

No. 89

# JOURNAL OF THE SENATE

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Senate Chamber, Lansing, Wednesday, December 3, 1997.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator John J.H. Schwarz.

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—excused  
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

Dr. Rex Rogers of Cornerstone College in Grand Rapids offered the following invocation:

Father in Heaven, we thank You today that we can come before You in prayer. You are a good and gracious God worthy of our praise. Father, we acknowledge that every good and perfect gift comes from You. We thank You for the blessings that You have clearly poured out upon the state of Michigan. Father, we also acknowledge that there are people hurting in this state. We pray that You give us wisdom and give us compassion in terms of addressing their needs. We pray these things now in Christ's name. Amen.

### Motions and Communications

Senator Emmons entered the Senate Chamber.

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

The following communications were received:  
Michigan Department of State

#### Administrative Rules Notices of Filing

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 1:12 p.m. this date, administrative rule (97-10-4) for the Family Independence Agency, entitled "*Intercounty Disputes*," effective 15 days hereafter.

November 17, 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 (97-11-1) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Occupational Boards*," 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 following communication was received:  
Michigan Jobs Commission

November 7, 1997

Enclosed pursuant to Section 10 of Public Act 24 of 1995 is the Annual Report of the Michigan Economic Growth Authority for calendar year 1996.

Sincerely,  
Jim Paquet  
Secretary to the MEGA

The communication was referred to the Secretary for record.

The following communication was received:  
Office of the Auditor General

November 12, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Automated Information Systems, Department of Agriculture, November 1997.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communication was referred to the Secretary for record.

The following communication was received:  
Office of the Senate Majority Leader

November 12, 1997

Pursuant to Public Act 268 of 1986, I hereby appoint Senator Bill Bullard, replacing Senator David Honigman, as a member of the Michigan Commission on Uniform State Laws.

Please make this communication part of the official Senate record.

Sincerely,  
Dick Posthumus  
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received:  
Joint Committee on Administrative Rules

#### Certificates of Approval

Date: November 13, 1997

Subject: Trans. No. 97-54

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Community Health Department, Health Legislation and Policy Development, pertaining to childhood Immunization Registry, dated June 24, 1997.

Date: November 13, 1997

Subject: Trans. No. 97-55

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Consumer and Industry Services Department, Office of Commercial Services, pertaining to Occupational Boards—Disciplinary Proceedings, dated May 16, 1997.

Date: November 13, 1997

Subject: Trans. No. 97-56

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the State Police Department, Alcohol Enforcement Unit, pertaining to Drunk Driving Prevention Equipment and Training Fund, dated September 18, 1997.

Date: November 13, 1997

Subject: Trans. No. 97-57

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Consumer and Industry Services Department, Bureau of Workers' Disability Compensation, pertaining to General Rules, dated June 19, 1997.

Date: November 13, 1997

Subject: Trans. No. 97-59

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules rescission from the Consumer and Industry Services Department, Director's Office, pertaining to Pharmacy, dated August 15, 1997.

Sincerely,  
Representative Candace A. Curtis  
Chair

November 13, 1997

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-60, submitted by the Department of Environmental Quality, Land Management Division, pertaining to Wetland Mitigation Banking, to January 22, 1998.

November 13, 1997

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-61, submitted by the Department of State Police, Forensic Science Division, pertaining to DNA Profiling System, to February 5, 1998.

Sincerely,  
Representative Candace A. Curtis  
Chair

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 Tuesday, December 2:  
**House Bill Nos. 4580 4741 5043**

The Secretary announced the printing and placement in the members' files on Tuesday, December 2 of:  
**Senate Bill Nos. 825 826 827 828**

The Secretary announced the printing and placement in the members' files on Wednesday, December 3 of:  
**House Bill No. 5391**

Senator Gougeon entered the Senate Chamber.

Senator Geake moved that Senators Cisky, DeGrow, Posthumus, Stille and Van Regenmorter be temporarily excused from today's session.

The motion prevailed.

Senator Geake moved that Senator Hoffman be excused from today's session.

The motion prevailed.

### Messages from the Governor

The following messages from the Governor were received:

Date: November 19, 1997  
Time: 10:35 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 178 (Public Act No. 142), being**

An act to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal certain acts and parts of acts," by amending the title and sections 6, 8, 11, 17b, 20, 24, 26a, 31a, 36, 39, 41, 51a, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 99, 101, 107, and 147 (MCL 388.1606, 388.1608, 388.1611, 388.1617b, 388.1620, 388.1624, 388.1626a, 388.1631a, 388.1636, 388.1639, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1699, 388.1701, 388.1707, and 388.1747), the title as amended by 1991 PA 118, sections 6, 11, 17b, 20, 24, 36, 39, 41, 51a, 53a, 54, 56, 57, 61a, 62, 74, 81, 94, 99, 101, 107, and 147 as amended and sections 26a, 67, and 68 as added by 1997 PA 93, section 8 as amended by 1993 PA 175, and section 31a as amended by 1997 PA 24, and by adding sections 8a, 10, 11e, 11f, 11g, 11h, 11i, 31c, and 36a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on November 19, 1997, at 3:49 p.m.)

Date: November 19, 1997  
Time: 10:37 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 719 (Public Act No. 143), being**

An act to amend 1980 PA 300, entitled "An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the

department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 4, 8, 22, 25, 26, 34, 36, 41, and 91 (MCL 38.1304, 38.1308, 38.1322, 38.1325, 38.1326, 38.1334, 38.1336, 38.1341, and 38.1391), sections 4, 8, 22, 25, 26, 34, and 91 as amended by 1996 PA 488, section 36 as added by 1989 PA 194, and section 41 as amended by 1996 PA 278; and to repeal acts and parts of acts.

(Filed with the Secretary of State on November 19, 1997, at 3:51 p.m.)

