

No. 50
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, June 2, 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
DeBeaussaert—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 Mat J. Dunaskiss of the 16th District offered the following invocation:

Heavenly Father, we thank You for the many blessings in our lives, especially for the family and friends who have surrounded us with love, friendship, and support as we make decisions daily concerning our great state.

We ask You to continue Your walk with us and guide us as we strive to do Your will. May You watch over all of us in our daily travels and keep our family and friends safe when we are apart.

In closing, we thank You for the peace in our hearts and the dreams with which we look forward to the future. For we know that all things great and small are possible with You.

We ask this in Your wonderful and holy name. Amen.

Senator Miller entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:04 a.m.

10:34 a.m.

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

During the recess, Senators Shugars, Schuette, Cisky, McManus, Van Regenmorter, Bullard, Rogers, Emmons, Bennett, Bouchard, Geake, Stille, Gougeon, North, Steil, Posthumus, Hoffman and Gast entered the Senate Chamber.

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

Senate Bill No. 1156

House Bill No. 5594

Senate Bill No. 928

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

The following communications were received:
Joint Committee on Administrative Rules

Certificates of Approval

Date: May 27, 1998
Subject: Trans. No. 98-36

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Consumer and Industry Services, Manufactured Housing Commission, pertaining to General Rules, dated February 12, 1998.

Date: May 27, 1998
Subject: Trans. No. 98-44

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Environmental Quality, Land and Water Management Division, pertaining to Water Resources, dated December 4, 1997.

Date: May 27, 1998
Subject: Trans. No. 98-47

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Transportation, Aeronautics Commission, pertaining to General Rules, dated March 16, 1998.

Date: May 27, 1998
Subject: Trans. No. 98-50

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Environmental Quality, Air Quality Division, pertaining to Air Pollution Control, dated March 26, 1998.

Sincerely,
Senator Walter H. North
Chair

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:

Meeting held on Wednesday, May 27, 1998, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators North (C), Schwarz, Van Regenmorter, Dingell and Byrum

The following communications were received:

Michigan Works! Northeast Michigan Consortium

May 28, 1998

The Workforce Development Board of Northeast Michigan Consortium has prepared the final Title IIB plan for program year 1998.

The following planned activities are available to the target groups that are eligible under the Job Training Partnership Act: Classroom Training, Basic Remedial Education, Work Experience, Job Specific Internship (Private Sector).

Total Title IIB program funds planned for PY98:\$523,241.00.

A copy of the Plan is available at Northeast Michigan Consortium, P.O. Box 711, Onaway, Michigan 49765. Please address questions or comments to Terry L. Basel, Program Coordinator.

May 28, 1998

The Workforce Development of Northeast Michigan Consortium has prepared the final Title IIA 5% Older Worker plan for program year 1998.

The following is a summary of the planned activities for the target groups that are eligible under the Job Training Partnership Act:

Total IIA 5% Older Worker Program Funds Planned for PY 98:\$33,128.00

Direct Training\$16,564.00

Training/Related\$10,932.00

A copy of the Plan is available at Northeast Michigan Consortium, P.O. Box 711, Onaway, Michigan 49765. Please address questions or comments to Terry L. Basel, Program Coordinator.

Sincerely,
Terry L. Basel
Program Coordinator

The communications were referred to the Secretary for record.

The following communication was received:

Department of State Police

June 1, 1998

We are pleased to be able to provide you a copy of the 1997 Michigan Annual Drunk Driving Audit as required by MCL 257.625i. This report is a detailed examination of crashes and arrests that occurred in 1997 by county. Data was assembled in cooperation with the Michigan Departments of State and Transportation.

If you have any questions regarding this report, please call Ms. Theresa Page of my staff at 333-5330. Thank you.

Sincerely,
Betty J. Mercer
Division Director
Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 28:
House Bill Nos. 5035 5561 5627

The Secretary announced the printing and placement in the members' files on Wednesday, May 27 of:
Senate Bill No. 1170

The Secretary announced the printing and placement in the members' files on Thursday, May 28 of:
Senate Bill Nos. 1160 1161 1162
House Bill No. 5887

The Secretary announced the printing and placement in the members' files on Friday, May 29 of:
Senate Bill Nos. 1167 1168 1169 1171
House Bill Nos. 5888 5889 5890 5891 5892 5893 5894 5895 5896 5897 5898

Messages from the Governor

The following message from the Governor was received and read:

May 28, 1998

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

Residential Builders' and Maintenance and Alteration Contractors' Licensing Board

Mr. Gene DeRossett, 11207 Pleasant Lake Road, Manchester, Michigan 48158, county of Washtenaw, as a member representing residential builders, succeeding Ms. Linda L. Wright of East Lansing, who has resigned, for a term expiring on March 31, 2002.

Sincerely,
John Engler
Governor

The appointment was referred to the Committee on Government Operations.

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
House Bill No. 4259
House Bill No. 5261
House Bill No. 5317
Senate Bill No. 553
Senate Bill No. 484
Senate Bill No. 21

The motion prevailed.

Senate Bill No. 458, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1996 PA 205.

(For text of amendment, see Senate Journal No. 48, p. 999.)

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

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

Roll Call No. 385**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	Schuetten	Young
DeGrow			

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 483, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1995 PA 93.

Substitute (H-1).

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

Senator Schwarz offered the following amendment to the substitute:

1. Amend page 3, line 22, after "UNDER" by inserting "SECTION 7 OF".

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

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

Roll Call No. 386**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 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.

