

No. 31
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, April 16, 1998.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Philip E. Hoffman.

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—excused
Conroy—excused
DeBeussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

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

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

Senator Mat J. Dunaskiss of the 16th District offered the following invocation:

There is a saying that I have always enjoyed, "Do not follow where the path may lead. Go instead where there is no path and leave a trail."

As legislators, may we forge trails that we will be proud of for future generations to follow. If we pray that through our actions today, we shall enrich all the tomorrows. We ask God to guide us in our decisions. In His name we pray. Amen.

Motions and Communications

Senators Posthumus and Geake entered the Senate Chamber.

Senator DeGrow moved that Senators Jaye and Schuette be temporarily excused from today's session. The motion prevailed.

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

Senator Miller entered the Senate Chamber.

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

The Secretary announced the printing and placement in the members' files on Wednesday, April 15 of:
Senate Bill Nos. 1049 1052 1053

Senators Cherry and Jaye entered the Senate Chamber.

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

Senator DeGrow moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 904

Senate Bill No. 902

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 904, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 196.

The question being on the passage of the bill,

Senators DeBeaussaert and Bouchard offered the following amendments:

1. Amend page 5, line 21, after "THAN" by striking out "\$325,000,000.00" and inserting "\$225,000,000.00".

2. Amend page 6, following line 6, by inserting:

"(G) NOT MORE THAN \$100,000,000.00 FOR PROJECTS FUNDED BY THE STATE WATER POLLUTION CONTROL REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16A OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066A."

3. Amend page 8, following line 14, by inserting:

"(G) MONEY IN THE FUND THAT IS ALLOCATED UNDER SECTION 19607(1)(G) SHALL BE TRANSFERRED TO THE STATE WATER POLLUTION CONTROL REVOLVING FUND ESTABLISHED PURSUANT TO SECTION 16A OF THE SHARED CREDIT RATING ACT, 1985 PA 227, MCL 141.1066A."

The question being on the adoption of the amendments,

Senator DeBeaussaert requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 192**Yeas—16**

Berryman	Cherry	Dunaskiss	Koivisto
Bouchard	DeBeaussaert	Hart	Miller
Bullard	DeGrow	Hoffman	Smith, A.
Byrum	Dingell	Jaye	Young

Nays—18

Bennett	McManus	Schuette	Steil
Emmons	North	Schwarz	Stille
Gast	O'Brien	Shugars	Van Regenmorter
Geake	Posthumus	Smith, V.	Vaughn
Gougeon	Rogers		

Excused—3

Cisky	Conroy	Peters
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Not Voting—0

In The Chair: Hoffman

Senator A. Smith offered the following amendment:

1. Amend page 7, following line 27, by inserting:

“(vi) NOT LESS THAN \$25,000,000.00 SHALL BE MADE AVAILABLE BY THE DEPARTMENT FOR GRANTS TO LOCAL HEALTH DEPARTMENTS, LOCAL UNITS OF GOVERNMENT, AND TAX EXEMPT ORGANIZATIONS FOR THE REMEDIATION OF INDOOR LEAD CONTAMINATION AND ENVIRONMENTAL CONTAMINATION IN ORDER TO REHABILITATE HOUSING STOCK OR PREPARE SITES FOR RESIDENTIAL DEVELOPMENT IN URBAN AREAS. THE DEPARTMENT SHALL ADMINISTER GRANTS MADE PURSUANT TO THIS SUBSECTION IN CONJUNCTION WITH THE DEPARTMENT OF COMMUNITY HEALTH.”.

The question being on the adoption of the amendment,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

Roll Call No. 193**Yeas—13**

Berryman	Dingell	Hoffman	Miller
Byrum	Gougeon	Jaye	Smith, A.
Cherry	Hart	Koivisto	Young
DeBeaussaert			

Nays—21

Bennett	Gast	Posthumus	Smith, V.
Bouchard	Geake	Rogers	Steil

Bullard
DeGrow
Dunaskiss
Emmons

McManus
North
O'Brien

Schuette
Schwarz
Shugars

Stille
Van Regenmorter
Vaughn

Excused—3

Cisky

Conroy

Peters

Not Voting—0

In The Chair: Hoffman

Senator A. Smith offered the following amendments:

1. Amend page 5, line 21, after "THAN" by striking out "\$325,000,000.00" and inserting "\$275,000,000.00".

2. Amend page 6, following line 6, by inserting:

"(G) NOT MORE THAN \$50,000,000.00 FOR THE PURCHASE OF DEVELOPMENT RIGHTS TO PROTECT FARMLAND AND OPEN SPACE."

3. Amend page 8, following line 14, by inserting:

"(G) MONEY IN THE FUND THAT IS ALLOCATED UNDER SECTION 19607(1)(G) SHALL BE USED TO PROVIDE GRANTS TO LOCAL UNITS OF GOVERNMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS TO PROTECT FARMLAND AND OPEN SPACE."

The question being on the adoption of the amendments,

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 194

Yeas—12

Berryman
Byrum
Cherry

DeBeaussaert
Dingell
Gougeon

Hart
Hoffman
Jaye

Koivisto
Miller
Smith, A.

Nays—22

Bennett
Bouchard
Bullard
DeGrow
Dunaskiss
Emmons

Gast
Geake
McManus
North
O'Brien
Posthumus

Rogers
Schuette
Schwarz
Shugars
Smith, V.

Steil
Stille
Van Regenmorter
Vaughn
Young

Excused—3

Cisky

Conroy

Peters

Not Voting—0

In The Chair: Hoffman

Protests

Senators Emmons, McManus, DeGrow, North, Stille, Shugars, Rogers, Steil and Gast, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendments offered by Senator A. Smith to Senate Bill No. 904.

Senator Emmons moved that the statement she made during the discussion of the amendments be printed as her reasons for voting “no.”

The motion prevailed.

Senator Emmons’ statement is as follows:

I would urge rejection of this amendment. I think it’s vitally important that we clean up inside our inner cities. We need the industry there. That’s where we need the jobs. I do not think we should divert it out of this particular proposal to put in another proposal. It is very important to not only big towns but little towns. The city of Ionia had a center that had polluted sites. Because of the change in the law and the effort by that city to get that site cleaned up, we actually have development on those contaminated spots that were unusable before. If you’ve gone up M-66 in Ionia, you will see the sprawl that’s occurred in that area. The cleanup of the center of that city has been a significant deterrent to that sprawl continuing and to the betterment into that older city core. So, I very much oppose this and ask that we turn down this amendment and get this bond issue passed.

