

No. 13
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, February 20, 1997.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Carl—present
Cherry—present
Cisky—present
Conroy—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present

Emmons—present
Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—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

Father John Hagan of the Trinity Episcopal Church in Belleville offered the following invocation:

O Lord, You give all life. You bear all pain. You create all hope. We pray that You are with these men and women this day, who guide the affairs of this state. We pray that their discernment may be bounded in Your wisdom, their deliberations guided by Your spirit and their actions led in humility. Help them to know that You have given us life, that Your spirit lives in all people and that Your breath blows through every moment. Strengthen them in kindness. Direct them in mercy. Keep them in compassion. Empower them with justice. Instill in them hope that all their work done this day may be a reflection, a mirror, of Your life and their lives. We pray this in the name of the God who lives and moves and loves through each of us. Amen.

Motions and Communications

Senator Conroy entered the Senate Chamber.

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

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

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

The motion prevailed.

Senator Stallings entered the Senate Chamber.

Senator DeGrow moved that the Committee on Financial Services be discharged from further consideration of the following bills:

Senate Bill No. 66, entitled

A bill to regulate access to genetic information about individuals.

Senate Bill No. 67, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 2027a and 3406f.

Senate Bill No. 68, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 418.

Senate Bill No. 69, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053c.

Senate Bill No. 70, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 103, 502, 504, 505, and 506 as amended by 1992 PA 124, section 202 as amended by 1991 PA 11, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Senator DeGrow moved that the bills be referred to the Committee on Health Policy and Senior Citizens.

The motion prevailed.

Senator DeGrow moved that the Committee on Families, Mental Health and Human Services be discharged from further consideration of the following bill:

Senate Bill No. 181, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 1034 (MCL 330.2034) and by adding sections 487 and 542.

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 bill be referred to the Committee on Judiciary.

The motion prevailed.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

February 13, 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 8:12 a.m. this date, administrative rule (97-2-4) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "Construction Safety Standards, Part 13. Mobile Equipment," effective 15 days hereafter.

February 13, 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 8:14 a.m. this date, administrative rule (97-2-5) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "Safety Standards for Agriculture, Part 51. Agricultural Tractors," effective 15 days hereafter.

February 13, 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 8:16 a.m. this date, administrative rule (97-2-6) for the Department of Consumer and Industry Services, Bureau of Safety and Regulation, entitled "General Industry Safety Standards, Part 77. Grain Handling Facilities," effective 15 days hereafter.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 19:

House Bill Nos. 4219 4220

The Secretary announced the printing and placement in the members' files on Wednesday, February 19 of:

Senate Bill Nos.	156	157	158	159	160	161	162	163	164	165	166	167	168	169
	170	171	172	173	174	175	176	177	178	179	180	181	182	183
	184	185	186	187	188	189	190	191	192	193	194	195	196	197
	198	199	200	208										

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

General Orders

Senator DeGrow moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Binsfeld, designated Senator Dunaskiss as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendments, the following bill:

Senate Bill No. 127, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19f (MCL 38.19f), as added by 1996 PA 487.

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

1. Amend page 3, line 20, after "department" by striking out the balance of the line through "AGENCY" on line 21.
2. Amend page 3, line 22, after "(1)" by striking out "OR (2)".
3. Amend page 3, line 22, after "department" by striking out the balance of the line through "AGENCY" on line 23.
4. Amend page 4, line 2, after "(1)" by striking out the balance of the line through "(2)" on line 3.
5. Amend page 4, line 3, after "1998." by inserting "UPON WRITTEN APPROVAL OF THE SENATE MAJORITY LEADER FOR A MEMBER WHO IS AN EMPLOYEE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR A MEMBER WHO IS AN EMPLOYEE OF THE HOUSE OF REPRESENTATIVES, OR THE CHAIR AND ALTERNATE CHAIR OF THE LEGISLATIVE COUNCIL FOR A MEMBER WHO IS AN EMPLOYEE OF AN AGENCY UNDER THE JURISDICTION OF THE LEGISLATIVE COUNCIL, AND UPON WRITTEN CONCURRENCE OF THE MEMBER, THE EFFECTIVE DATE OF RETIREMENT FOR THAT MEMBER UNDER SUBSECTION (2) MAY BE EXTENDED TO A DATE NOT LATER THAN JUNE 1, 1998. THE INDIVIDUAL OR INDIVIDUALS WHO APPROVE THE EXTENSION OF AN EFFECTIVE DATE OF RETIREMENT UNDER THE PREVIOUS SENTENCE SHALL SUBMIT WRITTEN NOTIFICATION TO THE BUREAU OF RETIREMENT SYSTEMS OF ALL EXTENSIONS APPROVED ON OR BEFORE APRIL 30, 1997."

