

No. 44
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, May 19, 1998.

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 not present.

Bennett—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Cherry—present
Cisky—present
Conroy—present
DeBeausaert—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—present

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 Jackie Vaughn III of the 4th District offered the following invocation:

In early days when men and women felt helpless, they would cry out for help. So, with this in mind, let us think about what God has done for all of us.

Today when we feel helpless, estranged and left out and, perhaps, in different ways, we call upon God in that spirit, the Spirit of the living God, who calls us to be daring, stewards, and co-creators of Your world to care for all generations. Be with this important body, which is charged, trusted, and empowered with so much. By love, which is justice, grant us passion in law to care for the poor, the oppressed, and to care for the least among us with love which is companion for all of us. We ask God's concern. Help us to overcome parochial, crippling division; to transcend law alone, for it is in love that we are bound together. Hear our prayer, O Lord. Give ear unto our cries. Hold not Thy peace, but our fears, for we are strangers in this land; sojourners as our fathers and forefathers were. This is our prayer at the beginning of this session. Amen.

Motions and Communications

Senator DeGrow entered the Senate Chamber.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:05 a.m.

10:44 a.m.

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

During the recess, Senators Schuette, Hoffman, Gast, Steil, Rogers, Bennett, Jaye, Dunaskiss, Stille, North, Geake, Posthumus, Gougeon, McManus and Emmons entered the Senate Chamber.

A quorum of the Senate was present.

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

The following communication was received:
South Central Michigan Works!

May 8, 1998

In accordance with 20 CFR 628.425 of the Job Training Partnership Act (JTPA), enclosed please find South Central Michigan Works! Title III proposed plan for review and comment.

If you have any questions, please contact me at our toll free number 1-888-MI WORKS or (517) 437-0990 extension 108. Thank you.

Sincerely,
Scott A. Menzel
Executive Director

The communication was referred to the Secretary for record.

The following communication was received:
Department of Treasury

May 11, 1998

Pursuant to Section 312 of Public Act 375 of 1996, please find attached the compilation of accounts receivable for circuit courts, district courts, and probate courts in Michigan as of September 30, 1997. The amounts reported are based upon estimates provided by individual courts to the State Court Administrative Office and transmitted by that Office to the Department of Treasury. However, because Act 312 did not authorize the Department to audit or review the financial statements of the individual courts, no opinion is expressed regarding the accuracy of the information reported.

For purposes of this report, accounts receivable were considered to be any payment ordered by a circuit court, district court, or probate court for fines, court costs, fees, parental reimbursements, or any other payment that could be distributed to the local funding unit, to any other unit of local government, or to the State of Michigan. The information provided to the State Court Administrative Office consists of two categories, those accounts receivable which are less than two years old and those which are two to seven years old.

While the attached report estimates statewide accounts receivable of approximately \$327 million, it is unlikely for several reasons that this amount can be fully collected. First, there are no formal written standards for the writing off of bad debts owed to courts in Michigan. Under generally accepted accounting principles, accounts receivable which are two to seven years old cannot reasonably be expected to result in a high percentage of collection. Therefore, any amount carried as an accounts receivable beyond two years should be reduced to reflect a realistic amount that possibly can be collected. Of the \$327 million estimated total, \$149 million or 45.5 percent is two to seven years old.

Second, some of the accounts receivable may represent amounts assessed to:

1. Individuals who currently may be incarcerated, who no longer reside in the state, or who are deceased.
2. Individuals who have had their debts discharged through bankruptcy proceedings.
3. Individuals who received sentencing alternative in which community service or incarceration was ordered in lieu of payment, but whose court records still reflect an amount ordered.
4. Individuals who are transients, unemployed, underemployed, or otherwise uncollectible.
5. Individuals who are unlikely to comply or to pay amounts assessed against them no matter what actions are taken against them.

If you require additional information on the matter, please let me know.

Sincerely,
Douglas B. Roberts
State Treasurer

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

May 13, 1998

Enclosed is a copy of the following audit report and/or executive digest:

Compliance Audit of Selected State Universities' Reporting of Enrollment and Other Higher Education Institutional Data Inventory (HEIDI) Data, Including the Provisions of Act 84, P.A. 1997, and the Department of Management and Budget Annual Budget Letter, for Fiscal Year 1996-97.

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

The communication was referred to the Secretary for record.