Senator McManus’ statement, in which Senators DeGrow, North, Stille, Shugars, Rogers, Steil and Gast concurred, is as follows:

I voted “no” on taking \$50 million of this bond issue for preservation of farmland for several reasons. If we really want to do a job on preserving farmland statewide, there are 10 million acres of farmland in this state, \$5 billion would be a nice start. Fifty million dollars would be a help, but I certainly do not want anyone to get the idea that we are going to preserve very much farmland for \$50 million. That is the first step. Now we do have programs going, some of them started in my district, that do use funds from Public Act No. 116 and from the trust fund. So on a piece-by-piece basis we are building into farmland preservation. I would support, if we get into a proposal at some future date, a comprehensive program. But I do not believe it is right to take money in this amount from the brownfield cleanup. I think we will get more efficient use of our dollars and keep more land green by cleaning up brownfields, letting the people move into those apartments and do their business there, rather than plowing up new ground when we are only talking about \$50 million.

Senator A. Smith offered the following amendment:

1. Amend page 8, following line 17, by inserting:

“(3) A PERSON WHO PROPOSES TO DEVELOP PROPERTY IN WHICH MONEY FROM THE FUND WAS EXPENDED TO CONDUCT RESPONSE ACTIVITIES ON THE PROPERTY SHALL PREPARE A CONSTRUCTION PROPOSAL THAT PROVIDES FOR THE USE OF BEST AVAILABLE TECHNOLOGY TO MINIMIZE POLLUTION TO AIR, WATER, AND SOIL. PRIOR TO BEGINNING THE DEVELOPMENT THE PERSON SHALL HAVE RECEIVED FROM THE DEPARTMENT A CERTIFICATION THAT THE CONSTRUCTION PROPOSAL PROVIDES FOR THE USE OF THE BEST AVAILABLE TECHNOLOGY. IN PROVIDING SUCH CERTIFICATION, THE DEPARTMENT SHALL CONSULT WITH AN INDEPENDENT COMPANY.” and renumbering the remaining subsections.

The question being on the adoption of the amendment,

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

Roll Call No. 195

Yeas—11

Berryman
Byrum
Cherry

DeBeaussaert
Dingell
Hart

Hoffman
Jaye
Koivisto

Miller
Smith, A.

Nays—23

Bennett
Bouchard

Gast
Geake

Posthumus
Rogers

Steil
Stille

Bullard	Gougeon	Schuette	Van Regenmorter
DeGrow	McManus	Schwarz	Vaughn
Dunaskiss	North	Shugars	Young
Emmons	O'Brien	Smith, V.	

Excused—3

Cisky	Conroy	Peters
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Not Voting—0

In The Chair: Hoffman

Protests

Senators Bennett, Emmons, McManus and North, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator A. Smith to Senate Bill No. 904.

Senator Bennett moved that the statement he made during the discussion of the amendment be printed as his reasons for voting "no."

The motion prevailed.

Senator Bennett's statement, in which Senators Emmons, McManus and North concurred, is as follows:

I am going to ask that this amendment be turned down. The last speaker just said that these new processes, these new technologies are better and cheaper. Well, I submit to you if that is the case, wild horses could not keep business from using those cheaper, more efficient technologies. I believe what is being said by this is that the Department of Environmental Quality is not competent to oversee this. Why would we have a department that has to go to outside consultants and outside contractors to find out whether we are doing it right or not? If the Senator from the 18th District believes that the department is not doing the job, is not competent to do the job, then she should bring forward specific allegations. She should bring forth the information that shows the department is not doing what it should be and we will fix it. But by just simply getting up and saying that if only we consult with outside consultants, it will be done cheaper and better, I believe that is doing the department a disservice. It is doing business a disservice. I would urge a "no" vote on the amendment.

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. 196**Yeas—31**

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

Nays—3

Dingell	Jaye	Smith, A.
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Excused—3

Cisky

Conroy

Peters

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Protests

Senators A. Smith, Jaye and Dingell, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 904.

Senator A. Smith's statement was as follows:

While I think this bill does a number of good things, I think it does not go far enough. I'm concerned that we put a cap on the amount of money in the bond that could be spent for acute sites of public health concern. Until that amendment was put through, all \$325 million of the fund could have been used to address first those sites that pose the greatest threat to public health. That amendment was added yesterday to cap that amount of money at \$60 million. In fact what we are trying to do is not only clean areas of brownfields, but clean them so that the public health is affected in a positive manner, as the speaker said on final passage of the bill, I think we failed to do that when we capped our ability to expend the dollars in that manner.

I'm also concerned that we are telling the public that we are doing a clean Michigan initiative; but we are reluctant to add an amendment that costs zero dollars to the initiative, and that would have assured the taxpayers that the money that they are spending to clean Michigan brownfields will result in businesses relocating in those fields that adhere to the concept the taxpayers have paid for, and that is a clean environment.

For those reasons I voted "no." It is certainly my hope that the House will put some amendments on this bill so that when it comes back from the House, I will feel comfortable with concurring in the bond initiative.

Senators Jaye and Dingell moved that the statements they made during the discussion of the bill be printed as their reasons for voting "no."

The motion prevailed.

Senator Jaye's statement is as follows:

Yesterday, April 15, was tax day. What was also unusual about April 15 was that there were a lot of public employees who were actually working after five o'clock. What they were doing up until midnight was collecting people's sacred taxpayer dollars. People have to work from January 1 all the way to July 5 to pay all their state, federal, local taxes and regulations. Taxation is legalized theft, and when you have to work more than half the year to pay all your taxes that is economic violence.

I would like to join Senator Dingell, my colleague from the other side of the aisle, by saying we recognize the responsibility to clean up our environment, we recognize we have a responsibility to enhance recreational opportunities in the state of Michigan, but not on the backs of our children.

