

No. 22
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, March 13, 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—present
Stallings—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Sister Katherine Murphy, RSM, of St. Francis Catholic Church in Traverse City offered the following invocation:

As the Jewish feast of Passover draws near, and as we Christians everywhere look forward to the celebration of Easter, our thoughts turn to God and to the springtime that we appreciate in nature and in our spiritual lives. May we, today, anticipate a springtime for Michigan that will not only be a season of nature’s rejuvenation, but that of the spirit of our people. We pray today in the words of a great teacher who said, “Blessed are the poor in spirit, for theirs is the kingdom of heaven.” How will this come about in Michigan? How will the poor experience a springtime of new life for themselves? Only if we, to whom more has been given, dedicate ourselves to their well-being and in doing so be blessed ourselves.

He told us, too, that blessed were the meek; that they would inherit the land. Let us not forget those who need housing and are not adequately fed and clothed. How will the meek inherit the land, unless we, who have been given so much, assist them to share the dignity that we enjoy? If we do so, we, too, will be blessed.

Finally, this great teacher, who we Christians honor as our Savior and Lord, told us, “Blessed are they who hunger and thirst for righteousness, for they will be satisfied.” May all of our elected leadership indeed hunger and thirst for righteousness, so that all who have put their trust in them will recognize improved lives and an ever better environment to raise their families. May our leadership be blessed because of their efforts and may we be blessed as a result of them.

As we pray this day, may we begin to see the beginnings of a new springtime for Michigan, with a renewed solicitude for the poor, the homeless and for all who look to our leaders for justice and peace. We address our prayer to God who created us, sustains us and gives us hope. Amen.

Motions and Communications

Senator Cherry entered the Senate Chamber.

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

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

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

The motion prevailed.

Senators Stallings, McManus and Miller entered the Senate Chamber.

The following communication was received:

Saginaw Midland Bay Job Training Consortium

March 4, 1997

Enclosed you will find the summaries of the Michigan Works!/Saginaw, Midland and Bay Job Training Consortium biennial plans for the following funding sources: Title IIA; Title IIC; Title III, EDWAAA; SYETP.

Comments on the Title IIA, IIC and Title III, EDWAAA summaries are requested by April 11, 1997. The plans will be available for review on that date.

Comments on the SYETP summary is requested by May 23, 1997. The SYETP plan will be available for review on that date.

Plans are submitted for review in compliance with Section 105 (a) (1) and (a) (2) of the Job Training Partnership Act.

Please send any comments in writing to:

Dennis Brieske, Director
Saginaw, Midland Bay/Michigan Works! Administration
1600 North Michigan Avenue, Room 400
Saginaw, Michigan 48602
Telephone (517) 754-1144

Dennis J. Brieske, Director

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, March 12:

House Bill Nos. 4025 4042 4093 4244 4329

The Secretary announced the printing and placement in the members’ files on Wednesday, March 12 of:

Senate Bill Nos. 282 283 284 285 286 287 288 289 290 291 292 293 294 295
296 297 302 303
House Bill Nos. 4451 4452 4453 4454 4455 4456 4457 4458 4459 4460 4461 4462 4463 4464
4465 4466

Messages from the Governor

The following message from the Governor was received:

Date: March 12, 1997
Time: 10:16 a.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 1 (Public Act No. 1), being

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

(Filed with the Secretary of State on March 12, 1997, at 10:45 a.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received and read:

EXECUTIVE ORDER

No. 1997 - 2

**Michigan Department of State Police
Michigan Department of Consumer & Industry Services
Michigan Department of Environmental Quality
Fire Marshal Division**

Executive Reorganization

Whereas, Article V, Section 1, of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Whereas, the Fire Marshal Division of the Michigan Department of State Police performs certain inspection functions which are duplicative of or similar to those performed by the Department of Consumer and Industry Services and the Department of Environmental Quality; and

Whereas, the Department of Consumer and Industry Services is the primary state department with inspection and licensing responsibilities; and

Whereas, in Executive Orders 1995-18 and 1996-1 the Michigan Department of Environmental Quality assumed certain responsibilities for dry cleaning programs and underground storage tanks; and

Whereas, certain functions, duties and responsibilities assigned to the Fire Marshal Division of the Michigan Department of State Police can be more effectively organized and carried out under the supervision and direction of the Michigan Department of Consumer & Industry Services and Michigan Department of Environmental Quality; and

