

No. 85

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, November 6, 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—excused
Bullard—present
Byrum—present
Cherry—present
Cisky—present
Conroy—present
DeBeussaert—present
DeGrow—present
Dingell—present
Dunaskiss—excused
Emmons—excused

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

Senator John J.H. Schwarz of the 24th District offered the following invocation:

Dear God, remind us that we are here to serve God and not ourselves. Remind us that we are mortal although we are made in Your image. Remind us that we are all part of Your creation—equal before You as we must be under the laws we enact. Remind us we have free will to choose between right and wrong. Remind us when we disagree that a kind word turns away wrath. Remind us that patience and forgiveness are godly virtues. Remind us that brevity is the soul of wit. Remind us that we are charged by You in Deuteronomy 16:20 that righteousness shall you pursue. Remind us that we are equally charged by our Constitution to pursue liberty and justice. And remind us that all things change and that the autumn glum will yield to spring and that the Legislature, in Your wisdom, has its limits. May these words be acceptable to You, Lord our God, our Rock and Redeemer.

Motions and Communications

The following communication was received:
Office of the Auditor General

November 5, 1997

Enclosed is a copy of the following audit report and/or executive digest:
Financial Audit of the Michigan State Fair and Exposition Center, Department of Consumer and Industry Services, October 1, 1995, through September 30, 1996.

Sincerely,
Thomas H. McTavish
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, November 5:

House Bill Nos. 4619 4736 4972 5106 5216 5223 5264 5279

The Secretary announced the printing and placement in the members' files on Wednesday, November 5 of:

Senate Bill Nos. 786 789

Senators Gast, Gougeon and McManus entered the Senate Chamber.

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

The President, Lieutenant Governor Binsfeld, assumed the Chair.

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

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

A moment of silence was observed in honor of the passing of former Senate Sergeant at Arms, Joe Hansel.

Senators Miller, O'Brien and Gast asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Miller's statement is as follows:

We come from 38 different districts around this state and we vote on legislation here to make Michigan a better home—a better state. Behind the scenes, we have a number of staff people in this chamber who try to make our job easier and make our job better. There are a number of you, either on the Rostrum or the Sergeant at Arms. In this case, Joe Hansel worked here in this building for 18 years but also worked across the street when the office building there was the Olds Hotel.

You can hear about all those stories about smoke-filled rooms and back room deals. Well, Joe Hansel was a man who worked over there before he came here and befriended so many Senators, Representatives and Governors. He was a man who reached out and helped every person. He did not care where you came from or who you were. He was a quiet man. We had the privilege to have him work here.

I want his wife and his children to know that he was a man who was well-respected from Governors all the way down to Representatives and he did a great job. He did a job that was quiet, but he did an effective job. Like Senator O'Brien said, when we came to Lansing, he made us feel like we were family and friends. I am kind of letting the world know how long I have been here, but I remember Joe when he worked at the Olds Hotel. He was a gentleman and he was a friend. When he came to work here in this Senate chamber, there is not one member here who cannot say that if you needed something, he was there. He was a quiet man. You did not read about his name in the newspapers passing legislation. You did not read about him helping all of us out, but he was there just like all the other staff here who are behind the scenes to make our life and our work here in Lansing better. To his family, to his wife and to his children, he was a great man and he was a man who made this chamber better and he made Michigan better for all of us.

Senator O'Brien's statement is as follows:

I'd like to welcome the family of the former Sergeant Joe Hansel, who's here with us today on the floor.

Joe was around here a long time and I do not speak of his time here in the Senate. I speak as a young man who came to town many years ago with my father and at least I knew what he looked like. Then when I came back as a Senator looking for a place to stay, I wound up over at the hotel across the street. There are lobbyists outside who parked cars for Joe.