Date: December 1, 1997

Time: 3:50 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 578 (Public Act No. 148), being**

An act to amend 1943 PA 240, entitled "An act to provide for a state employees' retirement system; to create a state employees' retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; and to prescribe penalties and provide remedies," (MCL 38.1 to 38.69) by adding section 43; and to repeal acts and parts of acts.

(Filed with the Secretary of State on December 2, 1997, at 9:45 a.m.)

Date: December 1, 1997

Time: 4:00 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 742 (Public Act No. 149), being**

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, 63103d, and 63103e.

(Filed with the Secretary of State on December 2, 1997, at 9:47 a.m.)

Date: December 1, 1997

Time: 4:15 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 495 (Public Act No. 150), being**

An act to amend 1986 PA 89, entitled "An act to promote economic development by providing for the licensing and regulation of business and industrial development corporations; to provide penalties; and to repeal certain acts and parts of acts," by amending sections 102, 104, 105, 106, 211, 217, 301, 303, 305, 311, 315, 317, 401, 403, 405, 407, 503, 505, 507, 509, 511, 601, 603, 709, 711, 713, 801, 807, 813, and 905 (MCL 487.1102, 487.1104, 487.1105, 487.1106, 487.1211, 487.1217, 487.1301, 487.1303, 487.1305, 487.1311, 487.1315, 487.1317, 487.1401, 487.1403, 487.1405, 487.1407, 487.1503, 487.1505, 487.1507, 487.1509, 487.1511, 487.1601, 487.1603, 487.1709, 487.1711, 487.1713, 487.1801, 487.1807, 487.1813, and 487.1905).

(Filed with the Secretary of State on December 2, 1997, at 9:49 a.m.)

Date: December 1, 1997

Time: 4:48 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

**Enrolled Senate Bill No. 139 (Public Act No. 151), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases

and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 17401 and 17432 (MCL 333.17401 and 333.17432), as amended by 1994 PA 384.

(Filed with the Secretary of State on December 2, 1997, at 9:51 a.m.)

Respectfully,  
John Engler  
Governor

November 19, 1997

Today I have signed Enrolled Senate Bill 178, which contains supplemental appropriations for fiscal year 1998 and appropriations for fiscal year 1999. State resources of over \$9.3 billion in fiscal year 1998 and over \$9.5 billion in fiscal year 1999 have been committed to educating Michigan's children. These commitments exceed the general fund dollars used to support all other state government functions in each of these fiscal years.

I want to commend the Legislature for its timely and comprehensive bipartisan resolution of several complex school aid funding issues, including those related to the Durant court decision.

Plaintiff districts in the Durant court case will receive \$212 million in fiscal year 1998 for court-ordered monetary damages. Non-plaintiff districts, upon signing a waiver related to claims similar to those of the plaintiff districts, will have approximately \$632 million available to them over the next several years, beginning in fiscal year 1999, for infrastructure needs and technology, new textbooks and electronic instructional materials, as well as an opportunity to reduce debt obligations.

I also commend the Legislature for fully funding prospective special education obligations. An additional \$66.7 million has been added for fiscal year 1998 and another \$48.2 million has been added for fiscal year 1999. In addition, funding in the at-risk categorical will fully fund the state's school lunch obligations.

At-risk funding has been restored in fiscal year 1998 to \$250 million and increased to \$260 million in fiscal year 1999. Checks will be issued to eligible districts in November for both the October and November payments.

Foundation allowances remain at the same level as previously appropriated for fiscal year 1998—a 2.9% increase over fiscal year 1997. In addition, due to permanent changes in retirement contribution rates, local districts and intermediate districts will realize full-year savings of 3.54% of their salaries and wages. In fiscal year 1999, foundation allowances will continue at the fiscal year 1998 levels, except that districts with foundation allowances below \$5,170 in fiscal year 1998 will be brought up to \$5,170 per pupil in fiscal year 1999. Districts and intermediate districts will continue to realize permanent retirement savings in fiscal year 1999.

Class size reduction pilot programs will be given planning grants of \$100,000 in fiscal year 1998 and begin implementation in fiscal year 1999. Funding for a study of the benefits of these programs is also included, for a total commitment to these programs of \$20 million in fiscal year 1999.

Enrolled Senate Bill 178 and its companion bills represent a win for Michigan's children and Michigan's future. I thank the Legislature for its work on this bill.

November 19, 1997

Today I have signed Enrolled Senate Bill 719, which amends the Public School Employees' Retirement Act.

The bill is part of the Durant Resolution Package and is tie-barred to Enrolled Senate Bill 178 and Enrolled House Bill 5083. The bill provides for a one-day valuation of the retirement system assets as of September 30, 1997, and maintains the assumed rate of future return on retirement assets at the current rate of 8.0 percent. The bill further requires the state's actuary to base salary assumptions on a 4.0 percent annual increase with additional adjustments for merit, years of service and other pay changes, as opposed to the current assumption of a base of 5.0 percent with the same adjustments. In addition, the bill creates a stabilization subaccount to protect against future year fluctuations in the market. Finally, the bill repeals the optional defined contribution plan and eliminates graded health insurance premiums for public school employees.

These changes in the Public School Employees' Retirement System (PSERS) will eliminate the unfunded accrued liability and will result in a reduction in the level of employer contributions beginning in fiscal year 1997-98. The contribution rates will decrease by 3.54 percent, creating annual operating savings for the local school districts and intermediate districts of \$259 million. As a result, all community colleges and seven of the public universities that participate in PSERS will experience a reduction in retirement contributions. The 28 community colleges and seven universities will save \$15.4 million and \$6.2 million respectively beginning in fiscal year 1997-98. I will work with the Legislature in the months ahead to complete work on changing the payment schedules for these institutions to ensure that the disbursement of state funds are effectively synchronized with actual collections.