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

During the Committee of the Whole, Senator Hoffman entered the Senate Chamber.

Senator DeGrow moved that rule 3.902 be suspended to allow the President of the State NAACP admittance to the Senate floor.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 1, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, 7a, and 13 (MCL 408.382, 408.384, 408.384a, 408.387, 408.387a, and 408.393), section 2 as amended by 1980 PA 97, and by adding section 4b.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1964 PA 154, entitled "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending sections 4, 7, 7a, and 13 (MCL 408.384, 408.387, 408.387a, and 408.393) and by adding section 4b.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 15

Yeas—27

Bennett
Berryman
Byrum

DeBeaussaert
DeGrow
Dingell

Hoffman
Koivisto
McManus

Smith, A.
Smith, V.
Stallings

Carl
Cherry
Cisky
Conroy

Dunaskiss
Geake
Gougeon
Hart

Miller
O'Brien
Peters
Posthumus

Stille
Vaughn
Young

Nays—11

Bouchard
Bullard
Emmons

Gast
North
Rogers

Schuetz
Schwarz
Shugars

Steil
Van Regenmorter

Excused—0

Not Voting—0

In The Chair: President

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

Protests

Senators Schwarz, Rogers, Gast, North, Steil, Emmons, Van Regenmorter, Schuetz and Shugars, under their constitutional right of protest (Art. IV, Sec. 18), protested against concurring in the House substitute to Senate Bill No. 1.

Senator Schwarz' statement, in which Senators North and Gast concurred, is as follows:

I voted "no" on Senate Bill No. 1 because the tip credit provision at \$2.65 an hour will have a chilling, perhaps even killing effect on the small restaurant business in Michigan. Had this clause not been in the bill, I would have voted "yes."

Senator Rogers' statement, in which Senators North and Steil concurred, is as follows:

I oppose the bill that I voted for last week also because the tip credit provision was raised by 13 cents, which does not sound like a lot of money, 13 cents, what's the big deal? But in the Senate bill that we sent over last week, we guaranteed waitresses they would make \$5.15 an hour. That certainly is our intent, to make sure and guarantee a minimum wage. That was the right way to do it.

What this has done is raise the cost of doing business to our smallest restaurants, about \$20 million, and that's including labor and tax costs. We know at conservative estimates, as was testified before the United States Congress on this very issue, who chose to leave their tip credit at \$2.13 an hour. We are obviously already higher than that. This would effect, by raising the tip credit, approximately four to eight percent are the estimates for every 10 percent you raised the tip credit in job loss. That sounds confusing and it sounds like numbers. I think we should stand here today and put a face on those numbers. It's very important.

In Michigan what does that mean? At the very lowest number it means that 200-250 waitresses are going to show up for work and be told that they go home and find another job. That doesn't sound like a lot. It's only 200 waitresses in the state of Michigan. What's the big deal? Well, I think it is a big deal. There is a right way and a wrong way to raise the minimum wage for heads of families and the working poor in the state of Michigan. We have sold down the river the right way for expediency.

In doing so, again the conservative estimate is 200-250 women, we have cost jobs that provide flexibility, that provide hourly wages that exceed \$8 an hour and we know that. We can argue in a 30-second commercial that, by God, we've helped the waitresses by giving them 13 cents an hour and haven't we done a wonderful thing? Well we have not and it's shameful. Those who supported that proposal ought to be ashamed of themselves because again, that's a working woman, probably a single working mother, who's going to have to go out and try to find a job making between \$8-\$12 an hour. They are not easy to find in that range, with their skill level.