The following communications were received:
Joint Committee on Administrative Rules

Certificates of Approval

Date: May 13, 1998
Subject: Trans. No. 98-37

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Architects, dated March 17, 1998.

Date: May 13, 1998
Subject: Trans. No. 98-38

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Barber Examiners, dated March 11, 1998.

Date: May 13, 1998
Subject: Trans. No. 98-39

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Residential Builders and Maintenance and Alteration Contractors, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-40

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Cemeteries, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-41

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Professional Engineers, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-42

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Foresters, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-43

I hereby certify that the Joint Committee on Administrative Rules approved the rescission of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Landscape Architects, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-48

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Michigan Gaming Board, pertaining to Casino Gaming, dated May 12, 1998.

Sincerely,
Senator Walter H. North
Chair

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:

Meeting held on Wednesday, May 13, 1998, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators North (C), Dingell and Byrum

Excused: Senators Schwarz and Van Regenmorter

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 14:

House Bill Nos. 4256 5424 5590 5594

The Secretary announced the printing and placement in the members' files on Thursday, May 14 of:

Senate Bill Nos. 1127 1129

Senate Joint Resolution R

**House Bill Nos. 5836 5837 5838 5839 5840 5841 5842 5843 5844 5845 5846 5847 5848 5849
5850 5851 5857**

The Secretary announced the printing and placement in the members' files on Friday, May 15 of:

House Bill Nos. 5852 5853 5854 5855 5856 5858 5859 5860

The Secretary announced the printing and placement in the members' files on Monday, May 18 of:

Senate Bill Nos. 1130 1131 1132

House Bill Nos. 5861 5862 5863 5864 5865 5866

Senator Bouchard entered the Senate Chamber.

Senator DeGrow moved that Senator Gast be temporarily excused from the balanced of today's session.
The motion prevailed.

By unanimous consent the Senate proceeded to the order of
Messages from the House

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

Senate Bill No. 200

Senate Bill No. 97

House Bill No. 4289

Senate Bill No. 38

Senate Bill No. 752

Senate Bill No. 386

Senate Bill No. 313

Senate Bill No. 866

Senate Bill No. 874

The motion prevailed.

Senate Bill No. 864, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20165 (MCL 333.20165), as amended by 1990 PA 179, and by adding sections 16274 and 20197.

The House of Representatives has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Third Reading of Bills

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

Senate Bill No. 256

Senate Joint Resolution A

The motion prevailed.

Senators Gast, Cisky and Van Regenmorter entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1026, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307, 315, 319, and 323 (MCL 257.307, 257.315, 257.319, and 257.323), section 307 as amended by 1996 PA 205, section 319 as amended by 1996 PA 587, and section 323 as amended by 1994 PA 449, and by adding section 50a.

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. 315

Yeas—35

Bennett
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert
DeGrow

Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Hoffman
Jaye

Koivisto
McManus
Miller
North
O'Brien
Peters
Posthumus
Rogers
Schuette

Schwarz
Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn

Nays—1

Berryman

Excused—1

Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Berryman, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1026.

Senator Berryman's statement is as follows:

I voted "no" on Senate Bill No. 1026 because I believe that it's going to cause a lot of problems between college students around the state, and I think one more time, I mean we have talked about big government, too much government, and once again, now because when you fail to change your address on your license you can end up having it revoked, suspended and fined. Somewhere, sometime, we are going to have to stop spreading the power of state government, and there are other ways you can remedy the problem. To the Senator who sponsored the bill, I think there are other remedies other than fines or suspension. For those reasons, Madam President, I voted against it.

Senator Young entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5535, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4038 (MCL 500.4038), as added by 1993 PA 349.

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. 316**Yeas—37**

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

Nays—0**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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5608, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 224, 476a, 5256, 5901, 5915, and 5925 (MCL 500.224, 500.476a, 500.5256, 500.5901, 500.5915, and 500.5925), section 224 as amended by 1994 PA 228, sections 476a and 5256 as amended by 1990 PA 256, and section 5901 as amended and sections 5915 and 5925 as added by 1995 PA 215.

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. 317**Yeas—37**

Bennett	Dingell	Koivisto	Schwarz
Berryman	Dunaskiss	McManus	Shugars
Bouchard	Emmons	Miller	Smith, A.
Bullard	Gast	North	Smith, V.
Byrum	Geake	O’Brien	Steil
Cherry	Gougeon	Peters	Stille

Cisky
Conroy
DeBeaussaert
DeGrow

Hart
Hoffman
Jaye

Posthumus
Rogers
Schuette

Van Regenmorter
Vaughn
Young

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The President pro tempore, Senator Schwarz, assumed the Chair.

