

No. 16
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, February 27, 1997.

10:00 a.m.

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

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

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

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

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

Father Leo Lulko from the Church of The Holy Spirit in Highland offered the following invocation:

Eternal Father God, we gather together in Your name to fulfill, in a faithful and dutiful manner, the trust which has been assigned to us as legislators for the state of Michigan. We acknowledge that You are the one true lawgiver, from whom all laws of nature and society are derived. We acknowledge that our great nation and state have been established as dynamic organisms which recognize Your place in their existence. We acknowledge in humility that our human musings, considerations and plans pale in comparison with Your divine plan for us.

And so, Lord, help us to keep our positions in the right perspective. Help us to put into practice Your admonition that whoever desires to be the leader, one must first be the servant of the many. Help us to hear the voices of those who often are not heard. Help us to speak for those who often live in silent obscurity. Help us to legislate with compassion, equity, justice and wisdom. Above all, Lord, help us to take our charge seriously, but ourselves lightly. We ask this in Your name. Amen.

Motions and Communications

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

Senators Cherry and Bullard entered the Senate Chamber.

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

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

Senator Vaughn moved that Senators Berryman, Miller and O'Brien be temporarily excused from today's session. The motion prevailed.

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

The following communication was received:

Office of the Auditor General

February 26, 1997

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

Financial Audit of the Michigan State Police Retirement System, Office of Retirement Systems, Department of Management and Budget, October 1, 1993 through September 30, 1995.

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

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 Wednesday, February 26:

House Bill Nos. 4039 4044

The Secretary announced the enrollment printing and presentation to the Governor on February 26, for his approval the following bill:

Enrolled House Bill No. 4177 at 11:59 a.m.

Messages from the Governor

The following messages from the Governor were received and read:

February 26, 1997

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:
Eastern Michigan University Board of Regents

Dr. Rosalind Elaine Griffin, 4794 Apple Grove Court, Bloomfield Hills, Michigan 48301, county of Oakland, as a member representing the general public, succeeding Hon. Anthony A. Derezinski of Ann Arbor, whose term has expired, for a term expiring on December 31, 2004.

February 26, 1997

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

Grand Valley State University Board of Control

Mr. William C. Brooks, 8162 E. Jefferson, Detroit, Michigan 48214, county of Wayne, as a member representing the general public, succeeding Ms. Judith S. Hooker of East Grand Rapids, who has resigned, for a term expiring on December 31, 1998.

February 26, 1997

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

Michigan Bean Commission

Ms. Frances Kaye Carlson, 4795 Reed Road, Howard City, Michigan 49329, county of Montcalm, as a member representing growers from District 8, succeeding Mr. Laverne Bruce Hansen of Edmore, whose term has expired, for a term expiring on December 31, 1999.

Mr. Michael J. Sahr, 8860 E. Washington, Saginaw, Michigan 48601, county of Saginaw, as a member representing growers from District 3, succeeding Mr. Stuart J.G. Reinbold of Saginaw, whose term has expired, for a term expiring on December 31, 1999.

February 26, 1997

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

Northern Michigan University Board of Control

Mr. Samuel P. Benedict, 8627 Lakeside Drive, Rapid River, Michigan 49878, county of Delta, as a member representing the general public, succeeding Ms. Sandra Bennett Bruce of Muskegon, who has resigned, for a term expiring on December 31, 2000.

February 26, 1997

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

Trial Court Assessment Commission

Mr. W. Howard Morris, 23162 Park Place Drive, Southfield, Michigan 48034, county of Oakland, as a member representing public members/CPA representative, succeeding Ms. Ramona Henderson Pearson of Detroit, who has resigned, for a term expiring on August 15, 1998.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Senators Gast and Berryman entered the Senate Chamber.

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 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 amendment, the following bill:

Senate Bill No. 209, entitled

A bill to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.

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

1. Amend page 389, following line 18, by inserting:

“(j) 1996 PA 433, MCL 451.471 to 451.481.”.

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

During the Committee of the Whole, Senators Miller and Posthumus entered the Senate Chamber.