Senate Bill No. 554, entitled

A bill to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

(For text of amendment, see Senate Journal No. 49, p. 1046.)

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

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

Roll Call No. 387

Yeas—23

Bennett
Bouchard
Bullard
Cisky
DeGrow
Dingell

Dunaskiss
Emmons
Gast
Geake
Gougeon
Hoffman

Jaye
McManus
North
Posthumus
Rogers
Schuette

Schwarz
Shugars
Steil
Stille
Van Regenmorter

Nays—14

Berryman
Byrum
Cherry
Conroy

DeBeaussaert
Hart
Koivisto
Miller

O'Brien
Peters
Smith, A.

Smith, V.
Vaughn
Young

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 not concurred in, 2/3 of the members serving not voting therefor.

Senator DeGrow requested the yeas and nays.

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 388**Yeas—21**

Bennett	Emmons	McManus	Schwarz
Bouchard	Gast	North	Shugars
Bullard	Geake	Posthumus	Steil
Cisky	Gougeon	Rogers	Stille
DeGrow	Hoffman	Schuetz	Van Regenmorter
Dunaskiss			

Nays—16

Berryman	DeBeaussiaert	Koivisto	Smith, A.
Byrum	Dingell	Miller	Smith, V.
Cherry	Hart	O'Brien	Vaughn
Conroy	Jaye	Peters	Young

Excused—0**Not Voting—0**

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

The question being on the motion to give the bill immediate effect,

Senator DeGrow moved that further consideration of the bill be postponed for today.

The motion prevailed.

Senate Bill No. 729, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130, 324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding section 11132a; and to repeal acts and parts of acts.

(For text of amendments, see Senate Journal No. 49, p. 1046.)

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

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

Roll Call No. 389**Yeas—23**

Bennett	Dunaskiss	Jaye	Schwarz
Bouchard	Emmons	McManus	Shugars
Bullard	Gast	North	Steil
Cisky	Geake	Posthumus	Stille
DeGrow	Gougeon	Rogers	Van Regenmorter
Dingell	Hoffman	Schuetz	

Nays—14

Berryman
Byrum
Cherry
Conroy

DeBeaussaert
Hart
Koivisto
Miller

O'Brien
Peters
Smith, A.

Smith, V.
Vaughn
Young

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 not concurred in, 2/3 of the members serving not voting therefor.
Senator DeGrow moved that the bill be given immediate effect.
The question being on the motion to give the bill immediate effect,
Senator DeGrow moved that further consideration of the bill be postponed for today.
The motion prevailed.

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

Senate Bill No. 730, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114, and 12116 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12106, 324.12107, 324.12109, 324.12114, and 324.12116), sections 12101 and 12102 as amended by 1995 PA 61; and to repeal acts and parts of acts.

(For text of amendments, see Senate Journal No. 49, p. 1046.)

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

Roll Call No. 390**Yeas—23**

Bennett
Bouchard
Bullard
Cisky
DeGrow
Dingell

Dunaskiss
Emmons
Gast
Geake
Gougeon
Hoffman

Jaye
McManus
North
Posthumus
Rogers
Schuette

Schwarz
Shugars
Steil
Stille
Van Regenmorter

Nays—14

Berryman
Byrum
Cherry
Conroy

DeBeaussaert
Hart
Koivisto
Miller

O'Brien
Peters
Smith, A.

Smith, V.
Vaughn
Young

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 not concurred in, 2/3 of the members serving not voting therefor.
Senator DeGrow moved that the bill be given immediate effect.
The question being on the motion to give the bill immediate effect,
Senator DeGrow moved that further consideration of the bill be postponed for today.
The motion prevailed.

Senate Bill No. 731, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

Substitute (H-3).

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. 391**Yeas—37**

Bennett	Dingell	Koivisto	Schwarz
Berryman	Dunaskiss	McManus	Shugars
Bouchar	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	Schuetten	Young
DeGrow			

Nays—0**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 full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 789, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

(For text of amendment, see Senate Journal No. 49, p. 1047.)

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

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

Roll Call No. 392**Yeas—36**

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

Nays—1

Smith, A.

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

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

The motion prevailed.

Senator A. Smith's statement is as follows:

I actually, in attempting to get on the board with my vote before the last second elapsed, I hit the "no" vote by mistake. I intended to vote "yea" on Senate Bill No. 789.

Senators McManus, Gougeon and Bennett moved that they be named co-sponsors of the following bill:

Senate Bill No. 789

The motion prevailed.

Senate Bill No. 894, entitled

A bill to amend 1986 PA 135, entitled "Asbestos abatement contractors licensing act," by amending the title and sections 103, 207, 211, 217, 220, and 221 (MCL 338.3103, 338.3207, 338.3211, 338.3217, 338.3220, and 338.3221), the title as amended by 1990 PA 2 and sections 103, 207, and 220 as amended and section 221 as added by 1993 PA 55.

(For text of amendment, see Senate Journal No. 49, p. 1047.)

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

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

Roll Call No. 393**Yeas—37**

Bennett	Dingell	Koivisto	Schwarz
Berryman	Dunaskiss	McManus	Shugars

Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert
DeGrow

Emmons
Gast
Geake
Gougeon
Hart
Hoffman
Jaye

Miller
North
O'Brien
Peters
Posthumus
Rogers
Schuette

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

Nays—0

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Schuette 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 without amendment, the following bills:

Senate Bill No. 1040, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 62b (MCL 791.262b), as amended by 1988 PA 492.