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 to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5216, entitled

A bill to amend 1971 PA 227, entitled “An act to prescribe the rights and duties of parties to home solicitation sales,” by amending section 1 (MCL 445.111), as amended by 1980 PA 108.

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. 318**Yeas—36**

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

Nays—1

Jaye

Excused—0**Not Voting—0**

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4897, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 43c, 85, 104a, and 108 (MCL 38.1343c, 38.1385, 38.1404a, and 38.1408), sections 43c and 104a as amended by 1989 PA 194, section 85 as amended by 1991 PA 47, and section 108 as amended by 1995 PA 177.

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. 319**Yeas—36**

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

Nays—1

Jaye

Excused—0

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator North as Chairperson.

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

Senate Bill No. 456, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 216b. Substitute (S-2).

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

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

Senate Bill No. 813, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5501, 5521, and 5522 (MCL 324.5501, 324.5521, and 324.5522); and to repeal acts and parts of acts.

Substitute (S-1).

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

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

Senate Bill No. 785, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 145d. Substitute (S-3).

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

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

Senate Bill No. 1091, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 145d. Substitute (S-3).

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

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

“(2) A VIOLATION OF THIS SECTION OCCURS IF THE COMMUNICATION ORIGINATES, TERMINATES, OR BOTH ORIGINATES AND TERMINATES IN THIS STATE.

(3) A VIOLATION OF THIS SECTION MAY BE PROSECUTED IN ANY JURISDICTION IN WHICH THE COMMUNICATION ORIGINATED OR TERMINATED.” and renumbering the remaining subsection.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1056, entitled

A bill to amend 1975 PA 148, entitled “Debt management act,” by amending sections 2, 5, 6, 8, 13, 14, 15, 16, and 18 (MCL 451.412, 451.415, 451.416, 451.418, 451.423, 451.424, 451.425, 451.426, and 451.428); and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 5, following line 19, by inserting:

“(3) IN LIEU OF THE SURETY BOND, THE BUREAU MAY BY RULE PROVIDE FOR AN APPROPRIATE DEPOSIT OF CASH OR SECURITIES OR THE ASSIGNMENT OF THE COVERAGE OF OTHER SURETY BONDS IF THE DIRECTOR IS SATISFIED THAT COMPARABLE OR MORE EXTENSIVE COVERAGE RESULTS.” and renumbering the remaining subsections.

2. Amend page 10, line 17, after “TWICE” by inserting “WITHIN A 12-MONTH PERIOD”.

3. Amend page 15, line 16, after “BUSINESS.” by inserting “THE RECORDS CREATED UNDER THIS SUBDIVISION SHALL BE PRESERVED FOR AT LEAST 6 YEARS AFTER THEY ARE CREATED.”.

4. Amend page 16, line 19, after “DEBTOR” by inserting “UPON RECEIVING CASH OR,”.

5. Amend page 20, line 1, by striking out all of lines 1 through 3 and inserting “EXCEPT AS THE RESULT OF AN INADVERTENT CLERICAL ERROR OR COMPUTER ERROR, SHALL RETURN TO THE DEBTOR THE AMOUNT OF THE PAYMENTS RECEIVED FROM OR ON BEHALF OF THE DEBTOR AND NOT DISTRIBUTED TO CREDITORS, AND, AS A PENALTY, AN AMOUNT EQUAL TO THE AMOUNT OVERCHARGED.”.

6. Amend page 20, line 6, after “MANAGEMENT.” by inserting “BEFORE A LICENSEE OR A PERSON AUTHORIZED BY AND ON BEHALF OF A LICENSEE CHARGES A FEE UNDER THIS SECTION, THE LICENSEE SHALL FILE WITH THE BUREAU A PLAN SETTING OUT THE TYPE OF ADVICE AND KIND OF MATERIALS OR REFERRALS TO BE PROVIDED, AND THE AMOUNT OF FEES TO BE CHARGED.”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1124, entitled

A bill to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties,” by amending sections 2, 13a, 19, and 19b of chapter XIIA (MCL 712A.2, 712A.13a, 712A.19, and 712A.19b), section 2 as amended by 1996 PA 409, sections 13a and 19 as amended by 1997 PA 163, and section 19b as amended by 1997 PA 169, and by adding section 6b to chapter XIIA.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1125, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 2 (MCL 722.622), as amended by 1996 PA 581.