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

The following bill was read a third time:

Senate Bill No. 102, entitled

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

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. 20

Yeas—35

| | | | |
|----------|--------------|-----------|-----------------|
| Bennett | DeBeaussaert | Hoffman | Schwarz |
| Berryman | DeGrow | Koivisto | Shugars |
| Bouchard | Dingell | McManus | Smith, A. |
| Bullard | Dunaskiss | Miller | Stallings |
| Byrum | Emmons | North | Steil |
| Carl | Gast | Peters | Stille |
| Cherry | Geake | Posthumus | Van Regenmorter |
| Cisky | Gougeon | Rogers | Vaughn |
| Conroy | Hart | Schuette | |

Nays—0

Excused—3

| | | |
|---------|-----------|-------|
| O'Brien | Smith, V. | Young |
|---------|-----------|-------|

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senator Bouchard moved that he be named co-sponsor of the following bill:

Senate Bill No. 102

The motion prevailed.

The President, Lieutenant Governor Binsfeld, assumed the Chair.

Senator O'Brien entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 114, entitled

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

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. 21**Yeas—36**

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

Nays—0**Excused—2**

| | |
|-----------|-------|
| Smith, V. | Young |
|-----------|-------|

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Van Regenmorter's statement is as follows:

Due to a necessary but inappropriate correction by the Legislative Service Bureau to an amendment that was adopted in committee, Senate Bill No. 114 (S-2) does not accurately reflect the amendments that were adopted by the Senate Judiciary Committee. In its current version, however, Senate Bill No. 114 (S-2), precisely reflects the wording that the committee intended to include in this bill.

The following bill was read a third time:

Senate Bill No. 121, entitled

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," by amending section 1 (MCL 19.131), as amended by 1982 PA 229.

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. 22**Yeas—36**

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

Nays—0

Excused—2

Smith, V.

Young

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Bouchard's statement is as follows:

We have a bit of a security breach going on. There's a person on the floor who is not a Senate employee and somehow she was able to sneak her way in. All kidding aside, today is the last day that Lucy Foster will be with us in a sense of hanging around us just to be with us hopefully in this world, but not in our proximity. Lucy has been a person whom many people have come to know as a friend and a hard worker and someone who I have enjoyed the opportunity to be a good friend with and work with. Since I came to the Senate—the day I was elected to the Senate—she was one of my first staff picks. Sometimes even I get lucky. She has been a wonderful person to work with. I think she is a wonderful person to have as a friend and as a co-worker. We will miss you a great deal, Lucy. We wish you, Tom and Jennifer all the best in Kansas when you tap your feet together and head there. Tom, her husband, has been transferred to Kansas, and I guess this means that the arranged marriage between Jennifer and my son is off. Nonetheless, we wish you all the best, Lucy, and Godspeed. Thank you for your efforts.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senate Resolution No. 14.

A resolution to memorialize the Congress of the United States to pass and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a balanced federal budget.

(This resolution was announced on February 26, amendments offered, yeas and nays ordered and consideration postponed. See Senate Journal No. 15, p. 158.)

The question being on the adoption of the amendments offered by Senator Hart,

Senator Stille offered the following amendments to the amendments:

1. Amend Senator Hart's Amendment No. 1, after "consideration" by inserting "so long as the funds in those programs are guaranteed and are not used to offset, or otherwise be made to serve as collateral for, debt expenditures elsewhere in the federal budget".

2. Amend Senator Hart's Amendment No. 2, after "consideration" by inserting "so long as the funds in those programs are guaranteed and are not used to offset, or otherwise be made to serve as collateral for, debt expenditures elsewhere in the federal budget".

The amendments to the amendments were adopted.

The yeas and nays having been ordered,

The amendments, as amended, were adopted, a majority of members voting therefor, as follows:

Roll Call No. 23

Yeas—35

Bennett
Berryman

DeBeaussaert
DeGrow

Koivisto
McManus

Schwarz
Shugars

| | | | |
|----------|---------|-----------|-----------------|
| Bouchard | Dingell | Miller | Smith, A. |
| Bullard | Emmons | North | Stallings |
| Byrum | Gast | O'Brien | Steil |
| Carl | Geake | Peters | Stille |
| Cherry | Gougeon | Posthumus | Van Regenmorter |
| Cisky | Hart | Rogers | Vaughn |
| Conroy | Hoffman | Schuette | |

Nays—0

Excused—2

Smith, V. Young

Not Voting—1

Dunaskiss

In The Chair: President

Senator Cherry offered the following amendment:

1. Amend the resolution, following the first Resolving clause, by inserting:

“Resolved, That we urge that the proposed balanced budget amendment provide for line item veto and executive order authority for cutting appropriations as measures to achieve a balanced budget; and be it further”.