Senate Bill No. 509, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

The bills were placed on the order of Third Reading of Bills.

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

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.

Substitute (S-1).

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

1. Amend page 19, line 26, by striking out all of section 310.
2. Amend page 25, line 18, by striking out all of section 328.
3. Amend page 28, following line 8, by inserting:

“Sec. 332. Of the funds appropriated in section 110 for distribution to counties, \$4 million shall be distributed to counties in Michigan recently declared disaster areas as a result of storms that occurred in late May 1998. Of the funds appropriated in section 110 for distribution to cities and villages, \$6 million shall be distributed to cities and villages in Michigan also declared disaster areas as a result of these same storms.”

4. Amend page 28, line 24, after “the” by striking out the balance of the line.
5. Amend page 29, line 16, by striking out all of subsection (4) and renumbering the remaining subsection.
6. Amend page 30, following line 2, by inserting:

“(6) The allocation percentage described in subsection (1), shall be adjusted to reflect any voluntary agreements made by the department with local jurisdictions regarding the transfer of federal aid eligible roadways or the state buy out of local federal aid.”

7. Amend page 37, line 6, after “contractors.” by inserting “The department shall not provide for more than a 1 to 1 replacement of affected property on a construction project provided funds under this act, unless directed by a federal agency.”

8. Amend page 51, line 25, by striking out all of section 719.
9. Amend page 52, line 11, by striking out all of section 721.
10. Amend page 55, line 8, by striking out all of section 802.

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. 928, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

Substitute (S-1).

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

1. Amend page 70, following line 7, by inserting:

“Full-time equated exempted positions1.5”.

2. Amend page 70, line 21, after “positions” by inserting dot leaders and “1.5”.

3. Amend page 70, following line 22, by inserting:

“Friend of the court citizens advisory committees-1.5 FTE positions..... 433,000”.

4. Amend page 71, line 3, by striking out “0” and inserting “433,000”.

5. Amend page 98, following line 17, by inserting:

“(5) EXECUTIVE DIRECTION

Auto theft prevention program	\$	500,000
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GROSS APPROPRIATION	\$	500,000
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Appropriated from:

State general fund/general purpose.....	\$	500,000”
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and adjusting all subtotals, totals and section 201 accordingly.

6. Amend page 111, following line 7, by inserting:

“FAMILY INDEPENDENCE AGENCY

Sec. 501. (1) The department of the family independence agency shall develop a policy outlining conditions to permit child protection services workers to carry pepper spray in the course of their duties, if the worker so chooses.

(2) The input of child protective services workers shall be sought in the development of the policy.

(3) The department shall explore the development of methods to train or teach child protective services workers in how to predict and extricate themselves from potentially violent situations.

(4) The department shall report on its findings related to subsection (3) to the senate and house standing committees and to the senate and house appropriations subcommittees on the family independence agency.

JUDICIARY

Sec. 601. (1) From the funds appropriated to the judiciary for friend of the court citizens advisory committees in section 114a, 1.5 FTE and \$433,000.00 shall be used by the state court administrative office to provide support and

staff functions for friend of the court citizens advisory committees pursuant to sections 4, 4a, 19, and 26 of 1982 PA 294, MCL 552.504, 552.504a, 552.519, and 552.526. The state court administrative office shall gather and monitor relevant statistics, prepare an annual grievance report, develop and provide a manual, develop and provide all necessary forms, and conduct regional annual training for citizen advisory committee members.

(2) The amount appropriated pursuant to subsection (1) is designated as a work project and shall not lapse at the end of the fiscal year and shall be available for expenditure in fiscal year 1998-99.”.

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

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

Senate Bill No. 1156, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 10 (MCL 247.660), as amended by 1997 PA 79.

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

1. Amend page 3, line 16, after “fiscal” by striking out “PERIODS” and inserting “years”.
2. Amend page 3, line 17, after “through” by striking out “APRIL 1, 1999” and inserting “September 30, 1999”.
3. Amend page 5, line 7, after “after” by striking out the balance of the line through “1999” on line 8 and inserting “September 30, 1999”.
4. Amend page 5, line 11, by striking out all of subdivision (a) and inserting:
“(a) 80% of the revenue received in the same percentages as the distribution formula in effect before ~~October 1, 1998~~ SEPTEMBER 30, 1999 to the state trunk line fund under the conditions provided in section 11, to the comprehensive transportation fund under the conditions provided in section 10e, to the county road commissions under the conditions provided in section 12, and to the cities and villages under the conditions provided in section 13.”.
5. Amend page 6, line 22, by striking out “APRIL 1, 1999” and inserting “September 30, 1999”.

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

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

Senate Bill No. 1097, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 675a and 675b (MCL 257.675a and 257.675b), as amended by 1980 PA 518.

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

1. Amend page 2, line 18, after “COURT” by inserting “OR PARKING VIOLATIONS BUREAU”.
2. Amend page 2, line 18, after “THAN” by striking out “30” and inserting “60”.
3. Amend page 2, line 25, after “THE” by striking out “30-DAY” and inserting “60-DAY”.

4. Amend page 2, line 26, after "SUBSECTION" by inserting "AND IF NOTICE OF THE VIOLATION IS SENT TO THE REGISTERED OWNER WITHIN 1 YEAR AFTER THE CITATION WAS ISSUED".