Substitute (S-1).

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

Resolutions

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

Senate Resolution No. 71

Senate Resolution No. 178

The motion prevailed.

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

Senate Resolution No. 191

Senate Resolution No. 192

The resolution consent calendar was adopted.

Senators Shugars, Dunaskiss, Geake, Gougeon, Emmons, V. Smith, O'Brien and Dingell offered the following resolution:

Senate Resolution No. 191.

A resolution memorializing May 20, 1998, as CASA Day at the State Capitol.

Whereas, Court Appointed Special Advocates (CASA), are dedicated citizen volunteers, committed to ensuring abused and neglected children involved in child protective proceedings will have an independent voice in Michigan's family courts until a safe and permanent placement is found for each one; and

Whereas, The latest statistics indicate more than 21,000 of Michigan's children are victims of abuse and neglect. Further, one-third of these child victims are under four years of age and 16,585 of these children live in foster care or with a relative because it is unsafe to return home; and

Whereas, Ability of the family courts to make decisions in the best interests of children in the foster care system is dependent upon having access to thorough and reliable information about the child's circumstances, the services being provided to the family, and the progress the parents are making in addressing the circumstances that led to the removal of the child; and

Whereas, High quality CASA have been shown to be an effective way to assure family courts have access to the kinds of information necessary to make decisions that are in the best interests of children in the foster care system to attain a permanent, safe placement; and

Whereas, The ability of communities to develop and sustain CASA programs is dependent upon readily available and high quality technical assistance in such areas as program design, funding strategies and the recruitment, screening, training and ongoing support of CASA volunteers; and

Whereas, The Michigan Senate recognizes the efforts of CASA volunteers and the value of the Michigan Association and Children's Charter of the Courts of Michigan in the expansion of CASA programs across the Great Lakes state to strengthen programs and assure dedicated, qualified CASA volunteers for every Michigan child who needs one; now, therefore, be it

Resolved by the Senate, That Wednesday, May 20, 1998, is hereby proclaimed CASA Day at the Capitol in tribute to the men and women of the Court Appointed Special Advocate effort and their contribution to the welfare of Michigan's children; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association of Court Appointed Special Advocates and the Children's Charter of the Courts of Michigan as evidence of our appreciation for the Court Appointed Special Advocates volunteers and programs.

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

Senator North offered the following resolution:

Senate Resolution No. 192.

A resolution to encourage Beaver Island officials to establish a sister-city partnership with Arranmore, Republic of Ireland.

Whereas, In these unsettled and complicated times, communities across Michigan have sought to embrace the inherent nature of their cultural identity. For years, our state's municipalities have reestablished historical ties with their founding localities beyond the seas. Through the establishment of sister-city programs, the Old and New Worlds are united as people exchange information on tradition, perspectives, and kith and kin; and

Whereas, The Irish community of Beaver Island draws its ancestral lineage from the island of Arranmore, in northern County Donegal. Evicted from their hovels during the horror of Black '47, the indefatigable survivors of the Great Famine on Arranmore established a thriving Irish community in the upper reaches of Lake Michigan on Beaver Island. Melding Irish moxie with the economic and political opportunities afforded by American democracy, this community is an enduring testament to the dreams and aspirations of its immigrant forebears; and

Whereas, Since the values of a shared past are essential to communal self-awareness, it remains imperative that this transatlantic exchange of fellowship and goodwill continue to engage those of the present; now, therefore, be it

Resolved by the Senate, That we encourage the inhabitants of Beaver Island and Arranmore to renew their common historical bonds and establish a sister-city relationship with each other; and be it further

Resolved, That a copy of this resolution be transmitted to officials of Beaver Island and Arranmore.

Senator Conroy was named co-sponsor of the resolution.

Senate Resolution No. 171.

A resolution memorializing the Congress of the United States to enact legislation that will sunset the Internal Revenue Code by December 31, 2001, and to develop a replacement tax code.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Conroy was named co-sponsor of the resolution.

Senate Concurrent Resolution No. 77.

A concurrent resolution memorializing the Congress of the United States to enact legislation that will sunset the Internal Revenue Code by December 31, 2001, and to develop a replacement tax code.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

Senator Young offered the following resolution:

Senate Resolution No. 188.