Joe saw the good, the bad and, I guess, the ugly of all of us over there. He knew everybody. He helped everybody. No matter what time, if you were fortunate enough to have Joe working that night or that period of time when you came into the hotel and, as you know, sometimes we don't get anything to eat and it's late and you couldn't get anything out of the kitchen, you'd look at Joe and say, "Hey, Joe, got any ideas?" And something would appear. He was a very helpful, a very caring man.

When things at the hotel started not working, including the rental of rooms and it ultimately closed out and became a state office building, Joe came here because Joe had always been a part of the solution—whatever that solution was. In essence, he took care of us and when you come to town and you're strange and you don't know anybody, it was like coming home. He was part of the family and he kind of took a lot of us in and made us a part of his family, at least that family that he cared about because we were all forced together in that hotel.

We got stranded there one time for three days in a snowstorm. One of the State Representatives wound up cooking for the hotel. It was a real interesting time. That's when there was 20 inches of snow out here and the CATA buses couldn't even move. But Joe was always there and he came here and he did the same thing. For those of you who knew him here, also I'm sure found out what we had known all along prior to his coming here. He was always a part of the solution, never a part of the problem.

You know, every once in a while, we would sometimes maybe get a little off base. Joe would let us know about that, too. So, it wasn't a job to Joe when he was at the hotel and when he came here, it wasn't about a job either. He was here and, I guess, some would call it a job, but to know Joe was to know that you truly had a friend and that that individual was there to help you, to possibly even—you know, I looked and would say, "Gee, Joe, what should I do tonight? I just got here." He said, "Don't walk that way. Whatever you do, go this way, go here, go there." And that, of course, was the infamous and no longer with us, Michigan Avenue strip of 25 or so years ago. So, he was always there with a helping hand and a helpful thought and a kind word.

He bailed us out more than once, those of us who became his family at the hotel. He was also very helpful here and he always extended himself. I have his family here with me today. I would like to present them with a resolution commemorating Joe to show them that he meant more to us than, quite frankly, I think I have the ability to express. He was just a kind, sometimes not so gentle—he had the ability to get a little hostile with us—and, of course, you don't do that at the hotel because you're working on tips. But I'm going to tell you something, the information was always right. It was done in such a way that sometimes you had to walk away and wonder, "Did he just tell me off?" There was always that question. But he was there and I'm going to miss him greatly. I've missed him greatly since he left and I know the family misses him.

I see we have some other people who want to speak, but I also have a resolution that I would like to present to the family on behalf of the Senate so they know that, and I don't think it's a case they know, I think they know who Joe's friends are and were, a great many of them are no longer here and Joe was at the hotel a lot of years. He was here when Gus Scholle was sitting in the back room. He was there when my dad was there. I'm not so sure he wasn't there when my grandfather was here—37 years over at that hotel. So, he saw a lot and he did more for people to help them than most of us do in our lifetime. He was always, as I said previously, a part of the solution. I'd like to present this resolution to his wife on our behalf and simply say, thank you for letting Joe help us because it would have been a lot tougher without him.

Senator Gast's statement is as follows:

I, too, from our side of the aisle want to say that Joe was always a friend and it didn't make any difference what your politics were or anything of the kind. He always had a cheerful smile and he served us well. But you know, there's

another moral to this story that I think we should all keep in mind. I think that we should show appreciation to our Sergeants and, as Senator Miller said, to our staff people and those of us who have been here for a long time know this more so than the newly arrived. But I think that we owe a lot to the people who help us in our daily performance of our task here. I think it would be well for all of us to express it to the existing Sergeants and staff people as well as Joe for the many years of excellent service he gave us.

Senator O'Brien and Senator Miller have expressed their sentiments. They are mine exactly. Joe was a person whom we will always remember and he always had a kind word and he was always helpful to whatever our needs were.

Messages from the Governor

The following messages from the Governor were received:

Date: November 4, 1997
Time: 6:33 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 262 (Public Act No. 125), being

An act to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," (MCL 483.1 to 483.11) by adding sections 2a and 2b.

(Filed with the Secretary of State on November 5, 1997, at 11:10 a.m.)