By signing this bill, I am completing action on the Durant Resolution Package. I wish to thank legislative leadership for their assistance in resolving this complex funding issue.

Sincerely,  
John Engler  
Governor

The following message from the Governor was received on November 17, 1997, and read:

EXECUTIVE ORDER  
No. 1997 - 18

**Michigan Employment Security Agency  
Michigan Jobs Commission  
Michigan Department of Consumer and Industry Services**

**Executive Reorganization**

Whereas, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Whereas, Executive Order 1995-8 transferred all of the statutory authority, powers, duties, functions and responsibilities of the Michigan Employment Security Commission to the Michigan Jobs Commission as an autonomous entity known as the Michigan Employment Security Agency; and

Whereas, Executive Order 1997-12 transferred all of the statutory authority, powers, duties, functions and responsibilities of the Michigan Employment Security Agency for unemployment insurance programs from the Michigan Jobs Commission/Michigan Employment Security Agency to a new entity known as the Unemployment Agency within the Department of Consumer and Industry Services (the "Unemployment Agency"); and

Whereas, Executive Order 1997-12 further required the Departments of the Michigan Jobs Commission and Consumer and Industry Services to develop an agreement to identify the positions to be transferred to Consumer and Industry Services; and

Whereas, the State of Michigan should do everything possible to ensure that employment services are provided to Michigan citizens in a seamless system; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

**A. Definitions**

In this Order, the following definitions shall apply except where the context clearly requires a different definition.

1. "Workforce Development Board" means a local workforce development board established pursuant to the federal Job Training Partnership Act, 29 USC 1501 et seq., Public Law 97-300, 96 Stat. 1322, and the federal School-to-Work Opportunities Act of 1994, 20 USC 6101 et seq., Public Law 103-239, 108 Stat. 568, or the equivalent entity, and also referenced in Sections 406(6) and 407(2) of Act No. 104 of the Michigan Public Acts of 1997 and Section 67 of Act No. 93 of the Michigan Public Acts of 1997.

2. "Unemployment Insurance Program" means the State of Michigan component of the nationwide system of unemployment insurance offices, funded through the United States Unemployment Insurance Service, U.S. Department of Labor, and operated by the Michigan Employment Security Agency, as defined by the Michigan Employment Security Act, Act No. 1 of the Public Acts of 1936 (Ex. Sess.), being Section 421.1 et seq. of the Michigan Compiled Laws, as modified by successor executive orders, including Executive Order 1997-12, the Federal Unemployment Tax Act, 26 USC 3301 et seq., Public Law 76-1, 53 Stat. 183, February 10, 1939, as amended, and the federal Social Security Act, 42 USC 501-504, 1101-1109, Public Law 74-271, 49 Stat. 620, August 14, 1935, as amended.

3. "Administrative Functions" means all administrative functions, including but not limited to personnel, budget, finance, office facilities, contract administration, information technology services, and communications, as well as any other positions identified as administrative by the directors of the Departments of Consumer and Industry Services and the Michigan Jobs Commission in the agreement reached pursuant to paragraph B.4. of Executive Order 1997-12.

**B. Consumer and Industry Services**

1. Pursuant to the agreement required between the Michigan Jobs Commission and the Department of Consumer and Industry Services by Executive Order 1997-12, the following functions are transferred to the Unemployment Agency:

- a. All functions and positions associated with the following funding sources:
  - Unemployment Insurance (Normal Base, UI Integrity, Year 2000 and Contingency)
  - NAFTA Trade Benefits
  - Work Opportunity Tax Credit
  - Trade Readjustment Act Allowance Payments to Claimants
  - Income Eligibility Verification System
  - Penalty and Interest; and
- b. Unemployment Insurance Program Administrative Functions.

2. The Director of Consumer and Industry Services shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

3. The Director of Consumer and Industry Services shall provide executive direction and supervision for the implementation of the transfer.

**C. Michigan Jobs Commission**

1. All of the functions and positions not transferred in paragraph B.1. of this Order will remain with the Michigan Employment Security Agency. The Michigan Employment Security Agency is renamed the "Employment Service Agency" and remains a Type I agency within the Michigan Jobs Commission. The programs, functions and positions to remain with the Employment Service Agency include those associated with the following funding sources:

- a. Employment Service
- b. Veterans (DVOP and LVER)
- c. Bureau of Labor Statistics (CES, LAUS, OES, ES-202, MLS, CES AAMC, ES-202 AAMC, and MLS AAMC)
- d. ALC-OES
- e. Alien Labor Certification
- f. Trade TAA Program
- g. NAFTA Trade Training
- h. Occupational Analysis Field Center
- i. Labor Market Information
- j. One Stop State Admin. and OES
- k. ALMIS
- l. North Assessment Test Development
- m. Workforce Development Board Contracts
- n. Private funds related to Employment Service or Labor Market Information

2. Employment Service Agency state employees shall deliver services to special populations including persons with disabilities, veterans and migrant and seasonal farm workers.

3. Employment Service Agency state employees shall provide labor market information services and employment service policy, administration, oversight, management of Governor's discretionary funded activities and other related functions.

4. The Employment Service Agency, in accordance with Civil Service and Department of Management and Budget rules and regulations, shall provide employment services, with the exception of the employment service portions of paragraphs C.2. and C.3. of this Order, via Workforce Development Boards in the same manner the state's other workforce development programs are provided, including federal Job Training Partnership Act programs, federal School-to-Work, federal One-Stop and Work First.

5. The Director of the Michigan Jobs Commission shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

6. The Director of the Michigan Jobs Commission shall provide executive direction and supervision for the implementation of the transfer.

**D. Coordination**

1. The Employment Service Agency and the Unemployment Agency shall work cooperatively with the Workforce Development Boards to ensure that the maximum available services are provided to Michigan citizens at locations known as "One-Stop" or "No Wrong Door" centers.

