—present  
Koivisto—present  
McManus—excused  
Miller—present  
North—present  
O'Brien—present  
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 Joe Conroy of the 29th District offered the following invocation:

Today's prayer is a poem selection by George Washington Carver:

“How far you go in life depends on your being  
Tender with the young,  
Compassionate with the aged,  
Sympathetic with the striving and  
Tolerant with the weak and the strong,  
Because some day in life you will have been all of these.”

### Motions and Communications

Senator DeGrow moved that Senators Dunaskiss, Hoffman and Posthumus be temporarily excused from today's session.

The motion prevailed.

Senator DeGrow moved that Senator McManus be excused from today's session.

The motion prevailed.

The following communication was received:

Department of Environmental Quality

October 7, 1997

Section 324.35311 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), requires the Department of Environmental Quality (DEQ) to appoint a review team to evaluate the accuracy of the Atlas of Critical Dunes and to analyze other portions of Part 353 of the NREPA to determine if the criteria in the statute are appropriate.

Enclosed with this letter please find a copy of the Report of the Sand Dune Review Committee which evaluates designated Critical Dune Areas (CDAs) in Michigan. The report includes a narrative and a set of maps depicting existing and potential new CDAs. This information was prepared under contract by the Center for Remote Sensing at Michigan State University. Also enclosed is a report of a review committee which evaluated standards of Part 353, Sand Dunes Protection and Management, of the NREPA. The review team evaluated whether the slope criteria in Section 35316(1)(a) and (b) are appropriate and supported by the best available technical data and whether stairways and driveways in critical dune areas should be subject to the same criteria as other constructed uses.

The DEQ submits the report to you to meet its obligation under Part 353 of the NREPA. If members of the Michigan Senate of Michigan House of Representatives have questions about these reports or need additional information, please contact Mr. Lawrence N. Witte, Chief, Land and Water Management Division, at 517-373-1170, or you may contact me.

Sincerely,  
Russell J. Harding  
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 8:

**House Bill Nos. 4452 4669**

The Secretary announced the printing and placement in the members' files on Wednesday, October 8 of:

**House Bill Nos. 5228 5229 5230 5231 5232 5233 5234 5235**

The Secretary announced the printing and placement in the members' files on Thursday, October 9 of:

**House Bill Nos. 5250 5251**

Senator V. Smith moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

Senator Dunaskiss entered the Senate Chamber.

**Messages from the House**

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

**Senate Bill No. 178**

The motion prevailed.

**Senate Bill No. 227, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

(This bill was returned from the House without amendment on October 8 and the recommendation for immediate effect postponed. See Senate Journal No. 72, p. 1483.)

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

The recommendation was concurred in, 2/3 of the Senators serving having voted 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.

Senators Posthumus and Young entered the Senate Chamber.

**Senate Bill No. 228, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 904 (MCL 450.4904).

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 500****Yeas—34**

Bennett	DeGrow	Miller	Shugars
Berryman	Dingell	North	Smith, A.
Bouchar	Dunaskiss	O'Brien	Stallings
Bullard	Emmons	Peters	Steil
Byrum	Gast	Posthumus	Stille
Cherry	Geake	Rogers	Van Regenmorter
Cisky	Gougeon	Schuette	Vaughn
Conroy	Hart	Schwarz	Young
DeBeaussaert	Koivisto		

**Nays—0****Excused—2**

Hoffman	McManus
---------	---------

**Not Voting—1**

Smith, V.

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the title as amended.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 277, entitled**

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending section 8 (MCL 830.418), as amended by 1994 PA 252.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect.  
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 bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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

The motion prevailed.

Senator North's statement is as follows:

Seated beside my desk is a young individual who I think personifies what's right with our youth today—and I'm not talking about his political orientation. He's from Alpena, Michigan, a native of there. He has worked on my staff on and off for the past several years. He's returning to the Alpena area. He's a recent graduate of Michigan State University. I found him to be an outstanding public servant and I've enjoyed working with him. I would like Joe Gammons to stand and be recognized by my colleagues and have them join me in appreciation of his service.

Senator Hoffman entered the Senate Chamber.