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

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

Senate Bill No. 1122, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a. 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. 1123, entitled

A bill to create a missing children task force in the department of state police and prescribe its powers and duties; to make an appropriation; and to repeal acts and parts of acts.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 509

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

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

Senate Bill No. 509, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

The above bill was read a third time.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 394

Yeas—36

Bennett
Berryman
Bouchard
Bullard
Byrum
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Hoffman

Jaye
Koivisto
McManus
North
O'Brien
Peters
Posthumus
Rogers
Schuette

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

Nays—0

Excused—0

Not Voting—1

Miller

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

Resolutions

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

Senate Resolution No. 202**Senate Resolution No. 203**

The resolution consent calendar was adopted.

Senators Rogers, Cherry, Vaughn, Emmons, Miller, Peters, Byrum, Koivisto, North, Young, Conroy, DeBeaussaert, DeGrow, Posthumus, Gast, Steil, Bouchard, Gougeon, Bennett, Van Regenmorter, Cisky, Schwarz, McManus, Schuette and Shugars offered the following resolution:

Senate Resolution No. 202.

A resolution of tribute commemorating the 100th Anniversary of the Spanish-American War.

Whereas, It is with distinct honor and personal privilege that the members of the Michigan Senate join with the Spanish American War Centennial Committee of Michigan and the Brighton Area Historical Society in commemorating the 100th Anniversary of the Spanish-American War, in particular Michigan's contributions; and

Whereas, This brief war with Spain marked an important turning point for the United States in defining its path leading into the 20th century. The mysterious explosion of the U.S.S. Maine on the night of February 15, 1898, set the tone for the beginning of the war. Shortly thereafter, President William McKinley issued an official call for 125, 000 state volunteers to supplement the United States Army. Michigan joined every state in the Union in the race to have their regiments join in the invasion of Cuba; and

Whereas, By mid-May of 1898, Michigan's men from all over the state had assembled on the grounds of Camp Eaton, the encampment site of the Michigan National Guard at Island Lake near Brighton. Within weeks, former farmers, businessman and civic leaders had been formed into companies, brigades and regiments. Thereafter, the Michigan troops were sent South to various military training camps awaiting battle on the front lines; and

Whereas, In addition to the Volunteer Infantry, Michigan also provided a Naval Brigade which manned the U.S.S. Yosemite, a converted steamer outfitted as an auxiliary cruiser. While performing blockade duty off San Juan, Puerto Rico, the Yosemite successfully dueled with three Spanish warships and drove a Spanish supply ship aground. Clearly, Michigan's men played a vital role in the United States' victory over Spain and, more importantly, in keeping democracy alive; and

Whereas, The Michigan Senate joins with the Spanish American War Centennial Committee of Michigan and the Brighton Area Historical Society in commemorating the 100th Anniversary of the Spanish-American War at an event scheduled for June 13, 1998. The day will consist of activities honoring those Michiganians and local townspeople who served in the war that is often forgotten. The Great Lakes Living History Society will conduct a re-enactment of the encampment of the five Michigan regiments by providing military displays; and

Whereas, This year marks the 100th Anniversary of the Spanish-American War, and the Spanish American War Committee plans to rededicate a restored historical marker at Camp Eaton, the site at which the five Michigan regiments mustered to serve their country. The rededication ceremony will also pay tribute to the three men killed in action in Cuba as well as the 225 men who died of disease during the war; now, therefore, be it

Resolved by the Senate, That we share in the commemoration of this important day, June 13, 1998, for all Americans and all who honor the ideals of liberty; and be it further

Resolved, That a copy of this resolution be transmitted to the Spanish American War Centennial Committee and the Brighton Area Historical Society for the June 13 commemoration program in Brighton as a reflection of our esteem and respect.

Senators Hoffman, Conroy, Young, Hart, DeBeaussaert, A. Smith, Shugars, Rogers, McManus, North, Byrum, Emmons, Steil, Koivisto, Berryman, Dingell, Cisky, Stille, Gougeon, Bouchard and Schwarz offered the following resolution:

Senate Resolution No. 203.

A resolution commemorating Sunday, June 14, 1998, as Cale Yarborough Day in the state of Michigan.

Whereas, It is a great personal privilege and a pleasure to join with the citizens of the state of Michigan in recognizing Cale Yarborough for his outstanding contributions to the automobile racing industry; and

Whereas, Cale Yarborough is an important part of the rich history of Michigan Speedway. Winning Michigan Speedway's first NASCAR race on June 15, 1969, Cale's victory is remembered as a historic fender-bumping duel, resulting in one car spinning 300 yards from the finish. Cale's wins at Michigan Speedway total eight—the second highest number of victories of any driver in the history of the speedway; and

Whereas, In the 30 years since his first win, Cale has become the record titleholder for the number of laps led at Michigan Speedway—totaling 145. Additionally, with a score of 9.61, he holds the record for the best average finish for Winston Cup drivers with more than ten starts; and

Whereas, No other NASCAR Winston Cup driver can boast matching Cale Yarborough's three consecutive championships for 1976, 1977, and 1978. Throughout his outstanding career, spanning four decades, he has accumulated 70 pole positions, 83 victories, 340 races as the lap leader, 31,776 laps as the leader, and driven for a total of 171,927 miles. He is second in most laps led, fifth in the all-time victory list, fifth in most races led, and tenth for the most miles run in NASCAR Winston Cup history; and

Whereas, Cale has provided race fans with the ultimate display of dedication and motivation to compete at the highest level of intensity. History has recorded him as a four-time winner of the Daytona 500, and a five-time winner of the Southern 500 at Darlington. Truly, the consistency of his outstanding performance, race after race, has established him as an unparalleled competitor. His five consecutive victories in 1976, and fourteen pole positions in 1980 still stand as single-season records; now, therefore, be it

Resolved by the Senate, That this document be signed and dedicated to recognize Sunday, June 14, 1998, as Cale Yarborough Day in the state of Michigan for his special achievements at Michigan Speedway and throughout his NASCAR career; and be it further

Resolved, That a copy of this resolution be transmitted to Cale Yarborough as a reflection of our admiration and esteem. May he know of our wishes for continued success in his future endeavors.