2. The Employment Service Agency will work with the local Workforce Development Boards to maximize coordination of state and local resources for delivery of employment services in the same manner as is currently done with other workforce development programs.



3. Local Unemployment Agency offices shall co-locate wherever possible with Workforce Development Board local service providers to provide seamless service delivery.

4. In order to ensure proper coordination among all entities involved, the Unemployment Agency shall require Unemployment Insurance Program claimants to personally register for employment services through Workforce Development Boards using the Michigan component of America's Talent Bank.

5. The Employment Service Agency, the Unemployment Agency and Workforce Development Boards shall continue to meet all of the confidentiality responsibilities required by law.

**E. Miscellaneous**

1. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

2. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 17th day of November, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

Senators Van Regenmorter and Miller entered the Senate Chamber.

The following messages from the Governor were received and read:

November 13, 1997

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

**Michigan Natural Resources Trust Fund Board**

Dr. Gordon E. Guyer, 862 Whitman, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding Mr. Charles T. Knabusch of Monroe, who has died, for a term expiring on October 1, 1998.

November 14, 1997

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

**Michigan Law Enforcement Officer's Training Council**

Mr. Richard G. Weaver, 8650 Heyden, Detroit, Michigan 48228, county of Wayne, as a member representing the general public, succeeding Mr. Chester W. Opolski of Detroit, who has resigned, for a term expiring on January 1, 1999.

December 1, 1997

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

**Board of Barber Examiners**

Mr. William Dean Springer, 119 West Bennett, Three Rivers, Michigan 49093, county of St. Joseph, as a member representing professionals, succeeding himself, for a term expiring on September 30, 2001.

Mr. Larry D. Mead, P.O. Box 114, 1122 Robinson Street, Roscommon, Michigan 48653, county of Roscommon, as a member representing professionals, succeeding himself, for a term expiring on September 30, 2001.

Mr. Theodore Spehar, 1417 East Commerce Road, Commerce Township, Michigan 48382, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on September 30, 2001.

December 1, 1997

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

**Board of Marriage and Family Therapy**

Dr. David G. Beighley, 3726 S. Court Street, Muskegon, Michigan 49444, county of Muskegon, as a member representing professionals, succeeding himself, for a term expiring on September 30, 2001.

Ms. Terry Moorer, 16147 Wildemere, Detroit, Michigan 48221, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on September 30, 2001.

December 1, 1997

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

**Commission on Services to the Aging**

Mrs. Rosella H. Neumann, 517 Adams Street, Alpena, Michigan 49707, county of Alpena, as a member representing the general public, succeeding herself, for a term expiring on July 28, 2000.

Ms. Carol Ann Birch, 2059 Bent Trail Court, Ann Arbor, Michigan 48108, county of Washtenaw, as a member representing the general public, succeeding Mr. Carlyle "Mac" W. McClellan of Harbor Springs, who has died, for a term expiring on July 28, 2000.

December 1, 1997

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

**State Fire Safety Board**

Mr. Robert P. Matouka, 1845 W. Buell Road, Oakland, Michigan 48363, county of Oakland, as a member representing school administrators, succeeding Mr. Peter R. Sinclair of Hartford, whose term has expired, for a term expiring on July 15, 2000.

Mr. James M. Geaman, 6014 Londonberrie, Midland, Michigan 48640, county of Midland, as a member representing the chemical industry, succeeding Mr. William R. Heitzig of Freeland, whose term has expired, for a term expiring on July 15, 1999.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

**Recess**

Senator Geake moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:07 a.m.

10:20 a.m.

The Senate was called to order by the President pro tempore, Senator Schwarz.

**Recess**

Senator Geake moved that the Senate recess until 10:35 a.m.  
The motion prevailed, the time being 10:21 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

During the recess, Senators DeGrow, Cisky, Posthumus and Stille entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator DeGrow moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 200**

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

Senator DeGrow moved that the Committee on Appropriations be discharged from further consideration of the following bill:

**Senate Bill No. 760, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 7 (MCL 141.907).

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on its immediate passage:

**Senate Bill No. 760**

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

Senators Gast, DeGrow, Posthumus, Conroy, Emmons and North asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Gast's statement is as follows:

I would ask Bob Geake and Joe Conroy to come over to this particular podium, if they will. They aren't the recipients of what I am going to be presenting here, but they are the vice chairmen of the Appropriations Committee. It has been our pleasure in the past several years to work with the Director of DMB, Mr. Mark Murray.

As many of you know, Mark was instrumental in Michigan State's victory over Penn State—a significant victory, I might add. But anyway, Mark is going to be the new Deputy Director of Finance and Public Affairs at Michigan State University. So I have here a tribute to Mark, and Mark if you would come up here please. We are not going to read the whole tribute or any major part of it, but I think that the last Whereas clause says it all quite well:

"Whereas, Mark has earned the respect of legislators for his hard work and conscientiousness. His ability to pursue the Governor's agenda and budget, while working with both Republicans and Democrats in a forthright, insightful and intelligent manner, is worthy of praise. Mark's calm demeanor, fairness and common sense approach will be greatly missed; now, therefore, be it

Resolved by the Senate, That we commend and congratulate Mark Murray for his service in state government and extend best wishes for his continued success as Associate Vice President for Business and Finance at Michigan State University; and be it further

Resolved, That a copy of this resolution be transmitted to Mark Murray as a reflection of our highest esteem and praise."

Mark, I present to you this resolution on behalf on all of the Senators, and I believe without exception, particularly from those who have worked with you from the Appropriations Committee, and Lieutenant Governor Binsfeld included.