Date: November 4, 1997
Time: 6:35 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 19 (Public Act No. 126), being

An act 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," (MCL 324.101 to 324.90106) by adding section 32312a.

(Filed with the Secretary of State on November 5, 1997, at 11:12 a.m.)

Date: November 4, 1997
Time: 6:40 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 277 (Public Act No. 127), being

An act to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals to the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending section 8 (MCL 830.418), as amended by 1994 PA 252.

(Filed with the Secretary of State on November 5, 1997, at 11:14 a.m.)

Date: November 4, 1997

Time: 6:42 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 408 (Public Act No. 128), being

An act to repeal 1941 PA 309, entitled “An act to give the state board of examiners of barbers jurisdiction to investigate trade practices among barbers, haircutters, barber and haircutting schools and colleges; to enforce such regulations pertaining to reasonable service charges and reasonable hours of operation of barber shops, haircutting shops, barber and haircutting schools and colleges as will tend to eliminate unfair and insanitary practices; fixing territorial units for such regulations; regulating barber schools, haircutting schools and colleges and practices therein; and repealing all acts and parts of acts in conflict herewith,” (MCL 338.651 to 338.662).

(Filed with the Secretary of State on November 5, 1997, at 11:16 a.m.)

Date: November 4, 1997

Time: 6:44 p.m.

To the President of the Senate:

Madam—I have this day approved and signed

Enrolled Senate Bill No. 444 (Public Act No. 129), being

An act 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 section 72101 (MCL 324.72101), as added by 1995 PA 58, and by adding section 72105a.

(Filed with the Secretary of State on November 5, 1997, at 11:18 a.m.)

Respectfully,
John Engler
Governor

November 4, 1997

Today I have signed Enrolled Senate Bill 277. This bill increases the existing bond capacity of the State Building Authority by \$700 million to \$2.7 billion.

The increased bond cap allows the state to proceed with various higher education and state agency building projects authorized through Public Act 480 of 1996 and Public Act 116 of 1997. Total cost for these projects amounts to \$806 million with state funding comprising \$576 million.

With the passage of Enrolled Senate Bill 277, nine community colleges and the state’s 15 public universities can move forward with modernization efforts needed to maintain competitive instructional programs. In addition, major public protection initiatives, including the State Police Crime Lab and the Department of Agriculture’s Geagley Laboratory, will not be delayed and we can proceed with the renovation of the state’s fish hatcheries.

It is important to note that the Wall Street rating agencies have observed that the increase in bond cap authorization will not significantly increase Michigan’s favorable debt ratios. With full utilization of this increase in bond authority, Michigan’s per capita debt will be \$460 — well below the national average debt per capita of \$662.

I commend the Legislature for its action on Enrolled Senate Bill 277 and its continued commitment towards improving and expanding Michigan’s higher education facilities and public protection infrastructure.

Sincerely,
John Engler
Governor

The following messages from the Governor were received and read:

November 4, 1997

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

Commission for the Blind

Mr. Steve Handschu, 5530 W. Michigan Avenue, Apt. 302, Lansing, Michigan 48917, county of Ingham, as a member representing blind persons, succeeding himself, for a term expiring on September 30, 2000.

November 6, 1997

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

Michigan Mint Committee

Mr. Robert Fitnich, Route 3, 3220 N. Ruess Road, Owosso, Michigan 48867, county of Shiawassee, as a member representing mint growers at-large, succeeding himself, for a term expiring on August 9, 2000.

Ms. Marian I. Kurncz, 3535 E. Colony Road, St. Johns, Michigan 48879, county of Clinton, as a member representing growers from District 2 (East), succeeding Mr. Peter Kurncz of St. Johns, whose term has expired, for a term expiring on August 9, 2000.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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

House Bill No. 4642

House Bill No. 4643

Senate Bill No. 546

The motion prevailed.

House Bill No. 4728, entitled

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 263 and 264 (MCL 750.263 and 750.264); and to repeal acts and parts of acts.