**Senate Bill No. 414, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 132, 151, 209, 212, 217, 301, 302, 303, 336, 344, 345, 404, 415, 421, 472, 489, 491a, 528, 551, 564a, 564b, 567, 602, 611, 631, 641, 701, 703a, 706, 707, 712, 724, 735, 751, 753, 762, 801, 805, 811, 817, 842a, 855a, 1011, 1041, 1042, and 1062 (MCL 450.1132, 450.1151, 450.1209, 450.1212, 450.1217, 450.1301, 450.1302, 450.1303, 450.1336, 450.1344, 450.1345, 450.1404, 450.1415, 450.1421, 450.1472, 450.1489, 450.1491a, 450.1528, 450.1551, 450.1564a, 450.1564b, 450.1567, 450.1602, 450.1611, 450.1631, 450.1641, 450.1701, 450.1703a, 450.1706, 450.1707, 450.1712, 450.1724, 450.1735, 450.1751, 450.1753, 450.1762, 450.1801, 450.1805, 450.1811, 450.1817, 450.1842a, 450.1855a, 450.2011, 450.2041, 450.2042, and 450.2062), sections 132, 212, 217, 301, 302, 303, 404, 415, 567, 602, 701, 706, 707, 762, 801, 817, and 1041 as amended and sections 336, 489, 491a, 564a, 703a, 724, and 855a as added by 1989 PA 121, sections 209, 344, 345, 472, 528, 551, 564b, 631, 712, 735, 753, 805, 811, 842a, 1042, and 1062 as amended by 1993 PA 91, and section 641 as amended by 1982 PA 407, and by adding sections 406, 488, and 736; and to repeal acts and parts of acts.

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.

**House Bill No. 4642, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

The House of Representatives has substituted (H-1) the Senate substitute (S-8).  
 The House of Representatives has concurred in the Senate substitute (S-8) as substituted (H-1).  
 Pursuant to rule 3.202, the bill was laid over one day.

**House Bill No. 4643, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1996 PA 436.

The House of Representatives has substituted (H-1) the Senate substitute (S-5).  
 The House of Representatives has concurred in the Senate substitute (S-5) as substituted (H-1).  
 Pursuant to rule 3.202, the bill was laid over one day.

**Third Reading of Bills**

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

**House Bill No. 4509**

**House Bill No. 4773**

**Senate Bill No. 633**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 695, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 1996 PA 484.

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. 501**

**Yeas—36**

Bennett	DeGrow	Koivisto	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Stallings
Byrum	Gast	Peters	Steil
Cherry	Geake	Posthumus	Stille
Cisky	Gougeon	Rogers	Van Regenmorter
Conroy	Hart	Schuette	Vaughn
DeBeaussaert	Hoffman	Schwarz	Young

**Nays—0**

**Excused—1**

McManus

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Dunaskiss and Van Regenmorter moved that they be named co-sponsors of the following bill:

**Senate Bill No. 695**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 546, entitled**

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

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. 502**

**Yeas—36**

Bennett	DeGrow	Koivisto	Shugars
Berryman	Dingell	Miller	Smith, A.
Bouchard	Dunaskiss	North	Smith, V.
Bullard	Emmons	O'Brien	Stallings
Byrum	Gast	Peters	Steil
Cherry	Geake	Posthumus	Stille
Cisky	Gougeon	Rogers	Van Regenmorter
Conroy	Hart	Schuette	Vaughn
DeBeaussaert	Hoffman	Schwarz	Young

**Nays—0**

**Excused—1**

McManus

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 139, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17401 and 17432 (MCL 333.17401 and 333.17432), as amended by 1994 PA 384.

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. 503**

**Yeas—29**

Bennett	Emmons	Miller	Shugars
Berryman	Gast	North	Smith, V.
Bullard	Geake	O'Brien	Steil
Byrum	Gougeon	Peters	Stille

Cherry  
Conroy  
DeBeausseaert  
Dingell

Hart  
Hoffman  
Koivisto

Posthumus  
Rogers  
Schuette

Van Regenmorter  
Vaughn  
Young

**Nays—6**

Bouchard  
Cisky

DeGrow  
Dunaskiss

Schwarz

Smith, A.