A resolution to memorialize the Congress and the President of the United States to prohibit the sale or diversion of Great Lakes water to foreign businesses, individuals, or governments.

Whereas, The water resources of the Great Lakes basin are precious natural treasures shared and held in trust by the Great Lakes states and Canadian provinces. The Great Lakes must be carefully managed and protected in order to meet current and future water needs of this region. Any new diversion of Great Lakes waters outside the basin will have significant adverse effects on the environment, economy, and well-being of the area; and

Whereas, The Ontario Ministry of the Environment recently approved a permit application for a company seeking to sell water from Lake Superior to Asia. This permit has generated serious concern; and

Whereas, The United States and Canada are united in their efforts to protect the lakes under the provisions of the Boundary Waters Treaty of 1909. Any new diversions of Great Lakes water could affect relations between Canada and the United States; and

Whereas, As trustees of the Great Lakes basin's natural resources, the bordering states and provinces have a shared duty to protect, conserve, and manage the waters for the use and benefit of citizens today and future generations. An important component of this effort is prohibiting the sale and transport of Great Lakes water to foreign nations; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress and the President of the United States to prohibit the sale or diversion of Great Lakes water to foreign businesses, individuals, or governments; and be it further

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

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

Senators McManus, O'Brien, DeBeaussaert, Hart, Koivisto and Conroy were named co-sponsors of the resolution.

Senator Young offered the following concurrent resolution:

Senate Concurrent Resolution No. 86.

A concurrent resolution to memorialize the Congress and the President of the United States to prohibit the sale or diversion of Great Lakes water to foreign businesses, individuals, or governments.

Whereas, The water resources of the Great Lakes basin are precious natural treasures shared and held in trust by the Great Lakes states and Canadian provinces. The Great Lakes must be carefully managed and protected in order to meet current and future water needs of this region. Any new diversion of Great Lakes waters outside the basin will have significant adverse effects on the environment, economy, and well-being of the area; and

Whereas, The Ontario Ministry of the Environment recently approved a permit application for a company seeking to sell water from Lake Superior to Asia. This permit has generated serious concern; and

Whereas, The United States and Canada are united in their efforts to protect the lakes under the provisions of the Boundary Waters Treaty of 1909. Any new diversions of Great Lakes water could affect relations between Canada and the United States; and

Whereas, As trustees of the Great Lakes basin's natural resources, the bordering states and provinces have a shared duty to protect, conserve, and manage the waters for the use and benefit of citizens today and future generations. An important component of this effort is prohibiting the sale and transport of Great Lakes water to foreign nations; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress and the President of the United States to prohibit the sale or diversion of Great Lakes water to foreign businesses, individuals, or governments; and be it further

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

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

Senators McManus, O'Brien, DeBeaussiaert, Hart, Koivisto and Conroy were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senators Rogers and Steil introduced

Senate Bill No. 1133, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2012 and 2014 (MCL 339.2012 and 339.2014), as amended by 1992 PA 103.

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

Senators Bullard, Stille, Rogers, Dunaskiss and Jaye introduced

Senate Bill No. 1134, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 1997 PA 142; and to repeal acts and parts of acts.

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

Senators Bullard, Stille, Rogers, Dunaskiss and Jaye introduced

Senate Bill No. 1135, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1545. The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Bouchard introduced

Senate Bill No. 1136, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan council act," (MCL 124.651 to 124.685) by adding sections 43, 45, 47, 49, 51, 55, 57, 59, 61, and 63.

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

Senator Jaye introduced

Senate Bill No. 1137, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111 (MCL 324.40111), as added by 1995 PA 57.

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

Senator Jaye introduced

Senate Bill No. 1138, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 42 (MCL 800.42), as added by 1989 PA 168.

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

Senators Jaye and Dunaskiss introduced

Senate Bill No. 1139, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 244a; and to repeal acts and parts of acts.

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

Senators Jaye and Dunaskiss introduced

Senate Bill No. 1140, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4q.

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

Senators Dunaskiss and Jaye introduced

Senate Bill No. 1141, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 57 (MCL 211.57), as amended by 1993 PA 291.

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

Senator Jaye introduced

Senate Bill No. 1142, entitled

A bill to amend 1877 PA 164, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms," by amending sections 11 and 12 (MCL 397.211 and 397.212), section 11 as amended by 1988 PA 432 and section 12 as amended by 1982 PA 286.

