

No. 77

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, October 21, 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—excused
Bullard—present
Byrum—present
Cherry—excused
Cisky—present
Conroy—present
DeBeussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—excused

Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Koivisto—present
McManus—present
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 Joel D. Gougeon of the 34th District offered the following invocation:

Our Father, as You change the seasons and the weather brings a chill, let us, Your servants, add warmth to our citizens with caring and compassionate legislation. Let our mission be the strengthening of our families, the training and educating of our children, and the caring and healing of the babies to the oldest members of our society. Let us listen to those who cry as well as to those who shout for our attention. Let us not grow weary until our tasks are completed to the best that we have to offer. Help us not to lose the vision that each of us carry for our state and the people we serve. Now let us begin the deliberations of this day. In Your holy name we pray. Amen.

Motions and Communications

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

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

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

The following communication was received:
Department of Consumer and Industry Services

October 15, 1997

As Director of the Department of Consumer and Industry Services, I take great pleasure in forwarding to you the third legislative report as required by statute on the activities and the progress of survey and remonumentation in the State of Michigan.

Public Act 345, 1990 created the Survey and Remonumentation Commission and P.A. 346 provided the funding for the function of survey and remonumentation. Since the original Commission was appointed in June, 1991 a statewide Model County Plan for county remonumentation has been developed, Administrative Rules for Act 345 have been promulgated by the Department and adopted by the Legislature, and \$20 million in grants has been made available to all 83 counties in the State of Michigan.

Details of these activities are included in the enclosed report. If you have any questions regarding the survey and remonumentation program, please feel free to contact me.

Sincerely,
Kathleen M. Wilbur
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, October 16:
House Bill No. 5235

The Secretary announced the enrollment printing and presentation to the Governor on October 20, for his approval the following bills:

Enrolled Senate Bill No. 227 at 3:00 p.m.

Enrolled Senate Bill No. 228 at 3:02 p.m.

The Secretary announced the printing and placement in the members' files on Monday, October 20 of:

Senate Bill Nos. 750 752 753 754 756

**House Bill Nos. 5265 5266 5267 5268 5269 5270 5271 5272 5273 5274 5275 5276 5277 5278
5279 5280 5281 5282 5283 5284 5285 5286 5287 5288**

Messages from the Governor

The following messages from the Governor were received and read:

October 17, 1997

Please be advised of the following appointment and reappointments to office, subject to the advice and consent of the Michigan Senate:

Liquor Control Commission

Mr. Seymour E. Podolsky, 19000 Fairway Drive, Detroit, Michigan 48221, county of Wayne, as a member representing Democrats, succeeding himself, for a term expiring on October 16, 1997.

Ms. Jacquelyn A. Stewart, 29633 Meadowridge South, Farmington Hills, Michigan 48334-4852, county of Oakland, as a member representing Republicans, succeeding herself, for a term expiring on June 12, 2000. Ms. Stewart was also appointed as Chair, succeeding The Honorable Philip Arthurhultz, who has resigned as Chair.

Mr. Walter R. Keck, 4471 Sherman Road, Charlotte, Michigan 48813, county of Eaton, as a member representing Independents, succeeding Ms. Maxine L. Perry of Southfield, whose term has expired, for a term expiring on June 12, 1999.

October 17, 1997

Please be advised of the following appointment and reappointments to office, subject to the advice and consent of the Michigan Senate:

Michigan Travel Commission

Ms. Linda Gobler, 4232 Redbud Trail, Williamston, Michigan 48895-9103, county of Ingham, as a member representing the private sector, succeeding herself, for a term expiring on August 20, 2001.

Ms. Felicia V. Fairchild, P.O. Box 416, 606 Butler Street, Saugatuck, Michigan 49453, county of Allegan, as a member representing the private sector and small business, succeeding herself, for a term expiring on August 20, 2001.

Mr. Herbert F. Teichman, 5631 Clawson Road, Eau Claire, Michigan 49111, county of Berrien, as a member representing the private sector, succeeding Mr. Robert D. Musser III of Mackinac Island, whose term has expired, for a term expiring on August 20, 2001.

Mr. Steven K. Hamp, 1520 Harding Road, Ann Arbor, Michigan 48104, county of Washtenaw, as a member representing the travel industry, succeeding himself, for a term expiring on August 20, 2001.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senator DeGrow moved that the order of Messages from the House be postponed for today.
The motion prevailed.

Senator DeGrow moved that the order of Third Reading of Bills be postponed temporarily.
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 Dingell as Chairperson.