We need to tighten our current budget. So many people say, "Well, where's the beef, where are you going to find the money?" I have 13 items of fat and waste in the current state budget that would generate \$163,995,000 a year. For instance, big government pork: we have six months of male maternity leave each year for state employees. This is a very expensive state bureaucratic perk that is a taxpayer paid benefit that very few people in private sector employment receive. That is \$30 million a year.

Big business pork: job training for high-paid workers of profitable companies that cost \$31 million this year. This includes economic development and job training grants, approximately \$6.1 million of which went to the "Big Three" auto companies that have a combined profit of \$16.4 billion dollars. Why are we giving \$6.1 million of working men and women in small businesses to huge corporations that have a \$16.4 billion profit.

Big union pork: we are spending \$1.1 million of the taxpayers' money for union activities of state employees—MPSE \$90,000; UAW \$900,000; Local 31 \$25,000. Politician pork: we also have a waste for the new House of Representatives office building so every State House member can have a view of the Capitol. That cost to the taxpayers is \$3.1 million each and every year. That money should go to park development. That money should go for economic cleanup, not just so that our colleagues in the other chamber have a view of the Capitol.

Big bureaucrat pork: why is December 31 a state paid holiday? Each state holiday costs state taxpayers \$6.4 million plus \$265,000 a year in overtime at the 24-hour facilities, like our State Police and mental health hospitals. Cutting just one day would save \$6.6 million. A lot of people are upset about the roads, while we divert \$45.2 million of our road money to big corporations under the name of transportation and economic development to build roads near factories, rather than to build roads to relieve passenger traffic congestion.

Prisoner pork: AIDS treatment for prisoners, \$3.5 million. What in the world are we doing spending on AIDS treatment for these prisoners. A lot of them are getting AIDS through consensual sex when we have people who don't have health care and who are suffering from diseases that they got due to genetics or environmental exposure, not risky sex or drug use.

Wayne County Airport: I just heard about this unparalleled expansion today. \$3.7 million is in our MDOT budget, plus the Director of MDOT signed a March 27, 1997, contract pledging another \$65 million of state roadway money to Wayne County Airport.

Multi-state tax bureaucrat conventions: that's right, these tax bureaucrats can't think of enough ideas on their own about how to increase taxes, they have to go to multi-state conventions to come up with ideas like Twinkies in a vending machine is food being served to you, so you have to pay a sales tax on it. Or you get a Ritz cracker with some peanut butter in between and therefore it's a sandwich—therefore it's a prepared food item and you should have to pay sales tax.

I did listen to the debate earlier, and sometimes issues are or are not specific to the bonding bill. And certainly since this bonding bill is going to be appropriated from the general fund, then any of these items and all these items, I believe, are appropriate. However, I don't want to unnecessarily delay the deliberations of this body, and I voted for several amendments to improve this bill and they failed. These amendments to the general fund would save \$163 million a year. Each and every year we could use that money for cleanup and recreation. I recommend a "no" vote.

Senator Dingell's first statement is as follows:

I rise in philosophical opposition to the passage of this bill and I'd like to explain my reasons why and explain the reasons my colleagues shouldn't support it either.

Some while ago, most of my colleagues and I voted "yes" on a resolution endorsing the federal balanced budget amendment. Philosophically, the basis for the federal balanced budget amendment is that it should be more difficult to borrow money than it is now for the federal government. In good times they should pay down the federal debt, and in bad times, perhaps it's going to be tolerable. But it ought to be difficult to increase the debt. I think that would be good policy for Michigan.

By background, I'm an engineer and engineers typically don't trust accountants because of the fun with numbers approach that a lot of accountants have towards accounting. If you look at what's happened to the Michigan budget, you'll keep hearing that we have balanced budget after balanced budget after balanced budget. If you look, though, at whether we have a state debt and whether it's increased or decreased lately, you will find that even though we've had good times, the debt keeps going up. How does it keep going up? Well, the current economic expansion has been going on since 1992. Those of you who like to attribute everything going on in the country because of the current Clinton Administration, I think you can attribute that to the Clinton Administration. But what's happened here in Michigan is that instead of decreasing the rate of debt we're entering into, it's actually increasing. If you look at the total state debt at the end of fiscal year 1989, you'll find that it's just under \$7 billion. It doesn't sound very balanced does it? If you look at the estimated debt at the end of this fiscal year, you're looking at \$13.8 billion. It essentially doubled during the last eight years.

Does that trouble you? It certainly troubles me. If you look at the components of the debt, easily the fastest growing portion of it is general obligation debt. We don't have a total say in what the total general obligation debt is because there are a lot of local governments that we loan our full faith and credit to. That's tripled since the end of fiscal year 1990. If you look at what's happened to the State Building Authority bonded debt, it's gone from approximately \$850 million to \$1.6 billion—with a capital "B." It's doubled.

Ladies and gentlemen, we're doing just exactly the opposite of the kind of philosophy that we've suggested to the federal government that they follow. I can think of no reason by which we can defend doing this kind of thing. Do you believe in fiscal responsibility or not? This is the time when the test comes. When the good times arrive, you ought to be paying down the debt like most states are. What is the state of Michigan doing? Just exactly the opposite. Do we actually have a balanced budget? Hell no! Therefore, I believe, I believe we should not vote to increase the state's general obligation debt by \$550 million—that's another half billion dollars. Ladies and gentlemen, do you know how much this is going to cost by the time it's totally paid off? We're going to get half a billion dollars. Do you know how much it's going to cost to pay back? The estimates differ just a little bit, but essentially, it's going to cost \$1 billion. We're going to have to pay out twice as much as we're going to get.

This doesn't sound like fiscal responsibility; certainly not fiscally conservative. It sounds somewhat jarring that someone who supports the balanced budget amendment could vote for something like this. Therefore, I'm going to vote "no," and I think that those of you who actually are fiscally conservative should vote "no" also.

Senator Dingell's second statement is as follows:

After I spoke the first time, one of my colleagues asked if I'd paid attention to the expansion of state revenues over the past 20 years. Well, yeah, they've expanded a lot. Of course, if you're an accountant, you get to play lots of games with numbers. It's not hard for the state's revenues to increase when the state takes over the system of funding K-12 education, and suddenly, what used to be a local property tax becomes a state property tax. No kidding, state revenues have increased. That's no surprise to anybody. This past year accountants differ as to how many states there are that didn't have a surplus applied to paying down their state debt, but it's less than five that didn't apply a surplus to paying down their state debt. Michigan was one of those.