Whereas, it is in the best interest of Michigan citizens to have the Department of State Police concentrate its efforts and functions on its primary role of criminal investigations, arson investigations, and arson-related training activities; and

Whereas, by relieving the Fire Marshal Division of certain inspection and administrative functions, state police resources will be made available to perform core functions of the Department of State Police; and

Whereas, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

Now, therefore, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

A. Department of Consumer and Industry Services.

1. All of the authority, powers, duties, functions and responsibilities, including but not limited to the functions of budgeting, procurement and management related functions of the following Fire Marshal Division programs:

a) Fire safety inspections of adult foster care (MCL §400.711), correctional (MCL §791.762), and health care facilities (MCL §§330.1138 and 333.20156); and

b) Plan review and construction inspections of schools, colleges, universities, school dormitories (MCL §388.853), as well as adult foster care (MCL §400.711), correctional (MCL §791.762), and health care facilities (MCL §§330.1138 and 333.21056); and

- c) Coordination of fire inspector training programs, including State Certified Fire Inspector School (SCFIS) and the biennial recertification of fire inspectors (MCL §29.2b); and
- d) Fire alarm and fire suppression system installation, documentation and certification (MCL §29.26 - 33); and
- e) Federally required fire inspections of certain health and mental care facilities, and
- f) Inspection and certification of places of public assemblage (MCL §29.21c and 29.21d); and
- g) Federal inspection requirements pursuant to the Hotel/Motel Fire Safety Act of 1990 (PL 101-391 of 1990); and
- h) Fire drills in schools, colleges, universities and school dormitories (MCL §29.19); and
- i) Fire extinguishing compound use approval (MCL §29.21b(b)); and
- j) Hazardous chemicals in the workplace (MCL §29.29p),

are hereby transferred from the Department of State Police to the Department of Consumer & Industry Services by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All the statutory authority, powers, duties, functions and responsibilities granted to the Director of the State Police in Section 2 of Act No. 207 of the Public Acts of 1941, as amended, being Sections 29.2 of the Michigan Compiled Laws, which are related to the functions transferred by this Order, are hereby transferred from the Director of the Michigan Department of State Police to the Director of the Department of Consumer and Industry Services by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

3. All of the statutory authority, powers, duties, functions and responsibilities of the State Fire Safety Board, including but not limited to those set forth in Act No. 207 of the Public Acts of 1941, as amended, being Section 29.1 et. seq. of the Michigan Compiled Laws, are hereby transferred from the Department of State Police to the Department of Consumer and Industry Services by a Type I transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

4. The Director of the Department of Consumer & Industry Services shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Consumer & Industry Services and all prescribed functions of rule making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, shall be transferred to the Director of the Department of Consumer & Industry Services.

5. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Fire Marshal Division and State Fire Safety Board for the activities transferred to the Department of Consumer & Industry Services by this Order are hereby transferred to the Department of Consumer & Industry Services.

6. The Director of the Department of Consumer & Industry Services shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

7. The Director of the Department of State Police and the Director of the Department of Consumer & Industry Services shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and State laws and regulations, or other obligations to be resolved by the Fire Marshal Division.

8. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the states financial management system for the remainder of the fiscal year.

9. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

10. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

B. Department of Environmental Quality.

1. All of the statutory authority, powers, duties, functions and responsibilities, including but not limited to the functions of budgeting, procurement and related management functions of the following Fire Marshal Division programs:

- a. The Above Ground Storage Tank Program (MCL §29.5c); and
- b. The inspection of dry cleaning establishments (MCL §29.5i),

are hereby transferred from the Department of State Police to the Department of Environmental Quality by a Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. The Director of the Michigan Department of Environmental Quality shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Michigan Department of Environmental Quality, and all related prescribed functions of rule-making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, are transferred to the Director of the Michigan Department of Environmental Quality.

3. The Director of the Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

4. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available to or to be made available to the activities, powers, duties, functions and responsibilities transferred to the Michigan Department of Environmental Quality by this Order are transferred to the Michigan Department of Environmental Quality.

5. The Director of the Michigan Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

6. The Director of the Michigan Department of State Police and the Director of the Michigan Department of Environmental Quality shall immediately initiate coordination to facilitate the transfers and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Michigan Department of Environmental Quality.

7. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the states financial management system for the remainder of the fiscal year.

8. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

9. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Order shall become effective September 30, 1997.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of March, in the Year of our Lord, One Thousand Nine Hundred Ninety-seven.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

Third Reading of Bills

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

Senate Bill No. 21

The motion prevailed.

Senator Hoffman entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 19, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32312a.

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. 46

Yeas—37

Bennett	Dingell	McManus	Shugars
Berryman	Dunaskiss	Miller	Smith, A.
Bouchard	Emmons	North	Smith, V.
Bullard	Gast	O'Brien	Stallings
Byrum	Geake	Peters	Steil
Cherry	Gougeon	Posthumus	Stille
Cisky	Hart	Rogers	Van Regenmorter

Conroy
DeBeaussaert
DeGrow

Hoffman
Koivisto

Schuette
Schwarz

Vaughn
Young

Nays—0

Excused—0

Not Voting—1

Carl

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 57, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending section 42 (MCL 800.42), as added by 1989 PA 168, and by adding section 44.

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. 47

Yeas—38

Bennett
Berryman
Bouchard
Bullard
Byrum
Carl
Cherry
Cisky
Conroy
DeBeaussaert

DeGrow
Dingell
Dunaskiss
Emmons
Gast
Geake
Gougeon
Hart
Hoffman
Koivisto

McManus
Miller
North
O’Brien
Peters
Posthumus
Rogers
Schuette
Schwarz

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Emmons and V. Smith asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Emmons' statement is as follows:

I am delighted to rise to support this bill and I want to thank Senator Smith for his renewed effort to identify criminals better. I want to thank him on behalf of my predecessor, Senator Welborn, who labored and did get passed through the Legislature the bill that would do a very similar thing. So I am very delighted to support this. I hope we can quickly resolve this issue. It will make a great deal of comfort out in my area where I have many prisons, too.

Senator V. Smith's statement is as follows:

I would ask the body to support this amendment. This amendment will require uniforms for those within the prisons under the control of the Department of Corrections from level three up—levels three, four, five and six. Those levels contain the most violent offenders and because of the prison break that occurred in my district in 1994, which by the way happened to be the largest prison break that this state has ever experienced, two things happened as a result of that break.

Initially, those who were of a higher security classification should not have been in the yard at the time. Therefore, they would have not been near that fence. They were not able to be picked out by the guards because they were dressed just like the level two and below. There was no distinction in terms of clothing. Then, once they were in the yard and their accomplices threw over a shotgun and a big fence cutter, they were outside of those two fences and there was only some railroad tracks before they were into the neighborhood. The only way it would have been a protection for my particular community was if these folks had been in uniforms, there would have been some way to identify them as state prisoners. Of the 10 prisoners who escaped, eight were very dangerous felons; six of them convicted murderers. Those are not the type of people we want running loose in the streets of any urban area—not only mine, but any other urban area.

Since we now have prisons within these urban areas, we need to try to make sure that we put forth adequate protections to protect the public on this key issue. I would ask the body to support it and I would ask for the support of all individual members.

Senators Bouchard, Gougeon, Shugars, Rogers, Bennett, Schuette, Dunaskiss, Stille, Bullard, Gast, Koivisto, Emmons, McManus, Young, Conroy, Peters, DeBeaussaert, Dingell, Hart, O'Brien, Byrum, Carl, Steil, Cisky, Miller, Cherry, Hoffman, Geake, A. Smith and Schwarz moved that they be named co-sponsors of the following bill:

Senate Bill No. 57

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 5, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11151 (MCL 324.11151).

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. 48

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Bouchard, Shugars, Gougeon, McManus, North, Emmons, Rogers, Steil, Carl, Schuette and Stille moved that they be named co-sponsors of the following bill:

Senate Bill No. 5

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 51, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

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. 49

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Berryman introduced

Senate Bill No. 304, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 28 (MCL 125.2328), as amended by 1993 PA 241.

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

Senators North, Koivisto and Cisky introduced

Senate Bill No. 305, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160a. The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Stille and Shugars introduced

Senate Bill No. 306, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 4, and 6 (MCL 691.1401, 691.1402, 691.1404, and 691.1406), the title and section 1 as amended by 1986 PA 175 and section 2 as amended by 1996 PA 150, and by adding sections 2a and 2b.