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

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.

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).

Senate Bill No. 755, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding section 15 to chapter IX.

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 a substitute therefor, the following bill:

Senate Bill No. 613, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 222 (MCL 257.217 and 257.222), section 217 as amended by 1996 PA 59 and section 222 as amended by 1993 PA 300.

Substitute (S-1).

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

1. Amend page 5, line 18, after "BEGINNING" by striking out "JANUARY 1, 2001" and inserting "OCTOBER 1, 1999".

2. Amend page 6, line 6, after "IMPLEMENTATION" by striking out "OR MAINTENANCE".

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. 600, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 1996 PA 473.

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. 4646, entitled

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

Substitute (S-1).

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

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

Senate Bill No. 313, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a.

Substitute (S-1).

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

1. Amend page 2, line 6, after "DAYS." by inserting "HOWEVER, IF A SCHOOL DISTRICT INCLUDES GRADE 6 IN ITS ELEMENTARY SCHOOLS SO THAT THOSE SCHOOLS ARE OPERATED AS GRADE K-6 SCHOOLS, WITHIN THAT SCHOOL DISTRICT THE REQUIREMENTS OF THIS SUBSECTION APPLY ONLY TO PUPILS ENROLLED IN GRADE 7 OR ABOVE.".

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 amendments, the following bill:

Senate Bill No. 727, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 831.

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

1. Amend page 2, line 20, after "BIDDING." by inserting "HOWEVER, IF THE DEPARTMENT DETERMINES THAT A CONCESSION REQUIRES A CAPITAL INVESTMENT IN WHICH REASONABLE FINANCING OR AMORTIZATION NECESSITATES A LONGER TERM, THE DEPARTMENT MAY GRANT A CONCESSION FOR UP TO A 15-YEAR TERM. A CONCESSION GRANTED UNDER THIS SUBDIVISION SHALL REQUIRE, UNLESS THE DEPARTMENT AUTHORIZES OTHERWISE, THAT ALL BUILDINGS AND EQUIPMENT SHALL BE REMOVED FROM THE STATE FOREST PROPERTY AT THE END OF THE CONCESSION'S TERM.".

2. Amend page 3, line 23, after "PERMIT." by inserting "HOWEVER, AT LEAST 6 MONTHS BEFORE INCREASING A CAMPING PERMIT FEE, THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE OF ITS INTENT TO DO SO TO THE STANDING COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES THAT HAVE PRIMARY JURISDICTION OVER LEGISLATION PERTAINING TO NATURAL RESOURCES AND THE ENVIRONMENT.".

3. Amend page 4, line 16, by striking out all of section 83109 and inserting:

"SEC. 83109. A PERSON WHO VIOLATES THIS PART OR A RULE PROMULGATED UNDER THIS PART IS RESPONSIBLE FOR A STATE CIVIL INFRACTION AND MAY BE ORDERED TO PAY A CIVIL FINE OF NOT MORE THAN \$500.00.".

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 amendments, the following bill:

Senate Bill No. 728, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 509 (MCL 324.503 and 324.509), section 503 as amended by 1996 PA 133.

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

1. Amend page 3, line 4, after "BIDDING." by inserting "HOWEVER, IF THE DEPARTMENT DETERMINES THAT A CONCESSION REQUIRES A CAPITAL INVESTMENT IN WHICH REASONABLE FINANCING OR AMORTIZATION NECESSITATES A LONGER TERM, THE DEPARTMENT MAY GRANT A CONCESSION FOR UP TO A 15-YEAR TERM. A CONCESSION GRANTED UNDER THIS SUBSECTION SHALL REQUIRE, UNLESS THE DEPARTMENT AUTHORIZES OTHERWISE, THAT ALL BUILDINGS AND EQUIPMENT SHALL BE REMOVED AT THE END OF THE CONCESSION'S TERM."

2. Amend page 6, line 20, after "fees" by inserting "TO COVER THE COSTS TO THE DEPARTMENT".

3. Amend page 6, line 21, after "applications" by inserting "AND FOR MONITORING OF PERMITS".

4. Amend page 6, line 22, after "review." by striking out the balance of the subsection and inserting "THE FOREST LAND USER FUND IS CREATED IN THE STATE TREASURY. MONEY RECEIVED PURSUANT TO THIS SUBSECTION SHALL BE CREDITED TO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM THE FUND INVESTMENTS. MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL BE CARRIED OVER IN THE FUND TO THE NEXT AND SUCCEEDING FISCAL YEAR. MONEY IN THE FUND MAY BE APPROPRIATED TO THE DEPARTMENT TO COVER THE COSTS OF REVIEWING APPLICATIONS AND MONITORING OF PERMITS FOR THE USE OF STATE FORESTS AND STATE FOREST LANDS."