The House of Representatives has amended the Senate amendments as follows:

1. Amend Senate Amendment No. 2, page 5, following line 20, enacting section 2, by striking out "November" and inserting "March".

2. Amend page 5, following line 20, enacting section 2, after "1," by striking out "1997" and inserting "1998".

The House of Representatives has concurred in the Senate amendments as amended and agreed to the full title.

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

House Bill No. 4729, entitled

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

The House of Representatives has amended the Senate amendments as follows:

1. Amend the Senate Amendment, page 4, following line 6, enacting section 1, by striking out "November" and inserting "March".

2. Amend page 4, following line 6, enacting section 1, after "1," by striking out "1997" and inserting "1998".

The House of Representatives has concurred in the Senate amendments as amended and agreed to the full title.

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

House Bill No. 4768, entitled

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of

acts inconsistent with, or contravening any of the provisions of this act,” (MCL 600.101 to 600.9948), by adding section 2964.

The House of Representatives has amended the Senate amendments as follows:

1. Amend the Senate Amendment, page 3, line 3, by striking out “November” and inserting “January”.
2. Amend page 3, line 4, after “1,” by striking out “1997” and inserting “1998”.

The House of Representatives has concurred in the Senate amendments as amended and agreed to the full title.

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

House Bill No. 5083, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 353e.

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

The message was referred to the Secretary for record.

Third Reading of Bills

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

House Bill No. 4509

House Bill No. 4939

Senate Bill No. 459

Senate Bill No. 460

Senate Bill No. 461

Senate Bill No. 462

Senate Bill No. 463

Senate Bill No. 761

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 640, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 402b (MCL 550.1402b), as added by 1996 PA 516.

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. 574

Yeas—23

Bennett	Gast	Miller	Shugars
Berryman	Geake	North	Steil
Bullard	Gougeon	Posthumus	Stille
Cisky	Hoffman	Rogers	Van Regenmorter
Conroy	Koivisto	Schuette	Young
DeGrow	McManus	Schwarz	

Nays—11

Byrum	Dingell	Peters	Stallings
Cherry	Hart	Smith, A.	Vaughn
DeBeaussaert	O’Brien	Smith, V.	

Excused—3

Bouchard	Dunaskiss	Emmons
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

General Orders

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Binsfeld, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 34, entitled

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," (MCL 38.1501 to 38.1555) by adding section 10b.

Senate Bill No. 35, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g.

Senate Bill No. 36, 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.

Senate Bill No. 37, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," (MCL 38.1001 to 38.1080) by adding section 23f.

Senate Bill No. 38, entitled

A bill to regulate benefits provided to certain public employee retirement system participants in this state; and to prescribe powers and duties of certain retirement systems, state departments, public officials, and public employees.

Senate Bill No. 749, entitled

A bill to designate a portion of the Davison freeway in the city of Detroit as the Father William Thomas Cunningham freeway; and to prescribe the duties of the state transportation department.

House Bill No. 4386, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending sections 3 and 8 (MCL 15.323 and 15.328), section 3 as amended by 1984 PA 184.

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 amendments, the following bill:

House Bill No. 4149, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 16106, 17708, 17751, and 17763 (MCL 333.7405, 333.16106, 333.17708, 333.17751, and 333.17763), section 7405 as amended by 1988 PA 30, section 17708 as amended by 1994 PA 384, and section 17763 as amended by 1993 PA 79.

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

1. Amend page 3, line 11, after "STATE" by inserting a comma and "OR THE COUNTRY OF CANADA,".
2. Amend page 3, line 12, after "STATE" by inserting a comma and "OR THE COUNTRY OF CANADA,".

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. 698, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1 and 12a (MCL 125.1801 and 125.1812a), section 1 as amended by 1996 PA 271 and section 12a as amended by 1996 PA 453. 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. 699, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 13b (MCL 125.1651 and 125.1663b), as amended by 1996 PA 454.