The question being on the adoption of the amendment,

Senator Stille offered the following amendment to the amendment:

1. Amend Senator Cherry’s amendment, after “veto” by striking out “and executive order authority”.

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

The motion prevailed.

Senator Berryman moved that Senator O’Brien be temporarily excused from the balance of today’s session.

The motion prevailed.

The amendment to the amendment was adopted.

The amendment, as amended, was adopted.

Senator O’Brien entered the Senate Chamber.

The question being on the adoption of the resolution, as amended,

Senator Stille requested the yeas and nays.

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

The resolution was adopted, a majority of the members voting therefor, as follows:

Roll Call No. 24

Yeas—29

| | | | |
|----------|--------------|----------|-----------|
| Bennett | DeBeaussaert | Hart | Posthumus |
| Berryman | DeGrow | Hoffman | Rogers |
| Bouchard | Dingell | Koivisto | Schuette |
| Bullard | Emmons | McManus | Shugars |
| Byrum | Gast | Miller | Steil |

Carl
Cisky
Conroy

Geake
Gougeon

North
O'Brien

Stille
Van Regenmorter

Nays—6

Cherry
Peters

Schwarz
Smith, A.

Stallings

Vaughn

Excused—3

Dunaskiss

Smith, V.

Young

Not Voting—0

In The Chair: President

Protests

Senators Schwarz, Cherry, A. Smith and Peters, under their constitutional right of protest (Art. IV, Sec. 18), protested against the adoption of Senate Resolution No. 14.

Senator Schwarz' statement, in which Senators A. Smith and Peters concurred, is as follows:

I voted "no" on the resolution to support a balanced budget amendment because I believe that a balanced budget amendment won't work. I believe it's a short cut the Congress is trying to take to keep them from doing what they ought to do, which is just cut the budget. They can do that. It puts a great deal of power in the hands of the judiciary and like our state budget, which is purportedly balanced every year, it would allow the United States Congress to put billions and billions of dollars off budget, which is precisely what would happen. Balancing the budget is a good idea, a balanced budget amendment is a bad idea.

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

The motion prevailed.

Senator Cherry's statement, in which Senators A. Smith and Peters concurred, is as follows:

I do think that the resolution that's before us now is much improved over the one that initially came to the floor. However, I think with the adoption of the Stille amendment to my amendment, we have removed a very important mechanism for ensuring that a balanced budget amendment is self-enforcing. Without that kind of self-enforcing mechanism, what we do accomplish is ultimately turning over to the federal judiciary the power to budget either by approving expenditures, cutting expenditures, and even raising taxes.

If the executive and the Congress don't do their job by constitutional amendment, the court must act. My language that would have suggested that the federal government use the same Michigan language that provides our executive with the power to automatically cut our budget subject to legislative review should our budget appear to be unbalanced—that would have provided a fairly self-enforcing mechanism. Without that language, however, I'm very fearful that what we'll find in the not-so-distant future is the federal judiciary being asked to exercise legislative powers to balance the budget under this constitutional responsibility that we seek to insert into our national document.

That concerns me a great deal. Ultimately, I know it concerns this body as well because on a previous occasion we have expressed our concern and displeasure in allowing federal judges to raise taxes, particularly state taxes because they have felt that we have not lived up to our obligation, now we are ready to give the federal judiciary the power to raise federal taxes because, in their opinion, the U.S. Congress or the President of the United States has not acted to meet his or her constitutional obligation. That gives me great pause, and quite frankly, makes it impossible for me to vote for this particular resolution. I can, in fact, vote for one that includes mechanisms such as what Michigan uses to make a balanced budget amendment workable. It has served us well in the past. It can serve the federal government well, but without that kind of mechanism in this resolution, I intend to vote "no."

Senator A. Smith's statement, in which Senator Peters concurred, is as follows:

I concur with Senators Schwarz and Cherry that a balanced budget is absolutely the outcome we want. However, I oppose the balanced budget amendment because I believe it strips from Congress and the President the opportunity to respond in very desperate economic times with the kinds of assistance that states have become accustomed to, as they pass more money through to us to help us balance our own budget, to protect our unemployed. It also eliminates the opportunity that the federal government has used in past down times to create those programs which do create new job opportunities and keep revenue flowing and families on their feet.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Gougeon introduced

Senate Bill No. 229, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 8 (MCL 290.658), as amended by 1996 PA 216.