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. 226, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1991 PA 192.

Substitute (S-2).

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. 596, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1996 PA 167.

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, Senator Miller entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

House Bill No. 4509

The motion prevailed.

The following bill was announced:

Senate Bill No. 190, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310. (This bill was read a third time on October 16, amendment not adopted, amendment offered, yeas and nays ordered and consideration postponed. See Senate Journal No. 76, p. 1539.)

The question being on the adoption of the amendment offered by Senator Peters,

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 523**Yeas—18**

Bennett	DeBeaussaert	Miller	Smith, V.
Berryman	Dingell	O'Brien	Stallings
Byrum	Gougeon	Peters	Vaughn
Cisky	Hart	Smith, A.	Young
Conroy	Koivisto		

Nays—16

Bullard	Geake	Posthumus	Shugars
DeGrow	Hoffman	Rogers	Steil
Dunaskiss	McManus	Schuette	Stille
Gast	North	Schwarz	Van Regenmorter

Excused—3

Bouchard	Cherry	Emmons
----------	--------	--------

Not Voting—0

In The Chair: Schwarz

Senator DeBeaussaert offered the following amendment:

1. Amend page 1, line 3, after "FUNCTIONS." by inserting "THE PUBLIC SCHOOLS OF THIS STATE ARE ENCOURAGED TO ESTABLISH A CORE ACADEMIC CURRICULUM THAT MEETS THE CORE CURRICULUM CONTENT STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION.".

The amendment was not adopted, a majority of the members serving not 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. 524**Yeas—28**

Bennett	Dingell	McManus	Shugars
Bullard	Dunaskiss	Miller	Smith, V.
Byrum	Gast	North	Stallings
Cisky	Geake	Peters	Steil
Conroy	Gougeon	Rogers	Stille
DeBeaussaert	Hart	Schuette	Van Regenmorter
DeGrow	Hoffman	Schwarz	Young

Nays—6

Berryman	O'Brien	Smith, A.	Vaughn
Koivisto	Posthumus		

Excused—3

Bouchard	Cherry	Emmons
----------	--------	--------

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senators Berryman and A. Smith, under their constitutional right of protest (Art. IV, Sec. 18), protested against the passage of Senate Bill No. 190.

Senator Berryman moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Berryman’s statement is as follows:

Reluctantly, I rise in opposition in passage of this bill. I think the amendments that could have been adopted would have helped. All the amendment did was encourage the same as what this bill does. I would have to tell the sponsor of this bill that I have even co-sponsored other legislation that would offer uniforms in schools. I support that, I think its a good idea. But this doesn’t do anything; it just encourages. Why go through this whole process to just encourage local school boards to do this. Why not just send them a letter. Why go through the process of going through the Senate, going through the House, possibly having the Governor sign it, and we’re just encouraging. Again, you can encourage your local school districts. I can encourage my school districts by simply sending them a letter. This does no more than that. I think an appropriate response would be (if we were really serious about this, and I would offer this to the sponsor of the legislation) that if you’re really serious about having an impact, then develop a pilot program and have the state fund those pilot programs in districts where they’re having a problem with an individual being mugged because of the jacket they’re wearing or the shoes that they’re wearing, and see if it really makes a difference. I think in those areas it will. There are certain areas in the state where uniforms don’t make any sense. They don’t have a problem. But instead of passing just feel good legislation so someone can say I passed this bill which absolutely does nothing, do something. Develop a piece of legislation which is actually going to put this in the works—actually going to implement it someplace. Develop those pilot programs, ask for applications from school districts that feel they are having a problem with this and fund it and, again, see if it works.

I disagree with my colleagues who stand up when we try to amend these bills and say well it’s a good idea, but go get a bill of your own. I would like to remind this body that on last Tuesday’s calendar there were 30 Senate bills. All 30 Senate bills were Republican bills—30 out of 30. You look at today’s calendar; there are 28 Senate bills—27 Republican Senate bills, one Democratic sponsor—one out of 27. If you look at the House bills that are here, there are six Democratic House bills and five Republican House bills. I would have to say the House is doing a whole lot better job of letting their Representatives represent their districts than the Senate is letting the Democrats have a say in policy in the Senate.