Substitute (S-1).

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

1. Amend page 3, line 20, after "obligation." by inserting "ELIGIBLE OBLIGATION INCLUDES AN AUTHORITY'S WRITTEN AGREEMENT ENTERED INTO BEFORE AUGUST 19, 1993 TO PAY AN OBLIGATION ISSUED AFTER AUGUST 18, 1993 AND BEFORE DECEMBER 31, 1996 BY ANOTHER ENTITY ON BEHALF OF THE AUTHORITY."

2. Amend page 8, line 17, by striking out all of subparagraph (vi) and inserting:

"(vi) A LOAN FROM A MUNICIPALITY TO AN AUTHORITY IF THE LOAN WAS APPROVED BY THE LEGISLATIVE BODY OF THE MUNICIPALITY ON APRIL 18, 1994.

(vii) FUNDS EXPENDED TO MATCH A GRANT RECEIVED BY A MUNICIPALITY ON BEHALF OF AN AUTHORITY FOR SIDEWALK IMPROVEMENTS FROM THE MICHIGAN DEPARTMENT OF TRANSPORTATION IF THE LEGISLATIVE BODY OF THE MUNICIPALITY APPROVED THE GRANT APPLICATION ON APRIL 5, 1993 AND THE GRANT WAS RECEIVED BY THE MUNICIPALITY IN JUNE 1993.

(viii) FOR TAXES CAPTURED IN 1994, AN OBLIGATION DESCRIBED IN THIS SUBPARAGRAPH ISSUED OR INCURRED TO FINANCE A PROJECT. AN OBLIGATION IS CONSIDERED ISSUED OR INCURRED TO FINANCE A PROJECT DESCRIBED IN THIS SUBPARAGRAPH ONLY IF ALL OF THE FOLLOWING ARE MET:

(A) THE OBLIGATION REQUIRES RAISING CAPITAL FOR THE PROJECT OR PAYING FOR THE PROJECT, WHETHER OR NOT A BORROWING IS INVOLVED.

(B) THE OBLIGATION WAS PART OF A DEVELOPMENT PLAN AND THE TAX INCREMENT FINANCING PLAN WAS APPROVED BY A MUNICIPALITY ON MAY 6, 1991.

(C) THE OBLIGATION IS IN THE FORM OF A WRITTEN MEMORANDUM OF UNDERSTANDING BETWEEN A MUNICIPALITY AND A PUBLIC UTILITY DATED OCTOBER 27, 1994.

(D) THE AUTHORITY OR MUNICIPALITY CAPTURED SCHOOL TAXES DURING 1994."

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. 163, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6304 (MCL 600.6304), as amended by 1995 PA 249, and by adding section 1484.

Substitute (S-2).

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

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

Senate Bill No. 636, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 18 (MCL 436.18), as amended by 1994 PA 185.

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. 682, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 18 (MCL 436.18), as amended by 1994 PA 185.

Substitute (S-3).

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

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

House Bill No. 4850, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 4 (MCL 436.4).

Substitute (S-4).

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

1. Amend page 1, line 10, after "MEAD" by striking out "OR" and inserting a comma.
2. Amend page 2, line 3, after "wine," by inserting "MEAD, HONEY-BASED BEER,".
3. Amend page 2, line 6, after "WINE," by inserting "MEAD, HONEY-BASED BEER,".
4. Amend page 4, line 10, by striking out all of enacting section 1.

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 amendment, the following bill:

House Bill No. 4951, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 677 (MCL 168.677), as amended by 1996 PA 583.

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

1. Amend page 3, line 3, by inserting "AND WHO IS A RESIDENT OF THE COUNTY IN WHICH HE OR SHE SERVES".

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.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

The motion prevailed.