By unanimous consent the Senate returned to the order of

Messages from the House

House Bill No. 5588, entitled

A bill to make appropriations for the department of agriculture 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 require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Tesanovich, Frank and Jansen as conferees.

The message was referred to the Secretary for record.

House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Tesanovich, Hale and Bobier as conferees.

The message was referred to the Secretary for record.

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 nonconcurred in the Senate substitute (S-1) and appointed Reps. Price, Emerson and Jansen as conferees.

The message was referred to the Secretary for record.

House Bill No. 5591, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Tesanovich, Hale and Bobier as conferees.

The message was referred to the Secretary for record.

House Bill No. 5592, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Mathieu, Hood and Gilmer as conferees.

The message was referred to the Secretary for record.

House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Owen, Martinez and Bobier as conferees.

The message was referred to the Secretary for record.

House Bill No. 5596, entitled

A bill to make appropriations for the judicial branch for the fiscal years ending September 30, 1998 and September 30, 1999; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Ciaramitaro, Parks and Godchaux as conferees.

The message was referred to the Secretary for record.

House Bill No. 5597, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Schroer, Prusi and McBryde as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 514, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

The House of Representatives has rejected the report of the Committee of Conference and has appointed Reps. Gubow, Basham and Llewellyn as second conferees.

The message was referred to the Secretary for record.

Senate Bill No. 273, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as amended by 1997 PA 102.

The House of Representatives has substituted (H-5) the bill.

The House of Representatives has passed the bill as substituted (H-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 82105, 82106, and 82113 (MCL 324.82105, 324.82106, and 324.82113), sections 82105 and 82106 as added by 1995 PA 58 and section 82113 as amended by 1997 PA 102.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 700, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174 and 16221 (MCL 333.16174 and 333.16221), section 16174 as amended by 1993 PA 80 and section 16221 as amended by 1996 PA 594.

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 pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 1047, entitled

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

The House of Representatives has substituted (H-5) the bill.

The House of Representatives has passed the bill as substituted (H-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding sections 5452, 5453, 5454, 5455, 5456, 5461a, 5462, 5463, 5464, 5465, 5466, 5467, 5471, 5473, and 5476.

Pursuant to rule 3.202, the bill was laid over one day.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the order of Third Reading of Bills:

House Bill No. 5138

House Bill No. 5139

House Bill No. 5140
House Bill No. 5141
House Bill No. 5142
House Bill No. 5143
House Bill No. 5144
House Bill No. 5145
House Bill No. 5146
House Bill No. 5147
House Bill No. 5148
House Bill No. 5149
House Bill No. 5150
House Bill No. 5151
House Bill No. 5152
House Bill No. 5153
House Bill No. 5154
House Bill No. 5155
House Bill No. 5156
House Bill No. 5157
House Bill No. 5158
House Bill No. 5159
House Bill No. 5160
House Bill No. 5161
House Bill No. 5162
House Bill No. 5163
House Bill No. 5164
House Bill No. 5165
House Bill No. 5167
House Bill No. 5168
House Bill No. 5169
House Bill No. 5170
House Bill No. 5171
House Bill No. 5172
House Bill No. 5173
House Bill No. 5174
House Bill No. 5176
House Bill No. 5177
House Bill No. 5178
House Bill No. 5179
House Bill No. 5180
House Bill No. 5181
House Bill No. 5182
House Bill No. 5183
House Bill No. 5184
House Bill No. 5185
House Bill No. 5186
House Bill No. 5187
House Bill No. 5188
House Bill No. 5189
House Bill No. 5190
House Bill No. 5191
House Bill No. 5192
House Bill No. 5193
House Bill No. 5194
House Bill No. 5195
House Bill No. 5196
House Bill No. 5197
House Bill No. 5198
House Bill No. 5199

House Bill No. 5200**House Bill No. 5202****House Bill No. 5203**

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

Introduction and Referral of Bills

Senator Koivisto introduced

Senate Bill No. 1172, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11505 (MCL 324.11505).

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

Senators McManus and Gougeon introduced

Senate Bill No. 1173, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 7a (MCL 285.67a), as amended by 1992 PA 238.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senators Jaye, Emmons, Bullard, Gougeon, Cisky, Bennett, Shugars, Dunaskiss and Stille introduced

Senate Bill No. 1174, entitled

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

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

House Bill No. 4176, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

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.

House Bill No. 4495, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1990 PA 179 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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.

House Bill No. 4940, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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.

House Bill No. 5035, 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 12a (MCL 46.12a), as amended by 1996 PA 390.

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.

House Bill No. 5382, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 702b.

The House of Representatives has passed the bill by a 2/3 vote and ordered that it be given immediate effect.

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

House Bill No. 5417, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2855a.

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 Judiciary.

House Bill No. 5561, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 5451, 5457, 5458, 5459, 5460, 5460a, 5461, 5468, 5469, 5470, 5472, 5473a, 5474, 5475, 5477, and 5478.