Then you criticize us for trying to amend bills. It’s easy to stand up on the floor and say go get a bill of your own. Well if we went to get a bill of our own, you know where the bill would go? It would go to committee, and you might as well send it a get well card because that’s where it’s going to die.

It always amazes me when the truth really does get to the heart of things. I do remember a colleague of mine standing up on the floor and telling our side it’s a good idea—go get a bill. I don’t know what that had to do with the amendment that he was talking about. He strayed from the amendment and said go get your own bill, so I was just trying to respond to that comment from a member of the other side of the aisle. I still will talk to the bill and the substance of the bill.

The bill does absolutely nothing. There is no substance to the bill and that’s why I strayed, because there is no substance to this bill. It does absolutely nothing.

Senator A. Smith’s statement is as follows:

I voted “no” on the bill because what we have before us on Senate Bill No. 190 is essentially a tinkling symbol. We didn’t mandate school uniforms because if we had mandated them, we would have had to pay. It’s the same reason why major urban cities’ school boards do not mandate school uniforms—because they would have to pay for them. That’s an extreme cost for school districts with populations of 5,000 and 10,000, and in the case of Detroit, more students.

Had we chosen to mandate, then we might have a bill that had something worth talking about in it. But what we allow school boards to do is what they can already do—that’s to say “Well, you can wear blue pants and a white shirt and a black and blue jacket to school and that will constitute your uniform.” However, that allows the children within that color range to pick whether they are going to wear Black Knight tennis shoes or a Reebok jacket or something else that is going to be very attractive for the same kind of pick-off and mugging artists whom we’re concerned about.

We have done virtually nothing with Senate Bill No. 190. We've given school boards no additional power. We've given school boards no additional guidance. One reason why many school boards don't opt for uniforms is because at some point in time children have to be responsible for their decisions. What they wear to school is one of those decisions that they are free to make, and whether what they wear is appropriate is something that they do with school guidance.

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

The bill that's before us encourages uniforms in the schools in the hopes that it will bring about order and discipline in the classroom. My amendment attempts order and discipline in the academic sense by urging every school board in the state to adopt the model core curriculum developed by the State Board of Education.

Through a series of bills that this legislature is considering, we're making the statement that when it comes to the questions of safety and non-violence, that there should not be a matter of local option and the state will step in to take action. It seems to me that we should take equal consideration or place equal importance on the question of quality of education that the students of this state will be provided. When it comes to quality education, neither should that be a question of local option. I regret the fact that in recent years over our objections, the requirement that a mandatory core curriculum be followed by every school in this state was taken out of the state student code. I believe that was a mistake.

But, today we have an opportunity to at least urge every local school district in the state to adopt that model core curriculum. That curriculum would be designed locally to be consistent with the standards established at the state level, so that regardless of what school you attended in this state, you would be provided that basic opportunity to learn what you need to know in the areas of education—in math, science, English and history and the rest; the things that we believe are necessary so that children are prepared to move forward and get the kind of jobs and the challenging future they face.

The bill before us talks about the kinds of clothes that a student wears in the classroom. It seems to me that we should be equally concerned with what a child learns in the classroom that the kinds of clothes they wear in that classroom. This amendment simply urges every school in the state to adopt those high standards that the state Board of Education has put forward. It was mentioned earlier that the bill before us embodies a proposal put forward by the President of the United States and the sponsor of the bill embraces that notion as it comes to the question of school uniforms in the states. Well, the President also places high emphasis on the need to establish high standards of educational quality across this country and this state, and that is what this amendment hopes to do.

I hope that in the same bipartisan support, he embraces the President's notion when it comes to the uniforms that students would wear, that they will embrace and endorse the high standards that have been developed by the State Board of Education.

Senator Byrum's statement is as follows:

I rise because I am going to be supporting the legislation. I am not opposed to having school districts decide for themselves if they want to institute a uniform policy or a dress code. The point I was trying to make was that this bill really has very minimal impact in what's going on in Michigan schools today. Where in fact, school districts school boards have the authority today without us ever having voted on this legislation, to implement dress codes or uniform policies. This bill is not going to change that fact. It probably will go totally unnoticed by the school districts and the school boards that are trying to deal with the day-to-day policies in providing a quality education to the students whom they are representing in that elected capacity. I did believe that the amendments that the democratic side of the aisle put forth encouraging professional development; because it's one to have technology in schools—it's another thing to have a workforce that is trained to be able to implement that very changing technology as rapidly as it is being introduced into the school system; as well as the core academic curriculum in math, science, reading and social studies. Those are areas that are going to have a far greater impact on the quality of the students education, than whether or not they are all dressed in white shirts and blue pants.