I mean, we have a problem here in Michigan and we're not doing anything about our state debt problem. From what's been said here by the supporters of this, you'd believe there was no alternative to bonding here. Hogwash! How does that sound like conservative fiscal handling of money? It simply isn't. There are alternatives to bonding. There's just nobody who's willing to have the guts to do it other than me.

Senators DeBeaussaert, Schuette and Cherry 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 first statement is as follows:

These are the two bills that are part of the environmental or the bond proposal that we will be asking the public to consider later this year. And I'm asking the members today to reconsider an issue that was raised yesterday on General Orders through this amendment.

In this Great Lakes state it seems to me we should never underestimate the importance of water quality or the public's demand that we do everything in our power to protect the waters that help to define us as a state. And so, today I'm asking us to reconsider the amendment that I offer yesterday that would shift \$100 million within this bond proposal to the revolving loan fund to help communities end combined sewer overflows. That \$100 million would come from the current \$325 million dedicated to brownfield redevelopment.

Yesterday, when we began the debate on this issue, the Senator from the 13th District talked about the impact, the fiscal impact, on communities that he represents of efforts to end CSOs or combined sewer overflows. At that time yesterday, I distributed material on the members' desks that showed quite dramatically the need for additional support for communities to end combined sewer overflows across the state. Projects in Lansing and in Saginaw, Detroit, Grand Rapids, Rouge River communities, Oakland and Macomb Counties, Sault Ste. Marie, projects totaling over \$3 billion over the next ten years; but with money currently available in the revolving loan fund, the way the state has historically helped communities with financing or helping them to cover about one-third of that amount.

I want to point out that this amendment I'm offering does not increase the overall size of the bond proposal. It does leave \$225 million for brownfield redevelopment. But it also recognizes that this state must do more to help communities end combined sewer overflows. And let's be blunt, we use the words "combined sewer overflows" or CSOs but what we're really talking about there is a polite term. What we're really doing across this state in communities is dumping raw and partially treated sewage into the waters of this state. In 1996, over 9 billion gallons of such dumpings occurred.

The people of Michigan have demonstrated in the past their interest in a clean environment. They passed the bond proposal in 1988. I think we should take the opportunity today to improve this bond proposal by putting at least some new support into ending combined sewer overflows. Brownfield redevelopment is important but fields aren't the only things turning brown in Michigan. We have an opportunity to do something today to help protect our waters and in this Great Lakes state today, let's take a stand for ending that pollution that has been occurring.

Senator DeBeaussaert's second statement is as follows:

Just in a brief response. It is right that a number of communities have already undertaken this and they have expended dollars, but the state has also been there to assist through the revolving loan fund. Most communities have received support from the revolving loan fund in the past, and that's what I'm proposing to do here is to provide some new dollars through that fund so that we can help more communities.

But the other thing that we need to keep in mind is that in this legislative process we have put a new focus on this issue. In 1995, we began the process of putting a million and a half new dollars in the Department of Environmental Quality process to go after, go look at those old permits that had not been reviewed for facilities that had been operating on permits that had expired in some cases for 20 years. And so by having all additional new staff, we have a lot of new projects coming in in a compressed period of time. It was the right thing to do to put those resources into upgrading those facilities and into looking at those permits that are reviewed. It's equally right that we now help those communities that we're forcing into action to help pay through the revolving loan fund process.

I think this is an important step. It does not solve all the problems. It still leaves considerable resources for brownfield redevelopment, but I think it will help the people of the state of Michigan make an important statement through the bond proposal in November that they, too, are committed to water quality.

Senator Schuette's first statement is as follows:

I want to rise and encourage rejection of the A. Smith amendment. I certainly agree with the comments made by Senator Bennett who has done such a remarkable job on putting together this package for the Clean Michigan initiative. I think some of the comments I made yesterday on General Orders bear repeating today concerning the issue of purchase development rights.

Back in 1993, when I had the privilege of serving in Governor Engler's cabinet as Agriculture Director, the Governor and I put together a task force with the American Farmland Trust called the Michigan Farmland and Agriculture Development Task Force. And what we did, the Governor and I and Jack Lauri, president of the Michigan Farm Bureau, is put together a group of leaders across the state to take the big picture view of where we need to go in terms of agriculture, to protect this multi-billion dollar industry, Michigan's second largest industry, over \$40 billion worth of economic activity generated every year. We came four-square to the point that we need to have a purchase of development rights program. We passed that with Governor Engler's leadership and signature in 1997. I am one of those who is a strong advocate of purchase of development rights to have private property interests protected, a market mechanism and sensitivity to protect those farmlands.

But to strip away the \$50 million from brownfields where we need to make sure that we create jobs in urban areas so as to minimize the stress and squeeze on green space and farmland, I think we really hurt ourselves. I don't think we need to load this whole effort up with more money or take away from the brownfield redevelopment that we're hoping to do that will relieve the pressure on green space and farmland. I think the time will come later this year or in 1999 that we put together an investment of capital for purchase of development rights in Michigan.

I would also encourage my colleagues to help me with the Farm Bureau to work on agriculture security areas and agriculture security zones, which would be just the tonic we need and the framework we need for a purchase of development rights option in the future.

Senator Schuette's second statement is as follows:

I rise to support and speak in strong favor of final passage of this effort which is a \$550 million effort for Michigan's rivers, lakes and streams and our lands. This is a tremendous initiative by our Governor. And what's so eye popping about this and what has frankly, I think, caused some consternation and some angst and some nervousness from certain quarters of the other side of the aisle is that John Engler and the Republicans came up with this \$550 million initiative to clean up Michigan's rivers, lakes, streams, and lands. And if it had come from any other person, they would be gilding this effort in green but we have to gild this in green because that's what it is. The Governor came up with an effort which would do a number of key things for Michigan's future and is consistent with the environmental heritage and the part of Michigan's majesty that is so important for our state.