Senator DeGrow's statement is as follows:

Unfortunately, not because it is him, since August I have had to spend a lot of time with our Budget Director. I already knew what a top-notch Budget Director he was, but during that time between August and just recently, I got to know Mark a whole lot better and watch him work first-hand. I can tell you that he is going to be missed in a big way. Many of the things we have accomplished as a state are because he was there with a lot of knowledge, a lot of wisdom and a lot of patience at times. On a personal note, I am certainly going to miss him. Some of the things I have been involved with would not have come to fruition if Mark had not been there with the right thing to say at the right time. We will miss him not only as a body, but as a state.

Senator Posthumus' statement is as follows:

I want to also say that we are going to deeply miss Mark as he goes off to his new job. As the Majority Leader, I have had an opportunity to work with him over the last several years all through appropriations. Of all the people whom I have had to work with in the executive department, he is one of the easiest, one of the most straightforward, one of the most honest and one of the most dedicated public servants whom I have had the opportunity to work with. I hope that we will continue to see him. In fact, earlier today we were meeting with the Governor and we were saying that before he left he needed to complete a few items that were not quite done. I suggested to the Governor that we just continue to add to that and maybe he might stay a little longer, but he did not go for that. Mark, we wish you well in your future occupation and hope to see much of you in the future.

Senator Conroy's statement is as follows:

I also would like to congratulate Mark for the good job that he has done. I do not know how you pick somebody to become the C.E.O. of the state of Michigan, but that is what he has been. That is what he is. He makes decisions that

are far-reaching on behalf of the Governor of this state and he has been good at it. He has been accessible and someone who returns phone calls. He has been willing to cooperate where possible. I just think that for a young man to retire out of the state, he is pretty young. We ought to pass a bill saying he is too young.

I noticed that he does not have to move his family for this new job. He just moves over to East Lansing and that is going to be nice for his family. For all the work that you have done, Mark, we do appreciate it. We know you have been fair. Thanks a lot.

Senator Emmons' statement is as follows:

I want to give Mark my very best wishes. I think that he has worked very, very hard for the state of Michigan. Mark, I think you are the luckiest guy in the world to go wear a green jacket and attend all the athletic events, especially if they do as well as they did last Saturday. You are going to have a great time and we wish you well.

Senator North's statement is as follows:

I also want to add my voice to those—most of those who have spoken before me regarding Mark Murray's service have been the beneficiaries having contact with him longer than I have. But in the three years I have been here, I would certainly second what Senator Posthumus has said. He is very forthright, very easy to deal with and a very dedicated individual. Some of us have kind of short memories. Mark also was a utility person in that he took on the dual responsibility of Interim Director of the Financial Independence Agency, as well as all the duties that are involved with being Management and Budget Director. So I think not only as a Senator, but also as a citizen of this state, that we owe him a debt of gratitude for his efforts.

By unanimous consent the Senate returned to the order of

**Messages from the Governor**

The following message from the Governor was received and read:

ENVIRONMENTAL PROTECTION; CODES; MODIFICATION

November 12, 1997

Today I have vetoed and am returning to you herewith, Enrolled Senate Bills 706 and 707.

These bills are identical to House Bills 5092 and 5093 which have also been adopted, ordered enrolled and presented for signature.

As it would be redundant to sign both sets of identical bills, I am returning Enrolled Senate Bills 706 and 707 without signature.

Sincerely,  
John Engler  
Governor

(Enrolled Senate Bill No. 706 was returned from the Governor on November 14, 1997, at 1:40 p.m.)

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

The following message from the Governor was received and read:

ENVIRONMENTAL PROTECTION; CODES; MODIFICATION

November 12, 1997

Today I have vetoed and am returning to you herewith, Enrolled Senate Bills 706 and 707.

These bills are identical to House Bills 5092 and 5093 which have also been adopted, ordered enrolled and presented for signature.

As it would be redundant to sign both sets of identical bills, I am returning Enrolled Senate Bills 706 and 707 without signature.

Sincerely,  
John Engler  
Governor

(Enrolled Senate Bill No. 707 was returned from the Governor on November 14, 1997, at 1:41 p.m.)

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

### Messages from the House

#### House Bill No. 4642, entitled

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending sections 4a and 6a (MCL 205.54a and 205.56a), section 4a as amended by 1996 PA 435 and section 6a as amended by 1993 PA 325.

Substitute (H-1).

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

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

#### Roll Call No. 623

#### Yeas—33

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

#### Nays—0

#### Excused—1

Hoffman

#### Not Voting—3

Bullard

Smith, V.

Vaughn

In The Chair: Schwarz

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

"An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,".

The Senate agreed to the full title of the bill.

Senator Miller moved that he be excused from the balance of today's session.  
The motion prevailed.

**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.

Substitute (H-1).

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

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

**Roll Call No. 624**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman	Miller
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**Not Voting—0**

In The Chair: Schwarz

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

"An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,".

The Senate agreed to the full title of the bill.

**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).  
(For text of amendments, see Senate Journal No. 83, p. 1676.)

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 625**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman                      Miller

**Not Voting—0**

In The Chair: Schwarz

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. 4728, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 263 and 264 (MCL 750.263 and 750.264); and to repeal acts and parts of acts.

(For text of amendments, see Senate Journal No. 85, p. 1716.)

The question being on concurring in the House amendments made to the Senate amendments, The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 626**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman                      Miller

**Not Voting—0**

In The Chair: Schwarz

**House Bill No. 4729, 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.

(For text of amendments, see Senate Journal No. 85, p. 1716.)

The question being on concurring in the House amendments made to the Senate amendments,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 627****Yeas—35**

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

**Nays—0****Excused—2**

Hoffman	Miller
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**Not Voting—0**

In The Chair: Schwarz

**House Bill No. 4768, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948), by adding section 2964.

(For text of amendments, see Senate Journal No. 85, p. 1716.)