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 Health Policy and Senior Citizens.

House Bill No. 5627, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61506a.

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. 5739, 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 section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

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 Families, Mental Health and Human Services.

Statements

Senators Peters, Bouchard, Jaye and Cherry asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Peters' statement is as follows:

Today I have introduced into the Senate a very important campaign finance package of bills. I was joined in the introduction of the four bills by our Minority Leader, Senator Cherry, as well as most of my Democratic colleagues. They are inspired by the fact that campaign finance reform and campaign finance issues have been a very important issue at the national level and have generated a great deal of discussion at that level.

We wanted to step back and take a look at the state of campaign finance here in the state of Michigan and underwent a very detailed study of large contributors to political parties here in the state of Michigan. We completed this study and had some very interesting findings as the result of that study. We looked at these very large contributors and found that they are truly concentrated. The contributions are truly concentrated in a small number of individuals, and this is particularly true in the Michigan Republican Party. Fifty-three very large contributors in the Michigan Republican Party which constitute less than one percent of the total contributors, and yet they contribute 40 percent of the money

into the Republican Party. We then took a look at state contracts—mega contracts, state contracts, and various contracts issued by the Jobs Commission and were surprised to learn that two-thirds of those individuals also received sometimes very significant state contracts. We don't have any direct evidence of any wrongdoing by those companies or by anyone in the administration, but there certainly is the appearance, and certainly there is potential for abuse when you have very large contributors contributing \$50,000 or more, some of them several hundred thousand dollars to a political party and then receiving very large state contracts and mega grants.

This is particularly concerning when you look at the number of contracts in this state that are awarded without bid. In fiscal year 1997, 80 percent of contracts over \$10,000 were awarded without a bid. The fact that so many large contributors get contracts from the state certainly has the appearance of impropriety and could be perceived by the public as a potential for conflict of interest.

Therefore, we've introduced some bills that we think will help address this issue and will cap the amount of money of large contributions by individuals to state parties. The bills we've introduced would cap at \$5,000 the amount that an individual could give to a state party. It would also put an aggregate cap of \$50,000 on all campaign contributions to campaigns, to PACs, and state parties in an attempt to try to limit the amount of influence that certain very large, wealthy individuals have on the political process.

We have also introduced bills that will ban political contributions by state contractors—by folks who are receiving money from the state as well as people who are winning mega contracts. The bills are patterned after a law that passed through this body that passed which did the very same thing for casino operators. Casino operators are prohibited from contributing to political officials and political parties. We believe it's important to extend that type of prohibition to folks who benefit from state contracts and, in particular, mega contracts where the state is truly picking winners and losers as to who receives substantial money. In order to keep the appearance of fairness and to keep undue political pressure from the awarding of contracts, we believe we need to limit those campaign contributions, and we're, quite frankly, surprised by the concentration of contracts going to these very large contributors.

Democrats in this body are committed to serious campaign finance reform. We believe the four bills we've introduced today will make a meaningful impact in campaign finance reform. I may add, it applies to both Democrats and to Republicans. It says we're going to limit the amount of these individuals who give these very large contributions to parties. As Democrats, we are prepared to step up and say we will limit those contributions. I challenge my Republican colleagues on the other side of the aisle to step up with us and do the same thing. Let's maintain the appearance. Let's make sure we have fairness in our bidding process, and the only way to do this is not to be under undue influence by very large contributions. Significant campaign finance reform is necessary in this state. It is not just a national issue. It needs to be done here in this state, and we believe now is the time for action, and that's why we are looking forward to quick action on the bills as they move through the committee process.

Senator Bouchard's statement is as follows:

I arise to respond to some of the extreme rhetoric we just heard. Campaign finance reform apparently only comes towards this side of the aisle.

Today, in California, they are voting on an amendment that will allow union workers the right to decide where their monies go. I'd like to see that included in my good colleagues package—I doubt it will be there.

I would also point to his facts—I'd like to see that same analysis undergone as it relates to, maybe, the Wayne County Executive. I'd like to see how that would pan out. My guess it would be significantly worse, and his statistics would suddenly not be that important to him.

Last, but not least, some of the influence of money he keeps pointing, to some individuals—there are huge special interest groups where some of the individuals that are jumping up and tallying this package are literally responding to the beckoned calls of those wishes—the unions, the soft money, as affects elections, is huge. The impact of that amount of money was poured into a race right here in Lansing with little or no regulatory structure, with little or no disclosure, with little or no idea where the money came from, under the guise of being an educational program. It's always disheartening to hear rhetoric just poured out like that when it's truly not an effort for campaign finance reform, which I have supported in the past and would support in a bipartisan fashion. But, if it's going to be a tool to start beating up on individuals who they happen to be losing the argument of ideas to, it's not worth the time it took to say it.

Senator Jaye's statement is as follows:

Once every so often, we have an opportunity, a vehicle legislation to profoundly change, in effect, the landscape of this state. We had that today, Public Act No. 51, and instead of changing the bureaucratic rules in a formula, we punted. We said, "No, we're too busy. No, it's too complicated. Gee, this is an election year." And instead of taking the tough decisions now, instead of standing up to some of the bureaucrats and the special interests, we passed an extension of Public Act No. 51, the gas tax formula, without having some major changes.