What it means is we're going to clean up toxic wastes in Michigan—a John Engler initiative. We are going to redevelop abandoned manufacturing sites where the doors have been shut, the jobs have been lost, and people aren't able to work close to their homes. We're going to redevelop those abandoned manufacturing sites to give an opportunity to put people back to work closer to home and ease the pressure on green space and farmland—a John Engler clean Michigan initiative. We'll also make sure that we redevelop river fronts across the state of Michigan. What a wonderful thing to do for our state, for communities, for Detroit—a John Engler initiative. And we're going to make sure that we have an investment in our state parks so that families and kids, scout groups across the state can experience the majesty of our state and our parks, really part of our state's heritage.

We're making sure that, in so doing, casino development areas will have to clean up those areas. The pockets of the trust fund won't be picked by the casinos. We protected taxpayers by the amendment that Senator Bennett and I offered yesterday on General Orders.

So, what the Governor has done with this clean Michigan initiative is take a bold step and make an investment in Michigan's future, an environmental heritage we all share. And frankly, this is an eye-popping initiative and it's a statement of the commitment of the Governor and that all of us are making today for Michigan's future.

Senator DeBeaussaert's third statement is as follows:

I rise in support of the bill, though I believe it can be improved as it moves its way through this legislative process. I think the bill has been improved from the time that it was talked about initially by the Governor in a conceptual state. I think the bill as it has come from committee has improved in a number of ways. Probably the most significant improvement has been the addition of a local recreation component, the \$50 million that will now be available to communities across this state. That is especially important because the original proposal that only had the \$50 million for state park projects really didn't do as much to help parts of this state. Southeast Michigan in large part doesn't have as many state park systems, though we are very pleased and honored to be able to use the other facilities across the state. Most of our communities have local parks that they pay for through local millages. This \$50 million will be an important benefit to help those local communities provide recreation opportunities. So I think that is important as well.

I do think that the remaining portions of the proposal are also important—the nine-point source pollution provisions and the sediment removal. We have seen a greater emphasis from the initial stages of discussion to a focus on water, but I think we can do more. I think that the discussion that we had here regarding combined sewer overflows will continue as the bill is debated on the House side.

I think the amendment that was offered by my colleague from the 18th District deserves greater consideration as we look to the issue of pollution prevention, so that when we put this proposal before the voters, we are saying we are going to redevelop sites. But we've also learned from the mistakes of the past and we're going to make sure that we avoid pollution problems in the future. I think that is a proposal that deserves much more serious consideration in debate in the House as well.

So, in general, I think we have made improvements, but much more can be done before this vote is finally put before the people of Michigan. But today I'm going to vote for this bill to get it over to the House side so that we can continue that process.

Senator Cherry's statement is as follows:

I rise to actually join my colleague from the 8th District in supporting the proposal. But in doing so, I'm not going to be so quick to dismiss the arguments put forth by the Senator from the 7th District. I think he is accurate in raising some questions about the consistency between how we view state and federal debt, and how, in fact, state debt has grown not just over the entire history, as the Senator from the 34th District talks about, but simply looking back over the last eight years how significantly the state debt has grown and how that growth has, in fact, outstripped growth in revenue. But let me say that I am not the fiscal conservative that some are in this chamber.

First of all, I believe that any deficit is financed. One way or another, you finance deficits or you can play what kind of games you might with how you do it. But, ultimately, any deficit is financed, and a financed expenditure is debt. Let's not play semantical games. That's just the way it is. But I also believe that there are times in which it is fiscally prudent to make an investment that will pay dividends and to do that with debt. The gains outstrip the cost of financing. I believe in this proposal that is what occurs. I believe the benefits are such that it outweighs the concerns I have about Michigan's growing debt load. It is growing, but I think this bond proposal will produce enormous benefits economically in terms of finances for the state. But as the Senator from the 8th District says, those benefits will also be social and they also will be environmental. There will also be economic development as well. I think that's how the state benefits here. In fact, as the bond has been structured, I tend to believe that perhaps it's more of an economic development bond than an environmental bond. If, in fact, Mr. President, we were to truly cast this as an environmental bond, there would be a number of other initiatives that we would want to include. In fact, there were amendments offered during the debate here that would have broadened the purpose of the bond to more environmental questions that are equally challenging to us as a state. But we have chosen not to; we've kept them fairly narrow to those kinds of environmental concerns that will also pay an economic development dividend.

So, Mr. President, I intend to vote "yes." I do so believing that the Senator from the 7th District is right in that the growth in debt is something to be concerned about; that we ought to be cautious about when we add additional debt to Michigan's current debt burden. But, in fact, I believe this bond proposal will pay dividends—future dividends—that will outstrip its cost. Ultimately, you have to look at your debt in a fairly strict cost-benefit analysis. I think that the benefits here outstrip the cost. On that basis, Mr. President, I do intend to vote "yes."

The following bill was read a third time:

Senate Bill No. 902, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 88.

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. 197

Yeas—32

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

Nays—2

Dingell

Jaye

Excused—3

Cisky

Conroy

Peters

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 11:29 a.m.

11:43 a.m.

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

During the recess, Senator Vaughn presented Senate Resolution No. 162 to Fiona Anne Rose, 1998 Rhodes Scholar.
Ms. Rose responded briefly.

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 the order of General Orders, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 1027

The motion prevailed.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 1027, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

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. 198**Yeas—33**

Bennett
Berryman
Bouchard

Dunaskiss
Emmons
Geake

McManus
Miller
North

Shugars
Smith, A.
Smith, V.

Bullard
Byrum
Cherry
DeBeussaert
DeGrow
Dingell

Gougeon
Hart
Hoffman
Jaye
Koivisto

O'Brien
Posthumus
Rogers
Schuette
Schwarz

Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—1

Gast

Excused—3

Cisky

Conroy

Peters

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Protest

Senator Gast, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1027.

Senator Gast's statement is as follows:

I'm proud of my lone vote up there against this bill for this simple reason: I think we elect people on the local government units to use their best judgment and make these decisions. If we don't like what we do, we don't elect them again. Consequently, I think it's wrong for us to meddle into local government and tell them how they have to levy their millages, how they have to round them up, down, sideways, or whatever. I guess I don't agree that we should meddle that much. Again, if we created an unfunded liability, somebody with a 10.5- or 6- or 7-millage levy, and we forced them to roll it down, is that an unfunded liability? I'm sure we'll hear more about it. But I think we're sticking our nose in something that is none of our business and we had ought to run our own shop and not somebody else's.