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

Senator Berryman introduced

Senate Bill No. 230, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending section 17 (MCL 121.17).

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

Senator Bouchard introduced

Senate Bill No. 231, entitled

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending section 16 (MCL 331.46).

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

Senator Miller introduced

Senate Bill No. 232, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act," by amending section 39 (MCL 125.1439), as amended by 1985 PA 183.

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

Senator Bennett introduced

Senate Bill No. 233, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the elections and duties of township officers, and the division of townships," by amending section 77 (MCL 41.77), as amended by 1989 PA 77.

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

Senator Bouchard introduced

Senate Bill No. 234, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 1984 PA 299.

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

Senator Emmons introduced

Senate Bill No. 235, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16350 and part 189.

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 McManus, Koivisto and North introduced

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.

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

Senators Stille, Schwarz, Cisky, Carl, Rogers, North, Emmons, Shugars, Bennett, Hoffman, McManus, Dunaskiss, Bullard, Peters, Dingell, A. Smith and Byrum introduced

Senate Bill No. 237, entitled

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

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

Senator Gast introduced

Senate Bill No. 238, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Gast introduced

Senate Bill No. 239, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Gast introduced

Senate Bill No. 240, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 1996 PA 300.

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

Senator Gast introduced

Senate Bill No. 241, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 1996 PA 300.

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

Senator Gast introduced

Senate Bill No. 242, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Gast introduced

Senate Bill No. 243, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Senator Gast introduced

Senate Bill No. 244, 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, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Senator Gast introduced

Senate Bill No. 245, entitled

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 1998; and to provide for the expenditures of the appropriations.

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

Senator Gast introduced

Senate Bill No. 246, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Gast introduced

Senate Bill No. 247, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Gast introduced

Senate Bill No. 248, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Gast introduced

Senate Bill No. 249, 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, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Gast introduced

Senate Bill No. 250, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senator Gast introduced

Senate Bill No. 251, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

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

Senator Gast introduced

Senate Bill No. 252, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Gast introduced

Senate Bill No. 253, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

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

Senator Gast introduced

Senate Bill No. 254, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Senator Bullard introduced

Senate Bill No. 255, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5771 and 5775 (MCL 600.5771 and 600.5775), as added by 1988 PA 336.

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

Senator Bullard introduced

Senate Bill No. 256, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5759 (MCL 600.5759).

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

Senator Berryman introduced

Senate Bill No. 257, 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 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 certain acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 1993 PA 294.

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

Senator Berryman introduced

Senate Bill No. 258, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending sections 2 and 22 (MCL 207.102 and 207.122), section 2 as amended by 1992 PA 225 and section 22 as amended by 1995 PA 52.

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

Senator Berryman introduced

Senate Bill No. 259, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1994 PA 247; 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.

Senator Berryman introduced

Senate Bill No. 260, 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 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 certain acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 1993 PA 294.

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

House Bill No. 4039, entitled

A bill to create the model law enforcement vehicle pursuit and response policy advisory panel within the law enforcement council; to prescribe its membership, powers, and duties; to prescribe the powers and duties of certain state and local agencies and departments; to provide for the development of law enforcement vehicle pursuit and response policies; and to repeal acts and parts of acts.

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

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

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 2964 and 2965.

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.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:
Meeting held on Tuesday, February 25, 1997, at 1:00 p.m., Senate Appropriations Room, Capitol Building
Present: Senators McManus, Gast, Hoffman, Koivisto and A. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:
Meeting held on Wednesday, February 26, 1997, at 8:30 a.m., Senate Appropriations Room, Capitol Building
Present: Senators Hoffman and DeGrow
Excused: Senator Young

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:
Meeting held on Friday, February 21, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building
Present: Senator Dingell
Excused: Senator Van Regenmorter

Scheduled Meetings

Capital Outlay Joint Subcommittee - Thursday, March 6, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Education Committee - Tuesday, March 4, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-3760).

Judiciary Committee - Tuesday, March 4, at 1:00 p.m., Room 100, Farnum Building (3-6920).

Michigan Sentencing Commission - Thursday, March 6, at 3:00 p.m. and Friday, March 7, at 9:30 a.m., Holiday Inn South, Lansing (3-7676).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 11:19 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, March 4, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.