The question being on concurring in the House amendments made to the Senate amendments,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 628****Yeas—35**

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

**Nays—0**



**Excused—2**

Hoffman

Miller

**Not Voting—0**

In The Chair: Schwarz

**Senate Bill No. 181, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 476 and 525 (MCL 330.1476 and 330.1525), as amended by 1995 PA 290.

The House of Representatives has amended the bill as follows:

1. Amend page 2, following line 21, by inserting:

"(5) IF A PATIENT IS RELEASED FROM A HOSPITAL OPERATED BY THE DEPARTMENT WITHIN 240 DAYS BEFORE THE HOSPITAL IS CLOSED AND IS TRANSFERRED TO ANOTHER HOSPITAL OR OTHER FACILITY, THE DEPARTMENT SHALL FILE A REPORT WITH THE LEGISLATURE. THE DEPARTMENT SHALL FILE THE REPORT BY JANUARY 15 OF THE YEAR FOLLOWING THE YEAR IN WHICH THE PATIENT WAS TRANSFERRED. THE DEPARTMENT SHALL INCLUDE ALL OF THE FOLLOWING INFORMATION IN THE REPORT:

(A) THE NAME OF THE FACILITY TO WHICH THE PATIENT WAS TRANSFERRED. AS USED IN THIS SUBSECTION, "FACILITY" MEANS A HOSPITAL LICENSED OR OPERATED BY THE DEPARTMENT, A CENTER OPERATED BY THE DEPARTMENT, OR A DEPENDENT LIVING SETTING.

(B) THE LOCATION OF THE FACILITY TO WHICH THE PATIENT WAS TRANSFERRED.

(C) THE NUMBER OF PATIENTS OR RESIDENTS IN THE FACILITY TO WHICH THE PATIENT WAS TRANSFERRED AT THE TIME THE PATIENT WAS TRANSFERRED.

(D) THE TOTAL NUMBER OF PATIENTS TRANSFERRED TO THAT FACILITY FROM THE HOSPITAL THAT CLOSED.

(E) THE TOTAL NUMBER OF PATIENTS TRANSFERRED FROM THE HOSPITAL THAT CLOSED WHO RECEIVED COMMUNITY PLACEMENTS, BUT WHOSE PLACEMENT PLANS NOTED BARRIERS TO COMMUNITY PLACEMENT."

2. Amend page 2, line 22, by striking out all of section 525.

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with development disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 476 (MCL 330.1476), as amended by 1995 PA 290.

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 temporarily:

**Senate Bill No. 34**

**Senate Bill No. 35**

**Senate Bill No. 36**

**Senate Bill No. 37**

**Senate Bill No. 38**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4661, entitled**

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," by amending section 8 (MCL 550.528).

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. 629**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman	Miller
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**Not Voting—0**

In The Chair: Schwarz

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 of the bill.

The following bill was read a third time:

**Senate Bill No. 497, entitled**

A bill to provide for a waiver of tuition at state public institutions of higher education for children and surviving spouses of Michigan corrections officers killed in the line of duty; and to provide for an appropriation.

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. 630**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	Dunaskiss	O'Brien	Stallings
Bullard	Emmons	Peters	Steil
Byrum	Gast	Posthumus	Stille
Cherry	Geake	Rogers	Van Regenmorter

Cisky  
Conroy  
DeBeaussaert

Gougeon  
Hart  
Koivisto

Schuette  
Schwarz  
Shugars

Vaughn  
Young

**Nays—0**

**Excused—2**

Hoffman

Miller

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Bouchard, DeBeaussaert, Steil, Gougeon, Young, Shugars, Peters, Byrum, McManus, Emmons and Schwarz moved that they be named co-sponsors of the following bill:

**Senate Bill No. 497**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4811, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 56i.

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. 631**

**Yeas—35**

Bennett  
Berryman  
Bouchard  
Bullard  
Byrum  
Cherry  
Cisky  
Conroy  
DeBeaussaert

DeGrow  
Dingell  
Dunaskiss  
Emmons  
Gast  
Geake  
Gougeon  
Hart  
Koivisto

McManus  
North  
O'Brien  
Peters  
Posthumus  
Rogers  
Schuette  
Schwarz  
Shugars

Smith, A.  
Smith, V.  
Stallings  
Steil  
Stille  
Van Regenmorter  
Vaughn  
Young

**Nays—0**

**Excused—2**

Hoffman

Miller

**Not Voting—0**

In The Chair: Schwarz

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 protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title of the bill.

The following bill was read a third time:

**Senate Bill No. 507, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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. 632**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman	Miller
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**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 553, entitled**

A bill to amend 1965 PA 203, entitled “Michigan law enforcement officers training council act of 1965,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, and 15 (MCL 28.601, 28.602, 28.603, 28.604, 28.605, 28.606, 28.607, 28.608, 28.609, 28.610, 28.611, 28.612, 28.614, and 28.615), section 2 as amended by 1995

PA 204, section 3 as amended by 1996 PA 545, section 9 as amended by 1994 PA 155, and section 11 as amended by 1985 PA 15, and by adding sections 9a, 9b, 9c, and 9d.

The question being on the passage of the bill,

Senator Van Regenmorter offered the following amendments:

1. Amend page 15, line 26, after the first "THE" by striking out "COUNCIL" and inserting "COMMISSION".
2. Amend page 19, line 2, after "9(7)" by inserting a comma and "OR 9(3)(C), OR 9(3)(H)".

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. 633****Yeas—34**

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

**Nays—0****Excused—2**

Hoffman	Miller
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**Not Voting—1**

Hart

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 614, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding sections 128, 129, 130, and 131.

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. 634****Yeas—34**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.