Senators Rogers, Steil and Bouchard moved that they be named co-sponsors of the following bill:

Senate Bill No. 1027

The motion prevailed.

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

The motion prevailed.

By unanimous consent the Senate proceeded to consideration of the following bill:

House Bill No. 5583, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d.

The above bill was read a third time.

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. 199**Yeas—33**

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

Nays—0**Excused—4**

Cisky	Conroy	Peters	Vaughn
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Not Voting—0

In The Chair: Hoffman

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 act shall be inserted to read as follows:

“An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5584, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

The question being on the passage of the bill,

Senator Gougeon offered the following amendments:

1. Amend page 9, line 3, after “A” by striking out “RESPONSIBLE PERSON” and inserting “PERSON RESPONSIBLE FOR THE DAILY OPERATION OF THE HOSPITAL HELISTOP”.
2. Amend page 9, line 4, after “HELISTOP” by inserting “WHO, AS DETERMINED BY THAT OWNER OR OPERATOR, MEETS THE MINIMUM STANDARDS ESTABLISHED BY THE COMMISSION.”.

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

Senator O'Brien offered the following amendment:

1. Amend page 9, following line 6, by inserting:

“(ii) WITHIN 90 DAYS AFTER APPOINTING A RESPONSIBLE PERSON WHO IS IN CHARGE OF THE DAILY OPERATION OF THE HOSPITAL HELISTOP, THE OWNER OR OPERATOR OF THE HOSPITAL HELISTOP MUST PROVIDE THE COMMISSION IN WRITING WITH THE NAME OF THE RESPONSIBLE PERSON WHO IS IN CHARGE OF THE DAILY OPERATION OF THE HOSPITAL HELISTOP AND IDENTIFY THE MANNER IN WHICH THE COMMISSION MAY CONTACT THAT RESPONSIBLE PERSON IN THE EVENT OF AN EMERGENCY.” and renumbering the remaining subparagraphs.

The question being on the adoption of the amendment,

Senator DeGrow moved that Senator Schwarz be excused from the balance of today’s session.

The motion prevailed.

Senator Schwarz is attending the NCSL Assembly on federal issues.

The amendment 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. 200

Yeas—32

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

Nays—0

Excused—5

Cisky	Peters	Schwarz	Vaughn
Conroy			

Not Voting—0

In The Chair: Hoffman

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 act shall be inserted to read as follows:

“An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers

for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The Senate agreed to the full title.

Senator Vaughn entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Shugars, McManus, Emmons, North, Schwarz, Van Regenmorter, Bouchard, Stille, Jaye, Bullard, Rogers, Bennett, Dunaskiss, Steil, Geake, DeGrow, Hoffman, Schuette, Gast, Posthumus and Gougeon offered the following concurrent resolution:

Senate Concurrent Resolution No. 78.

A concurrent resolution to urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures.

Whereas, In an effort to better coordinate programs to find parents delinquent in child support, the federal government now requires the states to include Social Security numbers on various state license applications. Under the provisions of federal law, states must require Social Security information on applications for marriage, driver’s, occupational, and other licenses; and

Whereas, While we strongly support the ultimate goal of this federal mandate—to track down deadbeat parents—the mechanism of Social Security numbers is inappropriate, unfair, and, quite likely, ineffective. The requirement strikes at our fundamental right to privacy. It imposes a burden on the vast majority of people who are not violating child support orders or any other laws. The potential harm that could result in violating privacy rights far exceeds the benefits to be gained. This is especially true in considering more effective methods of tracking down parents delinquent in their moral and legal responsibilities. Better results could likely be obtained by putting more people on the task of finding lawbreakers; and

Whereas, The right to privacy should not be disregarded; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures; and be it further

Resolved, That copies of this resolution be transmitted to the office of the Governor and to the Family Independence Agency.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

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

Senators Shugars, McManus, Emmons, North, Schwarz, Bouchard, Jaye, Van Regenmorter, Bullard, Rogers, Bennett, Dunaskiss, Stille, Steil, Geake, DeGrow, Hoffman, Schuette, Gast, Posthumus and Gougeon offered the following resolution:

Senate Resolution No. 173.

A resolution to urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures.

Whereas, In an effort to better coordinate programs to find parents delinquent in child support, the federal government now requires the states to include Social Security numbers on various state license applications. Under the provisions of federal law, states must require Social Security information on applications for marriage, driver’s, occupational, and other licenses; and

Whereas, While we strongly support the ultimate goal of this federal mandate—to track down deadbeat parents—the mechanism of Social Security numbers is inappropriate, unfair, and, quite likely, ineffective. The requirement strikes at our fundamental right to privacy. It imposes a burden on the vast majority of people who are not violating child support orders or any other laws. The potential harm that could result in violating privacy rights far exceeds the benefits to be gained. This is especially true in considering more effective methods of tracking down parents delinquent

in their moral and legal responsibilities. Better results could likely be obtained by putting more people on the task of finding lawbreakers; and

Whereas, The right to privacy should not be disregarded; now, therefore, be it

Resolved by the Senate, That we urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures; and be it further

Resolved, That copies of this resolution be transmitted to the office of the Governor and to the Family Independence Agency.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator DeGrow moved that the rule be suspended.

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

The resolution was adopted.

Senator Young was named co-sponsor of the resolution.

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

The motion prevailed.

Senator Shugars' statement is as follows:

I rise in support of this resolution and, real quickly, what this resolution does, is after August of 1996 when the personal responsibility in work opportunity reconciliation act became law, it required that the states amend their laws to improve the efficiency of the system of child support collection and distribution. If we did not pass those laws or those bills yesterday, it could jeopardize monies in the neighborhood of \$954 million that would be going for our children for day care, for health care and for other human services. So, it was important that we pass those bills to assure that we get the \$954 million.

However, I think that a number of us have a number of concerns dealing with our social security numbers going to a number of these documents and applications. In this resolution, we are asking the Governor, John Engler, and the Department of the Family Independence Agency to apply for an exemption from the federal government requirement that the social security numbers be included in the state licensing procedures. So, I urge my colleagues to support this.