One of the amendments I offered was to allow the townships to receive their share of the gas tax money directly. The opponents said, "Oh, no, that will upset the road commissions." Heaven forbid that we would upset unelected bureaucrats appointed to a six-year term who are never accountable to the voters. Government should be with the

consent of the governed. I know our local townships and city and village officials may not always make the proper decisions or may squander money. However, they must face the voters. They are accountable to the people—road commissioners are not.

I know that there are some special interests who don't want to upset the status quo, and the irony and the disappointment is it is the people's tax dollars that are being used against them to make sure that the gas tax money is being used for everything but the roads. I think it's absolutely appropriate that the name of the county road commission association is CRAM (County Road Association of Michigan) because that's exactly what they're doing—they're cramming tax increases down the throats of the motoring public, and they're diverting the money for non-road activities. Yes, we have a responsibility to the poor, to the handicapped and the transit dependent and senior citizens, but those things belong in the welfare budget, not in the transportation budget. Yes, we have a responsibility to the environment in providing for open areas, but those things belong in the DNR budget, the Department of Natural Resources budget, not the road budget. Yes, we have responsibility for the Secretary of State and the Treasury Department but not on the backs of the motoring public. Those items belong in the general government budget.

No other budget in this state of Michigan has charges levied against it like the gas tax does. The Department of Management and Budget gets its bite, the DNR, the State Police, Secretary of State. Time after time after time the bureaucracy gets its bite out of the tax dollars of the motoring public.

One of the more important reforms that we rejected today was to require local units of government to require a warranty for the roads and the public service projects. You know the Romans, two thousand years ago, were able to build roads that are still in serviceable use today. We don't have those standards in Michigan, and shame our Congress, shame on our federal elected officials for passing laws that don't allow any warranties on federal road projects. We have opportunities in the state of Michigan to either make decisions, to make the tough choices, or to punt them for the next year or the following years.

I believe that as the summer session draws to a close and we go out and present ourselves to the voters for either a new lease or for a retirement, that we should be able to say that there were opportunities for us to make sure that the gas tax is spent on roads, and if we need money for welfare or for the environment or for elections or for the police department, that we don't rob the road bank in order to fund our other responsibilities of government. I would hope that in the very near future that we will reconsider some of these amendments in which there is bipartisan support, in which we can come together from the urban, suburban, and rural areas, and to say that the gas tax, if it is to be as it was first trumpeted back in 1924, a privilege tax of the motoring public, is used for the benefit of the motoring public, not for squandering for second-tier projects that, although they might have merit, have very little, if anything, to do with transportation.

Senator Cherry's statement is as follows:

My colleague from the 13th District will be rather pleased when he gets a chance to look at the legislation that Senator Peters and myself introduced today and for a couple of reasons. One is that, in his remarks he expressed a concern about how—really I believe what he really expressed was a concern about the extent to which those who run municipal elections and, particularly, executive positions in very large units of government, quite frankly, are not limited by campaign finance legislation in terms of the amount of money they raised. One thing about this package of bills is that it will include, in terms of the individual aggregate cap, money contributed to public officials who serve as county executives or mayors or township supervisors. So, in fact, this bill does reach and limit in aggregate those contributions that may go to state parties, local governmental candidates, state candidates; so, in fact, it does kind of reach into that concern that the Senator from the 13th District raised.

Initially the bill itself will impact those special interest groups he expressed concern about because, as people contribute to the interest group, they will contributing towards their aggregate individual limitation. So, in fact, special interest groups get curbed in that respect, and quite frankly, Madam President, labor unions and other types of PACs are treated equally; there is no distinction made depending upon what kind of business you're engaged in or whether you're a profit or nonprofit. All of these special interest groups are treated the same.

He may, in fact, have a point, Madam President, about the prevalence of soft money in the system. Many of us don't know, really, how much soft money is utilized, and we based these bills, particularly, on data that was analyzed through campaign finance reports. Unfortunately, we don't have that information on soft money. I know, at least for myself, I'm more than happy to enter discussions with people on how we may, in fact, curb what abuses may be present in politics because of soft money, but it's another issue, but one that at least I'm willing to look at and address.

Madam President, I would also note that some time ago, the Legislature took a step to dramatically curb the kind of contributions that labor unions could make in the political process and, in fact, dramatically limited that activity over past years. So I do believe the Senator from the 13th District's concern about labor unions is a bit overstated. They have been curtailed greatly, but this legislation would, in fact, treat them as it would any others and perhaps, in fact, impact their ability to participate in politics.

The ultimate point here, Madam President, is we don't believe that through aggregate individual contributions, individuals should be permitted to exert undue or significant influence on government. We don't have evidence that

that's occurred, but clearly, some of the things have been found that at least give the appearance of conflict of interest. I know that those of us who serve in public service do so based on good motivation. People are honest; at least that's been my experience. I think it's unfair that oftentimes they're painted with a brush of impropriety because of some of the practices that occur in terms of contribution, giving, and campaign expenditures. So I think that this bill will go a long way into addressing that public appearance, and I'm proud to join my colleague from the 14th District in his efforts to address some of the shortcomings of Michigan's campaign finance law.

Committee Reports

The Committee on Hunting, Fishing and Forestry reported

Senate Resolution No. 117.

A resolution to urge the Governor to establish a task force to study issues relating to fishing.

(For text of resolution, see Senate Journal No. 1, p. 6.)

With the recommendation that the following substitute (S-2) be adopted and that the resolution then be adopted:

A resolution to urge the Governor to establish a task force to study issues relating to fishing.