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

Senator Jaye introduced

Senate Bill No. 1143, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 35105 (MCL 324.35105), as amended by 1996 PA 290.

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

Senators Jaye, Bullard and Dunaskiss introduced

Senate Bill No. 1144, entitled

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), section 11 as amended by 1996 PA 468 and section 13 as amended by 1996 PA 342.

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

Senator Jaye introduced

Senate Bill No. 1145, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

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

Senator Jaye introduced

Senate Bill No. 1146, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30306 (MCL 324.30306), as added by 1995 PA 59.

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

Senator DeGrow introduced

Senate Bill No. 1147, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 104a (MCL 38.1404a), as amended by 1989 PA 194.

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

Senator Bouchard introduced

Senate Bill No. 1148, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 12 (MCL 432.12), as amended by 1996 PA 167.

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

Senators Schuette, Dingell, Bullard, Young and Shugars introduced

Senate Bill No. 1149, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 725 (MCL 339.725), as added by 1997 PA 10.

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. 4256, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121 and section 202 as amended by 1998 PA 20.

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 Human Resources, Labor and Veterans Affairs.

House Bill No. 5424, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250, and by adding section 1311b.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5590, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has passed the bill.

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

House Bill No. 5594, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1999; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

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 Appropriations.

Statements

Senators Young, McManus, Miller and Bouchard asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Young's statement is as follows:

Those seeking jobs in Michigan won a victory last Friday. The United States District Court ruled that the U.S. Department of Labor may withhold job search funds because the Governor's plan to privatize the Michigan Employment Security Agency is not in accordance with federal law.

Federal law is clear that any state wanting federal employment services money must spell out a plan that works for employers needing workers as well as unemployed workers needing jobs. The United States Department of Labor has said that the Governor's plans violate federal law and ordered him to go back to the drawing board to design a new plan. Instead, the Governor withdrew the plan from federal consideration and has moved forward without their approval.

Now, the Jobs Commission is again going to ignore not only the United States Department of Labor, but a federal judge as well. They pledge to keep on operating the new system even though the Department of Labor has told them not to, and the judge has upheld the Department of Labor. Their contempt for the rule of law is inexcusable.

The Department of Labor has repeatedly offered to address the administration's concerns, and the administration has ignored them. The Governor's plan was not approved by the United States Department of Labor and with good reason. His plan replaces real human beings who can help workers and employers with computers that deny access and opportunity to all but a fortunate few. Governor Engler's privatization of the state's employment services system has hurt the unemployed across Michigan. The Jobs Commission spokesperson says he hopes the U.S. Department of Labor will begin to "focus on the workers and what they need." Is this what the Jobs Commission was doing when they made individuals' social security numbers available on the Internet and failed to protect veterans' privileges in the jobs system?

Helping the unemployed find work is a critically important function of state government. Under the Governor's plan, a patchwork of local, private agencies would replace state civil servants who help match employers with unemployed workers. The new system relies on computers to make job seekers aware of openings. Instead of a uniform statewide system, we have different local programs competing with one another. Workers who aren't familiar with computers or who are located in rural areas where they can't get to a computer or who do not speak English will be at a distinct disadvantage.

This judge's ruling is a victory for all of Michigan's citizens who are looking for employment. I hope the Michigan Jobs Commission will work with the United States Department of Labor to design a system that is legal and effective for Michigan's job seekers.

Senator McManus' first statement is as follows:

My first statement has to do with World Trade Week and the agricultural products from this state that are exported throughout the world. On your desk this morning you will find a nice basket of some of the Michigan products that we export. It's a very important industry in this state with more than \$1 billion worth of Michigan agricultural products exported, not only fresh fruits and vegetables, canned fruits and vegetables, frozen, dry beans and so on. My first statement which I'd like to present to all of you in the public is to remember the importance of Michigan agriculture. We are very concerned at times about imports of foreign food into the state. We do need to be very careful about the safety of those imports that come here and make sure that the import of agricultural products that our consumers have to eat have the same safety standards as those that are required of our producers in Michigan and in other parts of the United States. However, given that, we also have to recognize that we are in a world trade economy and the export of Michigan agricultural products is an important part of that economy.