Senator Berryman's statement is as follows:

Just to follow Senator Cherry's comments, we had an opportunity yesterday—and I agree with the sponsor of this—to call and ask for this waiver. I would certainly concur with those wishes. But we had an opportunity yesterday when the bills came back from the House that did this very thing, and this very language was stripped out and passed in a manner that is going to be very punitive to people around the state. As much as I support this, I find it ironic that it would be coming back today after we had that opportunity yesterday to vote for this very thing and to send a strong message back to Washington that we're tired of this kind of mandate. They're coming back and telling us: If you want child-care dollars, you will put these Social Security numbers on all of these different licenses. I think it's a very, very strong message not just to a resolution to memorialize Congress, but a very strong message could have been sent yesterday saying that they are tired of getting those mandates.

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

Senate Resolution No. 168

Senate Resolution No. 174

Senate Resolution No. 175

The resolution consent calendar was adopted.

Senators Steil, Gougeon, Stille, Bennett, Geake, Bouchard, Posthumus, Gast, Schwarz, Hoffman, DeGrow, Dunaskiss, Schuette, Van Regenmorter, North, Emmons, McManus, Rogers, Bullard, Shugars, Vaughn, Miller, DeBeaussaert, Young, Hart, Koivisto, Cherry, Berryman and A. Smith offered the following resolution:

Senate Resolution No. 168.

A resolution urging the Michigan State Transportation Commission to formally designate the South Belt Freeway as the Paul B. Henry Freeway.

Whereas, The Honorable Paul B. Henry was a man of the highest moral standards, the broadest public service and the deepest dedication to the people of Kent County through his work in academic, religious and charitable institutions and governmental agencies; and

Whereas, His distinguished efforts were a source of great leadership and vision for our community, and remains a high standard and inspiration for those in and out of public life; and

Whereas, Congressman Henry's own contributions were tragically cut short by his passing in the midst of a productive and promising career in Congress; and

Whereas, Those contributions included securing funding for the South Belt Freeway in 1991; and

Whereas, Those who followed him in his life of service desire to pay honor to his memory, and to the quality of his character. Congressman Vernon Ehlers has added language to the 1998 federal transportation bill which would name the South Belt Freeway the Paul B. Henry Freeway; now, therefore, be it

Resolved, That the Michigan Senate urges the Michigan State Transportation Commission to formally designate the South Belt Freeway as the Paul B. Henry Freeway in tribute to this exemplary public servant; and be it further

Resolved, That a copy of this tribute be transmitted to the State Transportation Commission and to the family of Congressman Henry as evidence of our esteem and honor for him.

Senator Jaye was named co-sponsor of the resolution.

Senators Schuette, Shugars, Schwarz and McManus offered the following resolution:

Senate Resolution No. 174.

A resolution to commemorate April 27, 1998, as "Gerber Memorial Health Services Day."

Whereas, Gerber Memorial Health Services (GMHS) was established in 1918 as a gift from the Gerber family for the "relief of pain and suffering" in the Fremont community; and

Whereas, Quality and personal medical care is a prominent ingredient in the growth and well-being of every community. GMHS has not wavered in its efforts to promote quality health care since its conception and has been a pillar of the Fremont community for over 80 years; and

Whereas, A national study has recently recognized the outstanding efforts of Gerber Memorial Health Services. GMHS is ranked among the top 100 performing hospitals in the United States; and

Whereas, GMHS continues to incorporate new medical technology and educational training, preparing for the challenges we will face in the 21st Century; and

Whereas, Newaygo County is proud to recognize GMHS as the second largest employer in the county. The faculty and staff of GMHS have shown time and time again their willingness to provide top-notch health care and sincere compassion for those in need; now, therefore, be it

Resolved by the Senate, That we declare April 27, 1998, as "Gerber Memorial Health Services Day" in recognition of the extraordinary efforts of the faculty and staff during the past 80 years; and be it further

Resolved, That a copy of this resolution be transmitted to Gerber Memorial Health Services as evidence of our esteem.

Senators Shugars, Gougeon, Gast, North, Posthumus, Emmons, Berryman, McManus, Schwarz, Van Regenmorter, Rogers, Schuette, DeGrow, Stille and Hoffman offered the following resolution:

Senate Resolution No. 175.

A resolution commemorating the 125th Anniversary of the organization of the Michigan State Grange.

Whereas, It is a rare privilege to extend the highest praise and tribute to the members of the Michigan State Grange which, since its organization on April 15, 1873, has faithfully served as a leader for the people of rural Michigan and all the people of the state; and

Whereas, The Michigan State Grange has worked with diligence to benefit Michigan communities. The Grange has provided programs of community service, recreation, leadership training, and education. Throughout Michigan history, the Grange led the fight for such reforms as rural schools, women's suffrage, admission of women to Michigan Agricultural College, the creation of a College of Veterinary Medicine at Michigan State University, the establishment of what is today Blue Cross/Blue Shield of Michigan to provide universal access to health care, and free rural mail delivery; and

Whereas, Members of the Michigan State Grange have served the Great Lakes state with diligence and creativity. Former Michigan Governors Cyrus G. Luce, Chase S. Osborn, and Luren D. Dickinson were Grange members. Many other Grange members have served in Michigan state government. Some of the best known have been Speaker of the Michigan House of Representatives and later Congressman Victor Knox, State Representative Dora Stockman, and State Senator William Doyle; and

Whereas, The innumerable achievements of the Michigan State Grange are an everlasting tribute to the thousands of men and women who have sought to make this noble organization an example of the finest traditions of our state and nation; and

Whereas, It is fitting that the Michigan State Grange be recognized for its service to the people of Michigan—improving the quality of life for so many and helping to build rural Michigan and America; now, therefore, be it

Resolved by the Senate, That tribute be accorded to the past and present members of the Michigan State Grange on the 125th Anniversary of the organization, and that all citizens should give recognition for the contributions the Michigan State Grange has given to the quality of life in our state; and be it further

Resolved, That copies of this resolution be transmitted to the offices of the Michigan State Grange and to subordinate Granges throughout the state in testimony to the Grange's invaluable contributions to the people of Michigan.

Introduction and Referral of Bills

Senator Young introduced

Senate Bill No. 1055, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 139. The bill was read a first and second time by title and referred to the Committee on Appropriations.

Statements

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

The motion prevailed.