Whereas, Michigan's fisheries resources are an important component of our state's character and its economy. As we learn more about our environment and as we exert more pressures through direct actions and through indirect actions that affect the waters and shorelands, it is imperative that we do all we can to preserve these resources for future generations. With the increasing pressures placed on fisheries, this is becoming more difficult; and

Whereas, While the riches of our lakes and streams provide recreational and commercial opportunities for millions of our people, the fisheries of our state are a fragile resource. History has shown the vulnerability of our waters, especially for individual species of fish and plants. These are resources that are complex in their composition as well as in the diversity of groups with a stake in their quality; and

Whereas, In addition to environmental concerns, there have been conflicts among the various groups of people engaged in fishing. Recreational fishing, commercial fishing, and Native American fishing all have legitimate concerns and points of view, even though these interests do not always coincide. It is imperative that a coordinated effort be made to identify problems and solutions on fishing issues in a manner that brings all interested parties together; now, therefore, be it

Resolved by the Senate, That we urge the Governor to establish a task force to study issues relating to fishing. Topics to be addressed shall include, but not be limited to, gill netting, catch limits, licensure, and fishing seasons for Native American groups. We urge that this task force include representatives of commercial fishing, recreational groups, the Native American communities, conservation groups, and appropriate executive departments and legislators and that the task force present its findings and recommendations by May 31, 1999; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus and Dingell

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Wednesday, May 27, 1998, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Jaye (C), McManus and Dingell

Absent: Senators Hoffman and Byrum

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5114, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30306, 30307, and 30317 (MCL 324.30306, 324.30307, and 324.30317), section 30306 as added by 1995 PA 59, section 30307 as amended by 1995 PA 103, and section 30317 as amended by 1996 PA 530.

With the recommendation that the bill pass.

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

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Gast, Dingell and DeBeaussiaert

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 28, 1998, at 8:30 a.m., 8th Floor Conference Room, Farnum Building

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

Excused: Senator Dunaskiss

The Committee on Government Operations reported

House Bill No. 4448, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758 and 759 (MCL 168.758 and 168.759), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Hart

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. 4860, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

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, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

House Bill No. 5075, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 795a, and 796a (MCL 168.31, 168.795a, and 168.796a), as amended by 1996 PA 583.

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, Miller and Hart

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Wednesday, May 27, 1998, at 3:42 p.m., 8th Floor Conference Room, Farnum Building

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

Excused: Senator Hoffman

The Committee on Technology and Energy reported

House Bill No. 5280, entitled

A bill to prohibit the switching of a customer's telecommunications provider without the authorization of the customer; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

With the recommendation that the bill pass.

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

Mat J. Dunaskiss
Chairperson

To Report Out:

Yeas: Senators Dunaskiss, Rogers and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submits the following:

Meeting held on Wednesday, May 27, 1998, at 3:00 p.m., Room 405, Capitol Building

Present: Senators Dunaskiss (C), Rogers and Byrum

Excused: Senators Schuette and Berryman

The Committee on Judiciary reported

House Bill No. 4524, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2922a.

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 and Dingell

Nays: Senator Peters

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Thursday, May 28, 1998, at 12:00 Noon, Rooms 402 and 403, Capitol Building

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

Excused: Senator V. Smith

The Committee on Farming, Agribusiness and Food Systems reported

House Bill No. 4328, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Gougeon, Byrum and Berryman

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 Farming, Agribusiness and Food Systems submits the following:

Meeting held on Wednesday, May 27, 1998, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Appropriations reported

Senate Bill No. 1156, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 1997 PA 79.

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

1. Amend page 3, line 16, after "fiscal" by striking out "PERIODS" and inserting "years".
2. Amend page 3, line 17, after "through" by striking out "APRIL 1, 1999" and inserting "SEPTEMBER 30, 2000".
3. Amend page 5, line 7, after "after" by striking out the balance of the line through "1999" on line 8 and inserting "SEPTEMBER 30, 2000".
4. Amend page 5, line 11, by striking out all of subdivision (a) and relettering the remaining subdivisions.
5. Amend page 6, line 22, by striking out "APRIL 1, 1999" and inserting "SEPTEMBER 30, 2000".

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

Harry Gast
Chairperson

To Report Out:

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

Nays: Senator Hoffman

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

The Committee on Appropriations reported

Senate Bill No. 1159, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 115g (MCL 400.115g), as amended by 1994 PA 238.

With the recommendation that the bill pass.

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto and Vaughn

Nays: Senators A. Smith, Young and DeBeaussaert

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 1170, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 1996 PA 588.

With the recommendation that the bill pass.

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussiaert

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

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.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussiaert

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 Appropriations submits the following:

Meeting held on Thursday, May 28, 1998, at 11:00 a.m., Senate Appropriations Room, Capitol Building

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

Excused: Senator DeGrow

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 1095, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a.

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

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, Hoffman, Byrum and Dingell

Nays: None

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 1049, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding subpart VI to part 487.

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

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus and Dingell

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 928, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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.

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Geake, Cisky, Hoffman, McManus, Schwarz, Steil, North, Gougeon, Conroy, Koivisto, A. Smith, Young, Vaughn and DeBeaussiaert

Nays: None

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

Scheduled Meetings

Families, Mental Health and Human Services Committee - Thursday, June 4, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Revenue Sharing Joint Task Force - Wednesday, June 3, at 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-1801).

Scheduled Meeting Canceled

Capital Outlay Joint Subcommittee - Thursday, June 4, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 2:44 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, June 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