Senator Posthumus' statement is as follows:

I'd like to take just a moment to recognize one of the individuals who has worked very, very hard for the Senate over the last nearly decade. Caryl Holland, who many of you here know, has worked as the Senate Information Services Director, and has done just an outstanding job of bringing our Senate into the information age. It's been a very, very difficult time as we take what has been a process which has been used for probably a century in this chamber and bring us into the 21st Century. Caryl has done an outstanding job in working with all of us.

She is now leaving to go into the private sector and I know, Caryl, that every one of us is going to miss your patience as we tried to work with you in figuring out these machines on our desk and have gotten frustrated. You've come over and helped us to understand it and, at the same time, have made sure that the public has been able to become more aware of what we're doing in the Senate and just what our Senate operations are all about. Caryl, we are going to miss you and I know that all the Senate here will recognize you and say thank you.

Senator A. Smith's statement is as follows:

I would like to join Senator Posthumus in his acknowledgment of Caryl and all of her work. But I rise to recognize another employee of the Michigan Senate and that's one of our Senate Messengers, Mike Ehlers. Mike started out as a Page whom I recommended to the Senate, and he has been a tremendously hard worker. He started out as a Page and was promoted to a manager. He has been an absolutely wonderful colleague to work with in the Michigan Senate. I understand that he is also a relative of Senator Vern Ehlers, now Congressman Ehlers, who was at one time with us in this chamber. I would like to thank Mike for his service and wish him the best as he moves on.

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

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

Senator DeGrow moved that rule 3.901 be suspended to allow photographs to be taken on the Senate floor, including the center aisle.

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

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.

The motion prevailed, the time being 11:21 a.m.

11:33 a.m.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

House Bill No. 4619, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17745 (MCL 333.17745), as amended by 1996 PA 355.

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. 4736, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1608 (MCL 324.1608), as added by 1995 PA 60.

The House of Representatives has passed the bill.

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

House Bill No. 4972, entitled

A bill to amend 1990 PA 48, entitled "An act to prohibit the use of a facsimile machine to transmit unsolicited advertising messages; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties," by amending section 6 (MCL 445.1776).

The House of Representatives has passed the bill.

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

House Bill No. 5106, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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. 5216, entitled

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

The 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 Financial Services.

House Bill No. 5223, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

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. 5264, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 709a.

The House of Representatives has passed the bill.

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

House Bill No. 5279, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8126 (MCL 600.8126).

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.

By unanimous consent the Senate returned to the order of

Resolutions

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

Senate Resolution No. 71**House Concurrent Resolution No. 21**

The motion prevailed.

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

Senate Resolution No. 107

The resolution consent calendar was adopted.

Senator Cisky offered the following resolution:

Senate Resolution No. 107.

A resolution offered to honor Professor Alan Frederick Quick.

Whereas, Alan Frederick Quick has served over 37 years as a professor in Michigan. A pioneer of the Overseas Student Teaching Program for Central Michigan University and an instructor dedicated to improving the quality of education, Alan Quick has enriched the lives of the hundreds of future educators he has guided; and

Whereas, The members and staff of the Michigan Senate wish to acclaim the work of Professor Alan Quick, whose interest in education instilled in him a drive to continue improving teaching programs as Director of Student and Intern Teaching and Chairperson of the Department of Student Teaching at Central Michigan University. With a Bachelor of Arts degree in History and Education from Western Michigan University, a Master of Arts degree in School Administration from the University of Michigan, and a Doctorate of Education from the University of Oregon, Alan Quick has extensive insight in his field; and

Whereas, As an English teacher at Warren High School in Warren, Michigan; a Graduate Teaching Fellow at the University of Oregon and a Dean at Central Michigan University, Mr. Quick has explored various levels of hands-on experiences necessary for excelling in the area of education; and

Whereas, Alan Quick has also done work to ensure his community's well-being by working for the United Way and the Special Olympics. He has been the president of the Mt. Pleasant Kiwanis Club, a board member on the Mt. Pleasant Chamber of Commerce and has served on numerous committees created to improve the quality of life in the area they facilitate; now, therefore, be it

Resolved by the Senate, That tribute be accorded to honor Professor Alan Frederick Quick, who has pledged 37 years to enhancing many lives; and be it further

Resolved, That a copy of this resolution be given to Professor Alan Frederick Quick as evidence of our warm regards and best wishes toward a rewarding retirement.