Senator McManus' second statement is as follows:

The second statement that I have this morning is the very, very, sad, sad situation. I have with me today, and some of you have seen this, a copy of the Traverse City Record Eagle about yesterday's funeral of a police officer, who had served for 30 years and was nearing his retirement, shot down by a mental case. This is a serious situation. This particular individual was located in a community, a residential community in town, had a house full of guns, ammunition, a plastic bomb and was known by all of his neighbors to be that kind of a person and the police force. In fact, the local police force had, at one time, taken these guns out of the house, and the man took the issue to court, and the courts required the police to give the guns back. Yes, last week (the funeral was yesterday) the man shot the policeman—30 years of service, an officer with 30 years of service shot by a mental case.

Now, I think it's time in this state that we take another look at our mental health code, and I guess I don't see why people with a mental health problem have to have guns. I think we ought to do something about it. I'm about to get into the records today. I have a tribute for Mr. Dennis Finch, police officer. I want to tell you, folks, that the funeral parade was 17 miles long with people all the way. There is no sympathy for this kind of thing. It's with a profound sense of sadness that we, today, are offering this tribute to our officer, Sergeant Dennis Finch. His passing is an unfillable void. He was a family man; he was a former Marine Corps veteran, a loving husband, and a father. He was killed in the line of duty, and it's left a very troubling milestone in our community.

We want to extend our condolences to all who are suffering from this loss. Hopefully, they will find comfort in faith and in the knowledge that not only will many people in that community share their bereavement but that we in the Legislature will do something.

Senator Miller's statement is as follows:

I want to get up here and thank the Department of Agriculture for the great promotion marketing basket of all our fruits and vegetables that are exported. I also want to rise and echo some of the concerns that my good friend and

colleague from Traverse City, Senator McManus, who is a great advocate for Michigan fruits and vegetables here on the Senate floor. He touched on a concern that raises questions that I have seen in southeast Michigan on television a number of times now. The number of foreign imports of vegetables and fruits that come into this country from Mexico, from South America, that are treated with pesticides that are causing an extreme difficult emergency to health and life for our citizens. Case after case, it is just not isolated cases. It is getting to be that these foreign vegetables are bringing more and more viruses and more and more sickness to our constituents and the people of Michigan. We need to have the Department of Agriculture answer some of these critics and tell some of these importers that, "Look, we'll buy your product, but we want to make sure that Michigan's consumers have confidence that they don't have to worry about the health of their families buying and eating these perishable vegetables and fruits."

Also, I hear from a number of great fruit farmers in Macomb County, who are the growers of some of Michigan's finest apples and peaches, how we have now foreign competition who is bringing in apples by the freighter, so that Michigan's farmers cannot even sell their apples. They let them stay on the tree because of the market and competition from foreign markets. I think that we need to open our doors, but we do not need to put our farmers here in Michigan out of business because of undue trade restraints and competition from foreign markets that are killing our farmers here. So I hope that Michigan's Department of Agriculture is doing something to protect our farmers and also protect the health and well being of our citizens.

Senator Bouchard's statement is as follows:

I rise to express my sympathy for the family and the community which the good Senator from the 36th District ably represents in Traverse City. Unfortunately, the kind of incident that precipitated and caused this tragic loss of the police officer's life happens too often around our state, and it's a reminder to us—the perils the men and women of our state face on a daily basis. Sometimes they're able to make sure that the situation does not escalate to this point, and from the statements from the good Senator, that was able to happen on a previous occasion when they actually removed weapons from the home. Unfortunately, the court put those back in this individual's hands who clearly had been unstable in the past and, ultimately, in the future which lead to the death of the officer.

I just wanted to express as an individual not from that area how very much we all still feel at that loss and commit to him to do what I can to prevent this from happening in the future.

Committee Reports

The Committee on Government Operations reported

Senate Bill No. 809, 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 section 16b (MCL 46.16b), as added by 1988 PA 37.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman and Miller

Nays: None

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

The Committee on Government Operations reported

House Bill No. 5129, entitled

A bill to designate an official flag month of this state and to provide guidelines for display and handling.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Concurrent Resolution No. 59.

A concurrent resolution to call for increased support for training county veterans counselors.

(For text of resolution, see Senate Journal No. 4, p. 54.)

With the recommendation that the concurrent resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman and Miller

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

Senate Resolution No. 126.

A resolution to call for increased support for training county veterans counselors.

(For text of resolution, see Senate Journal No. 4, p. 54.)

With the recommendation that the resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman and Miller

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

Senate Resolution No. 182.

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to remove the requirement that a home office must be used exclusively for business in order to be eligible for any tax deduction.

(For text of resolution, see Senate Journal No. 39, p. 776.)