We have done a tremendous disservice to the working poor of Michigan today by allowing this provision to be in the bill. Yesterday a bill came out of the Finance Committee that told me the truth about this provision. There was a vote take to give those working waitresses, those working mothers and single mothers, \$440 in tax cuts. If we really believed we wanted to help those women, that is the way to do it. Unfortunately, it came down on party lines, where my colleagues on the other side of the aisle said “No, we don’t want to give those working women \$440 this year. We’d prefer to raise the taxes on the cost of doing business for those very small restaurateurs who are also just trying to make it.”

Had this not been in there, I would have supported the minimum wage in Michigan because through many hours of deliberation we did come up with a bill that was responsible to the heads of family and the working poor in the state of Michigan. We sent that bill to the House of Representatives. They sent us back a bill that does more harm than it does good. That is why I voted “no” and that is why we need to stand up and give a voice to those working women.

Senator Emmons’ statement, in which Senators North and Van Regenmorter concurred, is as follows:

I would have also voted for this bill had it not been for the change in the tip credit. I think we have to make very clear who we are affecting in this bill. It was a \$19 million increase in the cost of small restaurateurs in my district, and I would like to describe what that small restaurant looks like. The owner is in the kitchen cooking. There are ten to fifteen tables out front. They maybe have a rotating waitress who busses and does everything. They are not making a lot of money, but it is the beginning of being an entrepreneur. It is the beginning of setting your own destiny. I believe that the change in the tip credit is going to have a very large effect on that tiny, little restaurant and really not much effect on the waitresses in front. What often happens in my little restaurants are that they keep turning over and over, because it is very hard work. Margins are not very wide. Very often the waitress who was starting in that restaurant becomes the owner and the cycle begins again. I could not support this bill. I would be hopeful that we can find measures that will help servers, many who are on the bottom of the earning in these very tiny restaurants in other ways, without hurting the owner who are cooking and paying the taxes.

Senator Schuette’s statement is as follows:

I voted for the minimum wage increase of \$4.75 figured in on May of this year and \$5.15 in September and feel that was the correct vote by increasing the minimum wage. This latest item that we voted upon, however, contained a job killer amounting to \$20 million that would hurt small restaurants throughout my district. This is really a jobs issue across mid-Michigan. This is a job issue in the Thirty-fifth District. What it really does with this issue of the tip credit, not the minimum wage, but the tip credit, is put a vise grip on the small restaurants in rural mid-Michigan. What it means for the single parent, out of work, who had a job but the tip credit will act as a clamp on jobs in the restaurant industry. There might be a young kid who is just starting the employment ranks, he might not have that opportunity. Maybe it’s a Christmas time job or a parent who is trying to put money away for the family’s presents. So, any way you look at it, this tip credit really means fewer jobs at a cost of \$20 million to restaurants in the middle part of the state of Michigan.

Senator Shugars moved that the statement he made on House Bill No. 4177 on February 19 be printed as his reasons for voting “no.”

The motion prevailed.

Senator Shugars’ first statement is as follows:

The reason I voted “no” is that I have a philosophical disagreement with government coming in and setting laws on labor, how much someone is going to get paid. Next, government could set prices on the price of milk and food and other services. And, I feel that other countries over in Europe demonstrated that Socialism doesn’t work and I believe that if one goes out into the marketplace, minimum wage really doesn’t affect the person working. If you go to McDonald’s or Burger King there’s jobs at \$7.00 an hour and things of that sort. I don’t believe that the minimum wage law really is effective out there now. I think that raising it, some of the studies that I’ve read from former President Jimmy Carter and former Presidential candidate George McGovern said that they have a lot of concerns with the minimum wage that, in effect, it doesn’t help the people that you want to help. When you look at the people who are working part time, that is the second job for an individual, they’re young people who are working. So, I’m certain that it effectively helps who you are trying to help, but it does cost more money, it does get government involved in the running of the free market. I’m a supporter of the free market system.

I just want to finish with one thing—who are we kidding? I don’t believe that anybody can live on \$5.15 an hour. So if you are in fact, compassionate to people who are in poverty and you believe that government can solve everybody’s problems than you should have supported a \$10.00 an hour minimum wage. So, that is my philosophical difference.