Senators Vaughn, Van Regenmorter, Schwarz and Young were named co-sponsors of the resolution.

House Concurrent Resolution No. 65.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained; and be it further

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

The House of Representatives has adopted the concurrent resolution.

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

Senators Hart, Van Regenmorter and Schwarz were named co-sponsors of the concurrent resolution.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 11:41 a.m.

11:47 a.m.

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

During the recess, Senator Posthumus presented a special tribute to Detroit Red Wings owners, Mike and Marian Ilitch. Mrs. Ilitch responded briefly.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 11:50 a.m.

12:00 p.m.

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

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

Senate Bill No. 178, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300, and by adding section 147a.

The House of Representatives has nonconcurred in the Senate substitute (S-3) to House substitute (H-1) and appointed Reps. Emerson, Kelly and Oxender as conferees.

The message was referred to the Secretary for record.

Senator DeGrow moved that Senator Van Regenmorter be excused from the balance of today's session.
 The motion prevailed.

Senate Bill No. 719, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending the title and sections 4, 5, 22, 34, 36, and 41 (MCL 38.1304, 38.1305, 38.1322, 38.1334, 38.1336, and 38.1341), the title and sections 4, 22, and 34 as amended by 1996 PA 488, section 5 as amended by 1994 PA 272, section 36 as added by 1989 PA 194, and section 41 as amended by 1996 PA 278, and by adding section 113.

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

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

A bill to amend 1980 PA 300, entitled "An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 4, 8, 25, 26, 34, 41, and 91 (MCL 38.1304, 38.1308, 38.1325, 38.1326, 38.1334, 38.1341, and 38.1391), sections 4, 8, 25, 26, 34, and 91 as amended by 1996 PA 488 and section 41 as amended by 1996 PA 278; and to repeal acts and parts of acts.

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

Senator DeGrow moved that the rule be suspended.

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

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

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

Senators Hart and Miller entered the Senate Chamber.

The question being on concurring in the substitute made to the bill by the House,
 The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 575

Yeas—10

Berryman
 Byrum
 DeBeaussaert

Dingell
 Hart
 Miller

Peters
 Smith, A.

Vaughn
 Young

Nays—21

Bennett
 Bullard
 Cherry

Gast
 Geake
 Gougeon

North
 O'Brien
 Posthumus

Schwarz
 Shugars
 Smith, V.

Cisky
Conroy
DeGrow

Hoffman
McManus

Rogers
Schuette

Steil
Stille

Excused—5

Bouchard
Dunaskiss

Emmons

Koivisto

Van Regenmorter

Not Voting—1

Stallings

In The Chair: Schwarz

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator DeGrow moved that when the Senate adjourns today, it stand adjourned until Wednesday, November 12.
The motion prevailed.

Senator Stallings stated that he had intended to vote “nay” on concurring in the House substitute to the following bill:
Senate Bill No. 719

Recess

Senator DeGrow moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 12:14 p.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senator Gougeon introduced
Senate Bill No. 790, entitled

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 2 and 18 (MCL 552.502 and 552.518), section 2 as amended by 1996 PA 366 and section 18 as amended by 1996 PA 144.

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

Senator Geake introduced
Senate Bill No. 793, entitled

A bill to amend 1996 PA 310, entitled “Uniform interstate family support act,” by amending sections 103, 104, 224, 231, 306, 308, 310, 312, 501, 621, 623, and 635 (MCL 552.1103, 552.1104, 552.1224, 552.1231, 552.1306, 552.1308, 552.1310, 552.1312, 552.1501, 552.1621, 552.1623, and 552.1635) and by adding sections 501a, 501b, 501c, 501d, 638, and 639.