However, that didn't come to be, so we have a stripped down version that encourages school districts to implement a dress code or a school uniform policy—fine, so be it. What I am going to do in my district so that it really does get their attention, is communicate to my school boards. I'm going to let them know what went on today and the direction that the Senate is moving on this issue. And I think my direct communication to the school districts I represent here in Ingham County will have far more impact than Senate Bill No. 190, that will probably never see their attention and never cross their desks.

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

Senate Bill No. 190

The motion prevailed.

Resolutions

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

Senate Resolution No. 71

The motion prevailed.

Senate Resolution No. 96.

A resolution to urge the Natural Resources Commission to permit deer hunting with a firearm from a tree stand.

(For text of amendments see Senate Journal No. 76, p. 1572.)

The question being on the adoption of the amendments recommended by the Committee on Natural Resources and Environmental Affairs,

The amendments were adopted.

The resolution, as amended, was adopted.

Senator Conroy was named co-sponsor of the resolution.

Senators Rogers, Steil, Gougeon, Shugars, Bennett, Bullard, Gast, Geake, North, Schwarz, Schuette, McManus, Emmons and Hart offered the following resolution:

Senate Resolution No. 102.

A resolution to memorialize the Congress of the United States to reaffirm our commitment to veterans by refraining from cuts to the Veterans Affairs health programs.

Whereas, Among the most important tasks undertaken by our government are the programs serving wounded veterans with much-needed health benefits. The Department of Veteran Affairs provides a wide range of help to those who have suffered grave personal injuries on behalf of our nation and its ideals. From hospitals to research facilities and specialized services, VA health care services constitute the fulfillment of a promise to fellow Americans who continue to suffer on behalf of our country; and

Whereas, As great numbers of veterans, especially from World War II, Korea, and Vietnam, require more health care, there will be even more need for VA health services. In addition, VA hospitals and researchers undertake work on spinal cord injuries and paralysis that benefit the entire country; and

Whereas, In spite of the significant needs among veterans and in spite of the impact of VA programs, there are proposals to reduce VA health care appropriations. As proposed, the reductions would seriously harm efforts that have proven their worth in fulfilling the obligation our citizens have to helping veterans who certainly lived up to their obligations in serving and suffering for us all; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to reaffirm our commitment to veterans by refraining from cuts to the Veterans Affairs health programs; and be it further

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

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

Senators Berryman, Young, Stille and Conroy were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Rogers, Bennett, Gougeon, Bullard, Cisky, Gast, Geake and Shugars introduced

Senate Bill No. 762, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 202a.

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

Senators Byrum, Hart, Young, Koivisto, Dingell and Cherry introduced

Senate Bill No. 763, entitled

A bill to amend 1974 PA 369, entitled "An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties," by amending sections 2, 4, and 5 (MCL 256.602, 256.604, and 256.605), as amended by 1992 PA 169, and by adding sections 5a and 5b.

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

Senators Peters, DeBeaussiaert, A. Smith, Byrum, Young, Conroy, Hart and Stallings introduced

Senate Bill No. 764, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Peters, DeBeaussiaert, A. Smith, Byrum, Young, Conroy, Hart and Stallings introduced

Senate Bill No. 765, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Dingell and DeBeaussiaert introduced

Senate Bill No. 766, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and 125.1528), section 2 as amended by 1980 PA 371, section 8 as amended by 1994 PA 128, and section 28 as amended by 1996 PA 48, and by adding section 8a; 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 Human Resources, Labor and Veterans Affairs.

House Bill No. 5235, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1282 (MCL 380.1282), as amended by 1993 PA 335.

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 Education.

Statements

Senators Shugars and Stallings 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 in letting my colleagues know that a week ago last Monday, a week ago yesterday, the pharmacy Upjohn announced that they were going to move 650 jobs from Kalamazoo to somewhere in New Jersey, Pennsylvania or New York. This is going to be more than 650 jobs because this is the North American sales and marketing that they're proposing to move—the leadership of those divisions to an east coast location. If you know the inner relationship of the company, the people from the development side of R & D—the medical doctors for medical affairs, the regulatory individuals—they work very closely with the sales and marketing group, and so those jobs down the road will be in danger of leaving also.