Senator Shugars’ second statement is as follows:

Now the state of Michigan will be 52 cents higher than the federal wait staff wages—52 cents higher.

Senators Conroy 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 Conroy's statement is as follows:

I heard some of these comments about this huge increase that is taking place for the wait staff of the state of Michigan, the people who do that work throughout the state. As I recall, the facts of the matter are that there hadn't been an increase in the wait staff minimum wage in 16 years. I want to just take you back 16 years ago. The Senators, had they been sitting on this floor, would have been paid about \$24,000 a year instead of the \$50,000 plus that they make now, with all of the benefits, with all of the health care that mothers and children of our families get, and indeed ourself if we have health care problems. It just flat out amazes me that somebody could criticize or indeed vote against, although that's their prerogative, an increase of 13 cents, not even 1 penny a year! I realize nobody wanted to vote for a 50 cent increase, but we didn't even have a 1 cent a year increase in this thing. If you folks are complaining about people losing jobs, clearly they can't live on them at a 13 cent increase over 16 years.

Surely there are some wait staff people who do very well, and we're proud of that and hope that more of them do. But we also know that we now have corporate restaurants in this state. Talk to any of your independents. Ask them what's going on and they know that their corporate restaurants that are now the fact of life, the Arby's, the Burger Kings, the restaurants that have a system that comes in and they put in place in the best locations in our communities.

It just seems to me that people who are raising children, who are our citizens, who are trying to do the best job they can, should have something more than simply a symbolic gesture of 13 cents. I'm quite proud that they got some increase and embarrassed that that's all it was.

For those of you who think the world is coming apart by this 13 cent increase, I would like you to confront those waitresses and waiters who do their work each day, sometimes only 20 hours a week is all the hours they can get. Some of them work in two different locations in order to make ends meet. Some of them take part-time jobs sweeping out motels, cleaning up gas stations. There's a woman I met, 57 years old, she cleans out the grease on the floor of the gas station at 10 or 11 o'clock each night and couldn't afford to get a mammogram. We have people in this state who aren't state Senators.

I guess it just amazes me that I hear some of this rhetoric. Although I don't agree with it, I agree that it's your right to provide it. I just say look at those waiters and waitresses straight in the face and say "I gave you a 13 cent increase," and see what kind of a response you get.

Senator North's statement is as follows:

The good Senator from the Twenty-ninth District made a point that we have people in the state of Michigan that are not state Senators, so, thank goodness for that.

Tips are normally based on the price of the meals, and if the good Senator thinks that people are still dining out for what they paid 16 years ago, I'd like to frequent the same restaurant that the good Senator does.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Posthumus and Cherry offered the following resolution:

Senate Resolution No. 26.

A resolution to amend the Standing Rules of the Senate.

Resolved by the Senate, That Rule 2.103 of the Standing Rules of the Senate be hereby amended to read as follows:

"2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Agriculture and Forestry (5 members)

Appropriations (13 members)

Economic Development, International Trade and Regulatory Affairs (5 members)

Education (5 members)

Families, Mental Health and Human Services (5 members)

Finance (5 members)

Financial Services (5 members)

GAMING AND CASINO OVERSIGHT (5 MEMBERS)

Government Operations (5 members)

Health Policy and Senior Citizens (5 members)

Human Resources, Labor and Veterans Affairs (5 members)

Judiciary (7 members)

Local, Urban and State Affairs (5 members)

Natural Resources and Environmental Affairs (5 members)

Technology and Energy (5 members)

Transportation and Tourism (5 members)

Statutory standing committees:

Administrative Rules (5 members) (MCL 24.235)

Legislative Council (6 members and 3 alternates) (MCL 4.313)

Legislative Retirement Board of Trustees (4 members) (MCL 38.1026)

Michigan Capitol Committee (4 members) (MCL 4.1701)".

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, a majority of the members present voting therefor.

By unanimous consent the Senate returned to the order of

Motions and Communications

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:

Financial Services - Senator Gougeon replacing Senator Rogers.