With the recommendation that the resolution be adopted.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Hoffman and Miller

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Tuesday, May 12, 1998, at 3:10 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bullard (C), Emmons, Hoffman and Miller

Excused: Senator Hart

The Committee on Natural Resources and Environmental Affairs reported

House Concurrent Resolution No. 78.

A concurrent resolution to memorialize the Congress of the United States to increase the amount of money being distributed to the states from the Leaking Underground Storage Tank Trust Fund.

(For text of resolution, see Senate Journal No. 14, p. 214.)

With the recommendation that the concurrent resolution be adopted.

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Gast and DeBeaussaert

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 14, 1998, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

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

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 603, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

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

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

Joel Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Bouchard, Geake and Peters

Nays: None

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

The Committee on Families, Mental Health and Human Services reported

Senate Bill No. 888, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17016 and 17516 (MCL 333.17016 and 333.17516), as added by 1996 PA 273.

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.

Joel Gougeon
Chairperson

To Report Out:

Yeas: Senators Gougeon, Bouchard and Geake

Nays: Senator Peters

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 14, 1998, at 1:00 p.m., Room 100, Farnum Building

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

Excused: Senator V. Smith

The Committee on Farming, Agribusiness and Food Systems reported

Senate Bill No. 236, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 1996 PA 476.

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.

George McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Stille and Gougeon

Nays: None

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

The Committee on Farming, Agribusiness and Food Systems reported

Senate Bill No. 1093, entitled

A bill to amend 1982 PA 239, entitled "An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to

provide for poultry composting; to prescribe the powers and duties of certain state departments; to impose fees; to prescribe penalties; and to repeal certain acts and parts of acts," by amending the title and sections 3, 15, 19, 21, 23, and 29 (MCL 287.653, 287.665, 287.669, 287.671, 287.673, and 287.679), the title and sections 3, 15, 19, 23, and 29 as amended by 1993 PA 228 and section 21 as amended by 1996 PA 65, and by adding section 28.

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.

George McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Gougeon and Byrum

Nays: None

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

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 5071, entitled

A bill to amend 1968 PA 39, entitled "Michigan food law of 1968," by amending sections 7 and 10 (MCL 289.707 and 289.710), as amended by 1982 PA 43.

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

1. Amend page 4, line 4, by striking out all of subsection (3).

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

George McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Gougeon and Byrum

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Farming, Agribusiness and Food Systems submits the following:

Meeting held on Wednesday, May 13, 1998, at 3:00 p.m., Room 210, Farnum Building

Present: Senators McManus (C), Stille, Gougeon and Byrum

Excused: Senator Berryman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, May 12, 1998, at 1:30 p.m., Senate Appropriations Room, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submits the following:

Meeting held on Tuesday, May 12, 1998, at 3:15 p.m., Senate Appropriations Room, Capitol Building

Present: Senators McManus (C), Gast and Koivisto

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Public Hearing held on Wednesday, May 13, 1998, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Geake (C), Steil and Conroy

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:

Meeting held on Wednesday, May 13, 1998, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Hoffman (C) and Young

Excused: Senator DeGrow

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Regulatory submits the following:

Meeting held on Wednesday, May 13, 1998, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Steil (C), Geake and Young

Scheduled Meetings

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, May 20, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, May 21, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Financial Services Committee - Wednesday, May 20, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Gaming and Casino Oversight Committee - Wednesday, May 20, at 2:00 p.m., Room 404, Capitol Building (3-2523).

Government Operations Committee - Wednesday, May 20, at 2:00 p.m., 8th Floor Conference Room, Farnum Building (3-1758).

Hunting, Fishing and Forestry Committee - Wednesday, May 20, at 8:30 a.m., Room 110, Farnum Building (3-7670).

Local, Urban and State Affairs Committee - Wednesday, May 20, at 1:00 p.m., Room 100, Farnum Building (3-1635).

Natural Resources and Environmental Affairs Committee - Thursday, May 21, at 1:30 p.m., Room 110, Farnum Building (3-7350).

Transportation Appropriations Subcommittee - Wednesday, May 20, at 1:00 p.m., Room 110, Farnum Building (3-2426).

Transportation and Tourism Committee - Wednesday, May 20, at 3:00 p.m., Room 405, Capitol Building (3-2413).

Scheduled Meeting Canceled

Finance Committee - Thursday, May 21, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-3760).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:13 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, May 20, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.