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

Senator V. Smith introduced

Senate Bill No. 794, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214). The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

Senator V. Smith introduced

Senate Bill No. 795, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 221 (MCL 257.221), as amended by 1997 PA 101.

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

Senator Conroy introduced

Senate Bill No. 796, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

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

Senator Geake introduced

Senate Bill No. 797, entitled

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

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

Senator Shugars introduced

Senate Bill No. 798, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2813 and 16177 (MCL 333.2813 and 333.16177), section 16177 as amended by 1993 PA 80, and by adding section 21533.

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

Senator Geake introduced

Senate Bill No. 799, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending section 2 (MCL 551.102).

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

Senator Geake introduced

Senate Bill No. 800, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43559 (MCL 324.43559), as amended by 1996 PA 585, and by adding section 81116A.

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

Senator Geake introduced

Senate Bill No. 801, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 2, 4, 5, 6, and 9 (MCL 722.712, 722.714, 722.715, 722.716, and 722.719), sections 4 and 6 as amended by 1996 PA 308, section 5 as amended by 1989 PA 258, and section 9 as amended by 1996 PA 18.

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

Senator Gougeon introduced

Senate Bill No. 802, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 27 (MCL 552.27), as amended by 1990 PA 243.

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

Senator Peters introduced

Senate Bill No. 803, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 4, 7, 13, 14, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.613, 552.614, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2 and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 26, 26a, and 26b as added by 1995 PA 236, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

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

Senator Gougeon introduced

Senate Bill No. 804, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 400.231, 400.232, 400.233, 400.234, and 400.235), the title and sections 1, 2, 3, and 5 as amended by 1985 PA 209.

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

Committee Reports

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 732, entitled

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 1 (MCL 331.531), as amended by 1992 PA 215.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Bullard and Byrum

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 Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, November 4, 1997, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz, Bullard and Byrum

Excused: Senator O'Brien

The Committee on Financial Services reported

House Bill No. 4661, entitled

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," by amending section 8 (MCL 550.528).

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 Miller

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, November 5, 1997, at 1:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bouchard (C), Bennett, Gougeon and Miller

Excused: Senator Berryman

The Committee on Agriculture and Forestry reported

Senate Bill No. 677, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 5 (MCL 29.5).

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

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

Walter H. North
Chairperson

To Report Out:

Yeas: Senators North, Gougeon, McManus and Byrum

Nays: None

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

The Committee on Agriculture and Forestry reported

House Bill No. 4273, entitled

A bill to amend 1945 PA 200, entitled "An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof," by amending sections 1, 2, 3, and 6 (MCL 565.101, 565.102, 565.103, and 565.106) and by adding section 1a.

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

Walter H. North
Chairperson

To Report Out:

Yeas: Senators North, Gougeon, McManus and Byrum

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 Agriculture and Forestry submits the following:

Meeting held on Tuesday, November 4, 1997, at 1:30 p.m., Room 210, Farnum Building

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

Excused: Senator Berryman

Scheduled Meetings

Administrative Rules Joint Committee - Thursday, November 13, at 9:00 a.m., Rooms 402 and 403, Capitol Building (3-6476).

Appropriations Committee - Wednesday, November 12, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Capital Outlay Joint Subcommittee - Wednesday, November 12, at 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Families, Mental Health and Human Services Committee - Wednesday, November 12, at 1:00 p.m., Room 210, Farnum Building (3-1777).

Government Operations Committee - Thursday, November 13, at 9:00 a.m., Room 405, Capitol Building (3-1758).

Natural Resources and Environmental Affairs Committee - Thursday, November 13, at 8:30 a.m., 8th Floor Conference Room, Farnum Building (3-7350).

Senator DeGrow moved that the Senate adjourn.
The motion prevailed, the time being 2:05 p.m.

In pursuance of the order previously made, the Secretary of the Senate declared the Senate adjourned until Wednesday, November 12, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