**Excused—1**

McManus

**Not Voting—1**

Stallings

In The Chair: President

The Senate agreed to the title of the bill.

**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 Berryman as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**Senate Bill No. 549, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

The bill 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. 567, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 744a. Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 4, following line 8, by inserting:

"(6) THE COURT SHALL ORDER EACH PERSON CONVICTED OF A MISDEMEANOR UNDER THIS SECTION OR SECTION 744 TO PAY AN ASSESSMENT OF \$100.00 DIRECTLY TO THE CLERK OF THE MUNICIPALITY OR THE SECRETARY OF THE SCHOOL BOARD FOR THE JURISDICTION IN WHICH THE VIOLATION OCCURRED. THE COURT SHALL ORDER A DEFENDANT TO PAY ONLY 1 ASSESSMENT UNDER THIS SUBSECTION PER CRIMINAL CASE. A CLERK OR SECRETARY WHO RECEIVES AN ASSESSMENT UNDER THIS SUBSECTION SHALL USE THE FUNDS ONLY FOR THE PURPOSE OF ENFORCING THE ELECTION LAWS OF THIS STATE IN THAT JURISDICTION."

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:

**Senate Bill No. 623, entitled**

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

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 26, by striking out all of subparagraph (vi).

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

### Resolutions

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

**Senate Concurrent Resolution No. 48**

The resolution consent calendar was adopted.

Senator Posthumus and Dingell offered the following concurrent resolution:

**Senate Concurrent Resolution No. 48.**

A concurrent resolution honoring the American Council of Young Political Leaders and the delegation from Poland.

Whereas, In 1966, the American Council of Young Political Leaders was created to introduce new generations of political leaders through international exchanges; and

Whereas, From October 15-19, 1997, the delegation from Poland will be in Michigan to participate in a broad range of programs; and

Whereas, The delegates will be meeting with leaders from across the state to learn of the many different aspects of Michigan government and engage in candid exchanges with senior government officials, representatives from all major political parties, industry executives and community leaders on a wide range of political, cultural and economic issues; and

Whereas, We recognize the following individuals for their participation in this program: Lidia Kolucka, Zbigniew Bukowski, Marcin Lenski, Dariusz Gawin, Pawel Poncyliusz, Piotr Kedzierski, Piotr Migdalski, Lukasz Pawlowski and Mateusz Walasek; and

Whereas, We commend all who have contributed to the arrival of the delegation from Poland and we are honored with their visit to the Michigan Legislature; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we honor the American Council of Young Political Leaders and the delegation from Poland; and be it further

Resolved, That copies of this resolution be transmitted to the coordinators of this observance and to the Office of the Governor of Michigan.

Senators Shugars, Stille, Young and Schwarz were named co-sponsors of the concurrent resolution.

### Committee Reports

The Committee on Judiciary reported

**Senate Bill No. 280, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 1996 PA 249.

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

William Van Regenmorter  
Chairperson

To Report Out:

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

Nays: Senator Dingell

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. 281, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional



institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 36 (MCL 791.234 and 791.236), section 34 as amended by 1994 PA 345 and section 36 as amended by 1996 PA 554.

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

William Van Regenmorter  
Chairperson

**To Report Out:**

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

Nays: Senator Dingell

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 7, 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 Natural Resources and Environmental Affairs reported

**Senate Bill No. 554, entitled**

A bill to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies; and to prescribe penalties and provide remedies.

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.

Loren N. Bennett  
Chairperson

**To Report Out:**

Yeas: Senators Bennett, Dunaskiss, Gast and Dingell

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 642, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5502 (MCL 324.5502), as amended by 1995 PA 227.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 2, line 6, after "of" by inserting "such".
2. Amend page 2, line 20, by striking out all of subsection (4).