Bouchard	Dunaskiss	O'Brien	Stallings
Bullard	Emmons	Peters	Steil
Byrum	Gast	Posthumus	Stille
Cherry	Geake	Schuette	Van Regenmorter
Cisky	Gougeon	Schwarz	Vaughn
Conroy	Hart	Shugars	Young
DeBeaussaert	Koivisto		

**Nays—0**

**Excused—2**

Hoffman                      Miller

**Not Voting—1**

Rogers

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 758, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1606b, 1606c, 1606d, and 1606e.

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. 635**

**Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0**

**Excused—2**

Hoffman                      Miller

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 759, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending sections 1 and 33c (MCL 436.1 and 436.33c), section 1 as amended by 1983 PA 11 and section 33c as amended by 1995 PA 122.

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. 636****Yeas—35**

Bennett	DeGrow	McManus	Smith, A.
Berryman	Dingell	North	Smith, V.
Bouchard	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	Shugars	

**Nays—0****Excused—2**

Hoffman	Miller
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**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 760, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 7 (MCL 141.907).

The question being on the passage of the bill,

Senator Bullard offered the following substitute:

Substitute (S-2).

The substitute was 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. 637****Yeas—34**

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

**Nays—1**

Berryman

**Excused—2**

Hoffman

Miller

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

**Protest**

Senator Berryman, under his constitutional right of protest (Art. IV, Sec. 18), protested against the passage of Senate Bill No. 760 and 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:

I rise just to raise a couple questions. With the Bullard amendment being adopted—and I certainly don't blame the good Senator for taking care of his constituents—this will take care of West Bloomfield. I have been trying to get some information from Treasury on what other communities would be affected that have an increase in population of that 5,000 and maybe had this recertification before the August 5 date that was put in. I was told that they would not have the time to get me that information by the time this vote was being taken. Again, the part that concerns me is not what the good Senator is doing, but I have such a lack of information from Treasury on what other communities would be affected and how they would be affected. By adding a number of other cities, what would that do to the pot being divided to other communities? An awful lot of questions. What arises is that this is what happens when a bill comes from committee without the hearing, sent directly to the floor, bypasses General Orders and goes right to Third Reading. I can't get those answers and when I can't get those answers, I tend to think I have to vote “no” because I don't know if it's going to adversely affect a lot of different communities or the communities I represent.

So once again, I think the process is flawed. We're here for another week and I don't know why we can't pass this bill at least until tomorrow, until we have some information from Treasury on those questions that I have. I would like to hear the explanation from the good Senator. If not, then I would like to see it passed for the day and let us get that information.



By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator DeGrow moved that the Committee on Appropriations be discharged from further consideration of the following bill:

**House Bill No. 5233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1277 (MCL 380.1277), as amended by 1995 PA 289.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

**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 pro tempore, Senator Schwarz, designated Senator Shugars as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, resumed the Chair.

By unanimous consent the Senate returned to the order of  
**Motions and Communications**

Senator DeGrow moved that rule 2.106 be suspended to allow the Legislative Retirement Board of Trustees to meet during Senate session.

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

By unanimous consent the Senate returned to the order of  
**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 pro tempore, Senator Schwarz, designated Senator Shugars as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**Senate Bill No. 200, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 329a. 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. 5228, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1997 PA 25, and by adding section 1279a.

Substitute (S-6).

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

1. Amend page 3, line 8, after "SECTION." by inserting "SUBJECT TO APPROVAL BY THE STATE BOARD,".
2. Amend page 10, line 8, by striking out "SECTION" and inserting "SUBSECTION".

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

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

**House Bill No. 5229, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 388.1704a), as amended by 1997 PA 24.

Substitute (S-4).

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

1. Amend page 3, line 6, after "SECTION." by inserting "SUBJECT TO APPROVAL BY THE STATE BOARD,".

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

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

**House Bill No. 5230, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279f (MCL 380.1279f), as added by 1996 PA 169.

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. 5232, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513).

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:

**House Bill No. 5233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1277 (MCL 380.1277), as amended by 1995 PA 289.

Substitute (S-1).

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

1. Amend page 2, line 3, after "processes" by striking out "AND" and inserting a comma.

2. Amend page 2, line 3, after "development" by inserting a comma and "development and utilization of community resources and volunteers, the role of adult and community education, libraries and community colleges in the learning community, and building level decision making".

3. Amend page 3, line 26, after "employees," by inserting "pupils, parents of pupils,".

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

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

**House Bill No. 5234, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280 (MCL 380.1280), as amended by 1995 PA 289.

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:

**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.

Substitute (S-2).

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

1. Amend page 1, line 6, after "assistance" by striking out the comma.

2. Amend page 1, line 7, after "DISORDERS" by inserting "OR WHO HAVE DEMONSTRATED MARKED DIFFICULTY IN ACHIEVING SUCCESS ON STANDARDIZED TESTS".

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.

By unanimous consent the Senate proceeded to the order of

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

Senators Emmons and Hoffman introduced

#### **Senate Bill No. 829, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 3 (MCL 141.903), as amended by 1980 PA 275.

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

Senators North, McManus and Cisky introduced

#### **Senate Bill No. 830, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 44522 (MCL 324.44522), as added by 1995 PA 57.

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

Senators Bullard, Dunaskiss, Bouchard, Geake, Shugars, Steil and Schuette introduced

#### **Senate Bill No. 831, entitled**

A bill to provide for the incorporation of a regional water supply and sewerage authority; to provide for a regional assembly and regional authority board; to transfer certain ownership rights in water supply and sewerage facilities; to provide for payment for water supply and sewerage services and facilities through fees, charges, taxes, special assessments, and other means; to provide for the issuance and payment of bonds; and to provide for the powers and duties of certain governmental officials and entities.

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

#### **House Bill No. 4580, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 271 and 601 (MCL 450.2271 and 450.2601) and by adding section 301a.

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. 4741, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by amending the title, as amended by 1991 PA 98, and by adding section 831.

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 Economic Development, International Trade and Regulatory Affairs.