We obviously spoke about this in our caucus last week. I appreciate the support of my fellow caucus members in doing whatever they can do to help. I applaud the Governor coming in and meeting with the caucus to talk about the pharmacy Upjohn and what the Governor and the head of the Job Commission can do for saving these jobs, and maybe even relocating the world headquarters that currently is in London, back to Kalamazoo, Michigan. I applaud the Governor and Doug Rothwell in all their efforts and anything that we can do legislatively to help this effort, I hope everyone will help out.

This afternoon at 3:30 the local governments from the Kalamazoo area and the leaders from that area are meeting with Doug Rothwell to put their package together. I applaud the local government officials and leaders for putting together a very aggressive package of financial incentives and other things to sell and convince that Kalamazoo, Michigan, is the best place to have the headquarters for the Pharmacy Upjohn and go into the next century. If there's anything that anyone of you can do to help us out, we'd truly appreciate it because this has been a true asset, not just for Kalamazoo, but for the state of Michigan. With that, I encourage the Governor and Doug Rothwell to do whatever they can to convince them to stay in Kalamazoo and relocate their headquarters to Kalamazoo, Michigan.

Senator Stallings' statement is as follows:

I rise to support Senate Bill No. 766 drafted by Senator Chris Dingell which, if passed, will require the structural inspection of Michigan schools. I'm asking for your support, all of my colleagues, in getting this bill passed.

This bill will require that all school buildings be constructed to meet the requirement of state construction codes. The proposed legislation also gives the authority and responsibility for overseeing school construction to the State Department, Bureau of Construction Codes.

Unfortunately and surprisingly, the current method of regulating school construction does not guarantee that the buildings are constructed to meet current minimum construction standards which provide assurance that the buildings are safe for the intended use and will endure for a number of years without the costs of repair and replacement. Currently, there are no requirements for compliance of structural buildings or mechanical heating, ventilating, air conditioning and standards and this must be quickly corrected as soon as possible.

Senator Dingell's bill will cure a recent problem involving a school in his district and in a number of schools in my district, as it relates to the current state laws regulating school construction and the need for those laws to be overhauled. In the particular case in Woodhaven at Patrick Henry Middle School, it was closed due to extensive structural damage and the students were transferred to another local high school. Across this state there has been a number of schools where the roofs are leaking and collapsing. We want to make sure that all of our students who are attending Michigan schools and their parents can feel rest assured that they're in a safe and harmonious environment. I would urge our colleagues to seek swift passage of Senate Bill No. 766.

Committee Reports

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

Senate Bill No. 10, entitled

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

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.

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 15, 1997, at 1:55 p.m., Room 210, Farnum Building

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

Excused: Senator O'Brien

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 669, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 7 (MCL 28.725 and 28.727), section 7 as amended by 1996 PA 494.

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.

Joel D. Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Bouchard, Geake and Peters

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 Families, Mental Health and Human Services submits the following:

Meeting held on Thursday, October 16, 1997, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Gougeon (C), Bouchard, Geake and Peters

Excused: Senator V. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Wednesday, October 8, 1997, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Geake (C), Steil and Conroy

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:
Meeting held on Friday, October 10, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building
Present: Senator Dingell
Excused: Senator Van Regenmorter

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:
Meeting held on Tuesday, October 14, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building
Present: Senators McManus (C), Gast, Hoffman, Koivisto and A. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:
Meeting held on Thursday, October 16, 1997, at 8:45 a.m., Senate Appropriations Room, Capitol Building
Present: Senators Gast (C), DeGrow, Geake, Schwarz, McManus, Conroy, Koivisto and Young

COMMITTEE ATTENDANCE REPORT

The Michigan Sentencing Commission submits the following:
Meeting held on Thursday, October 16, 1997, at 3:00 p.m., Big Ten C Room, Kellogg Center, 55 South Harrison Road, East Lansing, Michigan
Present: Senators Geake, Van Regenmorter, Dingell and Peters

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:
Meeting held on Friday, October 17, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building
Present: Senators Van Regenmorter and Dingell

Scheduled Meetings

Family Independence Agency Appropriations Subcommittee - Wednesday, October 22, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1707).

Local, Urban and State Affairs Committee - Wednesday, October 22, at 1:00 p.m., Room 100, Farnum Building (3-1635).

Trial Court Assessment Commission - Friday, October 31, at 9:00 a.m., 8th Floor Conference Room, Farnum Building (3-7000).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 12:14 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, October 22, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.