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

Loren N. Bennett  
Chairperson

**To Report Out:**

Yeas: Senators Bennett, Dunaskiss, Gast, Dingell and DeBeaussaert

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 729, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130,

324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding section 11132a; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Loren N. Bennett  
Chairperson

To Report Out:

Yeas: Senators Bennett, Dunaskiss, Gast and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 730, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114, and 12116 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12106, 324.12107, 324.12109, 324.12114, and 324.12116), sections 12101 and 12102 as amended by 1995 PA 61; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Loren N. Bennett  
Chairperson

To Report Out:

Yeas: Senators Bennett, Dunaskiss, Gast and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 731, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

With the recommendation that the bill pass.

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

Loren N. Bennett  
Chairperson

To Report Out:

Yeas: Senators Bennett, Dunaskiss, Gast and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submits the following:

Meeting held on Tuesday, October 7, 1997, at 3:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bennett (C), Dunaskiss, Gast, Dingell and DeBeaussaert

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 520, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 3 (MCL 397.173)

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.

Leon Stille  
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4025, entitled**

A bill to amend 1846 RS 14, entitled "Of county officers," (MCL 55.107 to 55.117) by adding section 112a.

With the recommendation that the bill pass.

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

Leon Stille  
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett, Hart and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, October 8, 1997, at 1:15 p.m., Room 100, Farnum Building

Present: Senators Stille (C), Dunaskiss, Bennett, Hart and O'Brien

The Committee on Economic Development, International Trade and Regulatory Affairs reported

**Senate Bill No. 698, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1 and 12a (MCL 125.1801 and 125.1812a), section 1 as amended by 1996 PA 271 and section 12a as amended by 1996 PA 453.

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.

Bill Schuette  
Chairman

To Report Out:

Yeas: Senators Schuette, Shugars, Gougeon and Stallings

Nays: None

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

The Committee on Economic Development, International Trade and Regulatory Affairs reported

**Senate Bill No. 699, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 13b (MCL 125.1651 and 125.1663b), as amended by 1996 PA 454.

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.

Bill Schuette  
Chairman

To Report Out:

Yeas: Senators Schuette, Shugars, Gougeon and Stallings

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 Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Wednesday, October 8, 1997, at 1:12 p.m., Room 210, Farnum Building

Present: Senators Schuette (C), Shugars, Gougeon and Stallings

Excused: Senator O'Brien

The Committee on Appropriations reported

**Senate Bill No. 73, entitled**

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending section 4 (MCL 38.1104), as amended by 1990 PA 274.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 2, line 6, after "unit." by inserting "IF THE MEMBER HAS WITHDRAWN THE ACCUMULATED DEPOSITS AND DOES NOT MAKE THE DEPOSIT OF THE AMOUNT INCLUDING INTEREST AS PRESCRIBED IN THIS SUBDIVISION, THE MEMBER IS CONSIDERED TO HAVE NO CREDITED SERVICE IN FORCE UNDER THIS SECTION, SECTION 5, OR SECTION 6."

2. Amend page 2, line 20, after "system," by inserting "ATTAINMENT OF THE MINIMUM AGE FOR AGE AND SERVICE RETIREMENT IF LESS THAN 60 YEARS,".

3. Amend page 3, line 4, after "system" by inserting "OR AGE 60, WHICHEVER IS LESS".

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

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

The Committee on Appropriations reported

**Senate Bill No. 720, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 11a (MCL 141.911a), as added by 1996 PA 342.

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, Hoffman, 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. 741, entitled**

A bill to amend 1993 PA 316, entitled "An act to provide for the collection of certain past due monetary amounts owed to courts of this state; and to prescribe the powers and duties of certain state and local officers and agencies," by repealing section 10 (MCL 12.140). The bill was referred to the Committee of the Whole.

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.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, October 8, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building

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

**Scheduled Meetings**

Capital Outlay Joint Subcommittee - Thursday, October 16, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Financial Services Committee - Wednesday, October 15, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Health Policy and Senior Citizens Committee - Tuesday, October 14, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Judiciary Committee - Tuesday, October 14, at 1:00 p.m., Room 402-403, Capitol Building (3-6920).

Natural Resources and Environmental Affairs Committee - Tuesday, October 14, at 3:00 p.m., Room 210, Farnum Building (3-7350).

Senator DeGrow moved that the Senate adjourn.  
The motion prevailed, the time being 10:52 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, October 14, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