Senator Byrum's statement is as follows:

April 1st has come and gone, and what I had predicted and feared was going to happen in regards to the changes to the Michigan teens' driving law have exactly come to be. On that date, April 1, schools were able to quit offering or start charging for driver's education programs, teen driving programs. The newspapers are littered with articles about schools that are now charging for driver's education or school districts that have decided to dump the program. I predicted that schools would begin dropping or charging for driver's education, and that's exactly what has been happening.

The Department of Education has just completed a survey of school districts in Michigan and they have found that close to 40 percent will now start charging for driver's education. Many schools have decided to drop programs altogether forcing teens and their parents to private driving schools. As you will all recall, I successfully initiated and had signed into law legislation just recently that would give parents some tools, some consumer protections, in who was teaching their teen drivers how to drive. With having the commercial driving hook-up service so that we would not only know the personal driving record of the instructors, but also the criminal background by requiring criminal background checks.

I'm glad my legislation passed and put those consumer protections in place for parents and their teens, however, that does not sidestep the issue that for over 50 years, Michigan has had a history of providing a sound driver's education program for all of our teen drivers. The step forward that we took was giving students more time and experience behind the wheel with the three-tiered graduated system. We took a giant step backwards by not providing a quality driver's education training program to all students across all school districts in Michigan. What we have now is a hodge-podge system that is complicated, convoluted and is extremely expensive that will create barriers for teens getting a quality education or getting a driving education at all because, as you will all know, once you turn 18, you take the road test and you can get a driver's license without any training or education.

I've said for a long time that public safety is what we should be concerned about here. Public safety is not a partisan issue, and as we give teen drivers the ability to get behind the steering wheel of a car and motor down the Michigan highways, we are all at risk. If they are the best qualified drivers that we could put on the roads.

I believe what we did was wrong, but having said that, it is in effect April 1. I have done the best I can do to try to put some provisions, some safety provisions, in place for families and teens. But the public should be fully aware that Michigan truly has taken a step backward in terms of public safety when it comes to motoring teens on our streets and highways.

Committee Reports

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 864, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 16245, 16247, 16248, and 20165 (MCL 333.16221, 333.16226, 333.16245, 333.16247, 333.16248, and 333.20165), sections 16221 and 16226 as amended by 1996 PA 594, section 16245 as amended by 1993 PA 87, sections 16247 and 16248 as amended by 1993 PA 79, and section 20165 as amended by 1990 PA 179, and by adding sections 16275 and 20197.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Jaye

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 1047, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 54a.

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

Dale L. Shugars

Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Jaye

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

House Bill No. 4846, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 16245, 16247, and 16248 (MCL 333.16221, 333.16226, 333.16245, 333.16247, and 333.16248), sections 16221 and 16226 as amended by 1996 PA 594, section 16245 as amended by 1993 PA 87, and sections 16247 and 16248 as amended by 1993 PA 79, and by adding section 16274.

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

Dale L. Shugars

Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Jaye

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

House Bill No. 4962, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 430a.

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

Dale L. Shugars

Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Jaye

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

House Bill No. 5475, entitled

A bill to prohibit the expenditure of state funds to clone a human being or to conduct or to support research on the cloning of human beings.

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

Dale L. Shugars

Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz and Jaye

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 Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, April 14, 1998, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz and Jaye

Excused: Senators Byrum and O'Brien

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 610, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss and Bennett

Nays: Senators Hart and O'Brien

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 615, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 202, 203, and 402 (MCL 37.2202, 37.2203, and 37.2402), section 202 as amended by 1991 PA 11 and section 402 as amended by 1993 PA 216.

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

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett and Hart

Nays: Senator O'Brien

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 995, entitled

A bill to authorize an entertainment forum or shopping center to detain, remove, or eject certain individuals under certain circumstances.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 4503, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 3, 3a, 10b, and 11 (MCL 46.3, 46.3a, 46.10b, and 46.11), section 10b as amended by 1996 PA 40 and section 11 as amended by 1996 PA 396; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Leon Stille
Chairperson

To Report Out:

Yeas: Senators Stille, Dunaskiss, Bennett and Hart

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:
 Meeting held on Wednesday, April 15, 1998, at 1:40 p.m., Room 100, Farnum Building
 Present: Senators Stille (C), Dunaskiss, Bennett, Hart and O'Brien

The Committee on Appropriations reported

Senate Bill No. 1028, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 504, 701, 702, 705, 706, 711, 715, and 716 (MCL 38.2104, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, 38.2661, 38.2665, and 38.2666), section 104 as amended by 1995 PA 193 and sections 701, 702, 705, 706, 711, 715, and 716 as added by 1996 PA 523, and by adding sections 701a and 718a.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Harry Gast
 Chairperson

To Report Out:

Yeas: Senators Gast, Geake, DeGrow, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Koivisto, A. Smith, Young, Vaughn and DeBeaussaert

Nays: None

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

The Committee on Appropriations reported

House Bill No. 5059, entitled

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending the title and sections 2 and 6 (MCL 12.202 and 12.206); and to repeal acts and parts of acts.

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

1. Amend page 3, line 19, after "AND" by inserting "ORIGINATING".

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

Harry Gast
 Chairperson

To Report Out:

Yeas: Senators Gast, Geake, DeGrow, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Koivisto, A. Smith, Young, Vaughn and DeBeaussaert

Nays: None

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

The Committee on Appropriations reported

House Bill No. 5534, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50a (MCL 38.1050a), as amended by 1994 PA 359.

With the recommendation that the bill pass.

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

Harry Gast
 Chairperson

To Report Out:

Yeas: Senators Gast, Geake, DeGrow, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Koivisto, A. Smith, Young, Vaughn and DeBeaussaert

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, April 15, 1998, at 2:00 p.m., Senate Appropriations Room, Capitol Building

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

Excused: Senators Cisky and Conroy

COMMITTEE ATTENDANCE REPORT

The Committee on Education submits the following:

Meeting held on Tuesday, April 14, 1998, at 1:05 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons (C), DeGrow and DeBeaussaert

Excused: Senators Schuette and Peters

Scheduled Meeting

Judiciary Committee – Tuesday, April 21, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-6920).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:14 p.m.

The Assistant President pro tempore, Senator Hoffman, declared the Senate adjourned until Tuesday, April 21, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