Technology and Energy - Senator Rogers replacing Senator Bouchard.

Gaming and Casino Oversight - Senators Bouchard (C), Rogers (VC), Schuette, V. Smith and Koivisto.

The standing committee appointments were approved, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators McManus, Geake, Steil and Gast introduced

Senate Bill No. 210, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 645.

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

Senators McManus and Koivisto introduced

Senate Bill No. 211, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 28c (MCL 436.28c), as amended by 1992 PA 133.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senator Koivisto introduced

Senate Bill No. 212, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241.

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

Senator Koivisto introduced

Senate Bill No. 213, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241, and by adding sections 48a and 48b.

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

Senator Koivisto introduced

Senate Bill No. 214, entitled

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," by amending sections 13, 14, and 18 (MCL 456.533, 456.534, and 456.538), as amended by 1982 PA 132.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators A. Smith, DeBeaussaert, Byrum, Vaughn, Cherry, Gast, Steil and Berryman introduced

Senate Bill No. 215, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339, and by adding section 1591.

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

Senators Stille, Shugars, Gougeon, North and Koivisto introduced

Senate Bill No. 216, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding sections 224 and 224a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Berryman, Dingell, A. Smith and Peters introduced

Senate Bill No. 217, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," (MCL 701.1 to 712A.32) by adding section 18c to chapter XII.

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

Senator Bouchard introduced

Senate Bill No. 218, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 51a (MCL 257.51a).

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

Senator Bouchard introduced

Senate Bill No. 219, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding section 29a to chapter VII.

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

House Bill No. 4219, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

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. 4220, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

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.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 102, entitled

A bill to amend chapter XVI of 1927 PA 175, entitled "The code of criminal procedure," (MCL 776.6 to 776.22) by adding section 13a.

With the recommendation that the bill 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 Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 114, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 1996 PA 10 and section 2950a as amended by 1994 PA 404.

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

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Tuesday, February 18, 1997, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Van Regenmorter, Rogers, Cisky, Geake, Dingell and Peters

Excused: Senator V. Smith

The Committee on Finance reported

Senate Bill No. 208, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

With the recommendation that the bill pass.

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

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Carl and Shugars

Nays: Senators Peters and Stallings

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Wednesday, February 19, 1997, at 2:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons, Carl, Shugars, Peters and Stallings

COMMITTEE ATTENDANCE REPORT

The Committee on Financial Services submits the following:

Meeting held on Wednesday, February 12, 1997, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bouchard, Bennett, Berryman and Miller

Excused: Senator Rogers

COMMITTEE ATTENDANCE REPORT

The Legislative Council submits the following:

Meeting held on Thursday, February 13, 1997, at 2:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Posthumus, DeGrow, Schwarz, Steil, V. Smith and Schuette

Excused: Senators Cherry, Cisky and O'Brien

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Friday, February 14, 1997, at 1:00 p.m., Livonia Civic Center Auditorium, 33000 Civic Center Drive, Livonia, Michigan

Present: Senators Gougeon, Geake and Peters

Excused: Senators Bouchard and V. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:

Meeting held on Tuesday, February 18, 1997, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators McManus, Gast, Hoffman, Koivisto and A. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submits the following:

Meeting held on Tuesday, February 18, 1997, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators DeGrow, Steil and A. Smith

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, February 18, 1997, at 3:00 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:

Meeting held on Wednesday, February 19, 1997, at 8:30 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Hoffman and DeGrow

Excused: Senator Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Regulatory submits the following:

Meeting held on Wednesday, February 19, 1997, at 1:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Steil, Geake and Young

Scheduled Meetings

Families, Mental Health and Human Services Committee - Thursday, February 27, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Judiciary Committee - Tuesday, February 25, at 1:00 p.m., Room 100, Farnum Building (3-6920).

Legislative Council - Tuesday, February 25, at 12:30 p.m., Rooms 402 and 403, Capitol Building (3-0212).

Natural Resources and Environmental Affairs Committee - Tuesday, February 25, at 3:00 p.m., 8th Floor, Conference Room, Farnum Building (3-7350).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 10:44 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, February 25, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.