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

House Bill No. 4025, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," (MCL 55.107 to 55.117) by adding section 112a.

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 Local, Urban and State Affairs.

House Bill No. 4042, entitled

A bill to amend 1976 PA 225, entitled "An act to defer the collection of special assessments on homestead properties; to provide for conditions of eligibility for such a deferment; to prescribe the powers and duties of the department of treasury, local assessing officers, and local collecting officers; to provide for the advancement of moneys by the state to indemnify special assessment districts for losses from deferment of collections; to provide for the advancement of money by the state to an owner for the repayment of loans used by the owner to pay special assessments; to provide for the collection of deferred special assessments and interest thereon, and the disposition of these collections; to make an appropriation; and to prescribe penalties," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 8a, 9, and 10 (MCL 211.761, 211.762, 211.763, 211.764, 211.765, 211.766, 211.767, 211.768, 211.768a, 211.769, and 211.770), the title and sections 2, 3, 4, and 10 as amended by 1980 PA 403 and section 8a as amended by 1981 PA 59, and by adding section 4a.

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 Finance.

House Bill No. 4093, 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 65a (MCL 791.265a), as amended by 1994 PA 217.

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. 4244, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 1995 PA 289.

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

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

House Bill No. 4329, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284 (MCL 380.1284), as amended by 1995 PA 289.

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

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

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 164, 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; 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.

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, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

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. 166, 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, 1998; 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.

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, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

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. 169, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal years ending September 30, 1997 and September 30, 1998; 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.

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, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

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. 170, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the Michigan biologic products institute, the executive office, and the legislative branch for the fiscal years ending September 30, 1997, and September 30, 1998; 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, 1998; 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.

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, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith and Vaughn

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. 171, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; 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.

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, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

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 Tuesday, March 11, 1997, at 2:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast, Geake, Cisky, DeGrow, Hoffman, McManus, Schwarz, Steil, Conroy, Koivisto, A. Smith, O'Brien and Vaughn

The Committee on Financial Services reported

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.

With the recommendation that the bill pass.

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

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

Senate Bill No. 230, entitled

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

With the recommendation that the bill pass.

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

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon and Berryman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Financial Services reported

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.

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.

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon and Berryman

Nays: None

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

The Committee on Financial Services reported

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.

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.

Michael J. Bouchard
Chairperson

To Report Out:

Yeas: Senators Bouchard, Bennett, Gougeon 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 Financial Services submits the following:

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

Present: Senators Bouchard, Bennett, Gougeon, Berryman and Miller

COMMITTEE ATTENDANCE REPORT

The Michigan Capitol Committee submits the following:

Meeting held on Tuesday, March 4, 1997, at 1:07 p.m., Room 424, Capitol Building

Present: Senators Schwarz, Dunaskiss and Byrum

Excused: Senator DeGrow

COMMITTEE ATTENDANCE REPORT

The Committee on Gaming and Casino Oversight submits the following:

Meeting held on Monday, March 10, 1997, at 1:00 p.m., 495 West Ferry Mall, McGregor Memorial Conference Center, Wayne State University, Detroit, Michigan

Present: Senators Bouchard, Rogers, Schuette and V. Smith

Absent: Senator Koivisto

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submits the following:
Meeting held on Tuesday, March 11, 1997, at 11:00 a.m., Room 402, Capitol Building
Present: Senators Gast, DeGrow and Vaughn

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:
Meeting held on Tuesday, March 11, 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, March 12, 1997, at 11:45 a.m., Senate Appropriations Room, Capitol Building
Present: Senators Hoffman, DeGrow and O'Brien

Scheduled Meetings

Appropriations Committee - Tuesday, March 18, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Economic Development, International Trade and Regulatory Affairs Committee - Wednesday, March 19, at 1:00 p.m., Room 210, Farnum Building (3-7946).

Families, Mental Health and Human Services Committee - Thursday, March 20, at 1:00 p.m., Room 100, Farnum Building (3-1777).

Judiciary Committee - Tuesday, March 18, at 1:00 p.m., Room 100, Farnum Building (3-6920).

Technology and Energy and House Public Utilities Committees - Tuesday, March 18, at 3:00 p.m., Rooms 425-427, Capitol Building (3-2417).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 10:26 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, March 18, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