#### **House Bill No. 5043, entitled**

A bill to amend 1970 PA 73, entitled "An act to provide for the creation of airport authorities; to provide for certain counties and cities within certain limitations of state-owned airports to create an airport authority; to provide for the membership of authorities; to provide for the powers and duties of the authorities; to provide for the transfer of employees of state airports to the employment of an authority; to provide for the transferring of state-owned lands to the authority; to provide for the retention of certain rights, powers and privileges by the state in state-owned airport facilities; to provide for a referendum; and to repeal acts and parts of acts," by amending section 2 (MCL 259.802), as amended by 1982 PA 271.

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 Local, Urban and State Affairs.

### Statements

Senators Byrum, Emmons, A. Smith and Schuette asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Byrum's statement is as follows:

Today, as we have returned to our first week back after the Thanksgiving break, it's been a day of bipartisan cooperation. We have responded to many concerns that have been voiced during the fall and over the previous summer months dealing with the High School Proficiency Test. Those were concerns expressed by parents, students and educators.

We have had a lot of debate on assisted suicide today. Assisted suicide and the issues that surround it is not a partisan debate. It's a very personal debate that all of us take very seriously. Death and dying are issues that all of us at some time will face and they are some of the most difficult issues that each of us face, either with ourselves or a loved one.

We passed legislation that would create a tuition waiver for surviving children and spouses of slain corrections officers. We also addressed legislation that would make it easier for police to enforce bans on underage drinking on our college campuses.

Lastly, we passed a bill that would require the Family Independence Agency to assist victims of domestic violence to make sure that they get the help they need.

So all in all, I think as Democrats and as Republicans we've worked very well together and we've served the best interest of the people of the state of Michigan.

Senator Emmons' statement is as follows:

As a mother, grandmother and former teacher, I am pleased that we have done something again to continue to improve the standards for children in Michigan.

The high school proficiency test has had a lot of criticism, but I know that is bringing higher standards to schools, and will make our students more successful. A high school diploma should mean that you can read, write and do arithmetic. It's important, the changes that we have made in this test to shorten the test, to return the test results to the students and their parents so they can set goals for future education. I am very pleased with the bipartisan cooperation, not only in this body, but over in the House, and it shows this legislature's commitment to good education for our kids.

Senator A. Smith's statement is as follows:

I rise to remind the body that we still have some very important legislation before us. Yesterday we worked together to create an amendment to the paternity child support bills that were moving on the floor that addressed some of the issues of genetic privacy. We created an opportunity for those individuals, women, children and men, putative fathers, whose genetic material is used for the purpose of establishing paternity. To have their materials returned to them, insuring their privacy and returning all the data profile and the information that is created with that material. But this is just a small phase of the genetic privacy issue. Senators Schwarz, Byrum and I have introduced legislation surrounding genetic privacy. The medical and scientific advances of the last few years have given us an opportunity to predict, not completely accurately, but with some degree of success, diseases that people may experience in the course of their lifetimes, and it certainly has given us the opportunity to diagnose and to resolve some of the diseases with greater facility.

But there are also some very serious consequences to that information if it isn't safeguarded, if it isn't regarded as that information that is specifically important to an individual and protected by that individual. We are extremely concerned that insurance companies not be able to use the information that creates a healthy individual against us by denying access to insurance, by potentially denying access to enrichment opportunities in our lives.

This package is sitting in the Senate Committee on Health Policy and Senior Citizens and it's very important that we take it up and that we go further than we did yesterday in insuring people protection around this genetic privacy issue.

Senator Schuette's statement is as follows:

I am very pleased about the activities of the Senate chamber this morning concerning our efforts to stop in its tracks any efforts that would legalize homicide, which would permit physician assisted suicide, which is a total misnomer. What we did today is start a process to make sure that the frail, the vulnerable, the very young, the very old people in this society are protected by laws. What is so important that we in this state need to do everyday is make sure we maintain a system of laws. That is a way to make sure we protect the most frail and those who are most vulnerable to the whims of the political wolves and the public opinion that can go to and fro in a state. What is so very important is the debate we had earlier today and that will continue tomorrow, will be all about choices that people have today. Making sure that we continue to inform the public that yes, indeed, if you have a loved one in your family or a friend

or a neighbor, there are efforts and opportunities today. People can choose not to have a resuscitation if they have a long term illness. There is the death and dignity statute whereby people can say halt their treatment or withdraw it or stop it. There are indeed ways where we can make sure that we can minimize pain and try to end pain, but also make sure we are not participating in ending life.

What Senator Van Regenmorter and his committee are doing today is making sure that indeed we protect those who are ill or sick or the most frail in society, but making sure we maintain the importance of life and a system of laws that value life. No one in our society is expendable; everybody is important. But making sure that loved ones do have an opportunity when you are going through a heart-breaking episode when the last days of her or his life—that you are working with that family or that person to minimize the pain and the suffering that happens in those last days.

We are going on the correct road this day in Michigan by making sure we shut the door to those who want to legalize homicide and by making sure we protect life and those who are most vulnerable in our communities of our state.

### Committee Reports

The Committee on Judiciary

**Senate Bill No. 200, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 329a. 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 and V. Smith

Nays: Senator Peters

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, December 2, 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 Health Policy and Senior Citizens reported

**House Bill No. 4619, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17745 (MCL 333.17745), as amended by 1996 PA 355.

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, Bullard, Byrum and O’Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy and Senior Citizens reported

**House Bill No. 5259, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16909 (MCL 333.16909), as amended by 1996 PA 536.

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, Byrum and O'Brien

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, December 2, 1997, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz, Bullard, Byrum and O'Brien

**Scheduled Meeting**

Michigan Trial Court Assessment Commission - Thursday, December 4, at 3:00 p.m., 8th Floor Conference Room, Farnum Building (3-7000).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:58 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, December 4, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.