

No. 34
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, April 23, 1998.

10:00 a.m.

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

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

Bennett—present
Berryman—present
Bouchard—present
Bullard—present
Byrum—present
Cherry—present
Cisky—present
Conroy—present
DeBeussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

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

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

Reverend Mark J. Inglot of the Queen of the Miraculous Medal Church of Jackson offered the following invocation: Almighty and eternal God, You have revealed Your glory to all nations. God of power and might, wisdom and justice, through Your authority is rightly administered, laws are enacted, and judgment is decreed.

Assist with Your Spirit of counsel and fortitude so that the members of this Senate through their administration may be useful to the people of Michigan. Let the light of Your divine wisdom direct the deliberations of all the members and staff gathered here this day.

Shine forth in all the proceedings and laws framed for our rule and government. May what happens within this chamber promote the good of all people. May this Senate discharge its duties with honesty and ability.

Keep us mindful of the beauty of Your creation, and help us to remember the motto of our state: "If you seek a beautiful peninsula, look around you."

We pray to You, who are Lord and God, forever and ever. Amen.

Motions and Communications

Senator Bullard entered the Senate Chamber.

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

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

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

The following communication was received:

Oklahoma Secretary of State

April 14, 1998

Enclosed is a copy of Senate Concurrent Resolution No. 50.

My office is directed by this resolution to distribute copies to the President and Vice President of the United States, the Presiding Officer in each house of the legislature in each of the states of the union, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate and to each members of the State of Oklahoma Congressional Delegation.

If my office can be of assistance to you, please feel free to call.

Sincerely,
Tom Cole
Secretary of State

The communication was referred to the Secretary for record.

The following communication was received:

Department of Transportation

April 17, 1998

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for senior and handicapper citizens for Fiscal Year 1997.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of Public Acts of 1951, as amended.

Sincerely,
James R. DeSana
Director

The communication was referred to the Secretary for record.

The following communication was received:

Office of the Auditor General

April 20, 1998

Enclosed for your records is a copy of the executed engagement contract for the financial audit of the Michigan Legislature for the fiscal years ending September 30, 1997 and September 30, 1998.

If you have questions about your contract, please contact me.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 22:
House Bill Nos. 5138 5139 5140 5141 5142 5143 5144 5145 5146 5147 5148 5149 5150 5151

Messages from the House

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

- Senate Bill No. 200**
- Senate Bill No. 97**
- House Bill No. 4289**
- Senate Bill No. 38**
- Senate Bill No. 752**

The motion prevailed.

Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

(For text of amendments, see Senate Journal No. 29, p. 536.)

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

The amendments were not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 202

Yeas—0

Nays—34

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

Excused—3

Posthumus	Smith, V.	Van Regenmorter
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Not Voting—0

In The Chair: President

Third Reading of Bills

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

- Senate Bill No. 256**
- Senate Bill No. 864**
- House Bill No. 4846**
- House Bill No. 4962**
- House Bill No. 5475**

The motion prevailed.

Senator DeGrow moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 1028

House Bill No. 5534

Senate Bill No. 1020

The motion prevailed.

Senator Posthumus entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1028, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 217, 504, 701, 702, 705, 706, 711, 715, and 716 (MCL 38.2104, 38.2217, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, 38.2661, 38.2665, and 38.2666), section 104 as amended by 1995 PA 193, section 217 as amended by 1996 PA 525, and sections 701, 702, 705, 706, 711, 715, and 716 as added by 1996 PA 523, and by adding sections 701a and 718a.

The question being on the passage of the bill,

Senator Jaye offered the following amendment:

1. Amend page 4, line 8, after "courts" by striking out the balance of the line through "BOTH." on line 10 and inserting a period.

The question being on the adoption of the amendment,

Senator Jaye moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

The following bill was read a third time:

House Bill No. 5534, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50a (MCL 38.1050a), as amended by 1994 PA 359.

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. 203

Yeas—35

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

Nays—0

Excused—2

Smith, V.

Van Regenmorter

Not Voting—0

In The Chair: President

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

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

“An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies.”

The Senate agreed to the full title.

Senator V. Smith entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1020, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57a (MCL 400.57a), as added by 1995 PA 223.

The question being on the passage of the bill,

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

The motion prevailed.

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.

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

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 11:02 a.m.

11:15 a.m.

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

During the recess, Senator Schwarz introduced to the Senate the University of Michigan Hockey Team, 1998 NCAA Hockey Champions.

Head Coach Tom Barenson and Captains Matt Herr, Marty Turco and Bill Mukalt responded briefly, and presented to the Senate an autographed hockey stick.

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

Senate Bill No. 1020, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57a (MCL 400.57a), as added by 1995 PA 223.

(This bill was read a third time earlier today and consideration postponed. See p. 645.)

The question being on the passage of the bill,

Senator V. Smith moved that Senator Hart be excused from the balance of today’s session.

The motion prevailed.

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

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. 204**Yeas—19**

Bennett	Dunaskiss	Hoffman	Schwarz
Bouchard	Emmons	Jaye	Shugars
Bullard	Gast	McManus	Steil
Cisky	Geake	Posthumus	Stille
DeGrow	Gougeon	Rogers	

Nays—16

Berryman	DeBeaussaert	North	Smith, A.
Byrum	Dingell	O'Brien	Smith, V.
Cherry	Koivisto	Peters	Vaughn
Conroy	Miller	Schuette	Young

Excused—2

Hart	Van Regenmorter
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Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senators Peters and Conroy, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1020.

Senators Peters, Cherry and Berryman moved that the statements they made during the discussion of the bill printed as their reasons for voting "no."

The motion prevailed.

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

I rise in opposition to this bill because I think the bill contains some serious flaws that need to be addressed if we were ever to support it. Although this version of the fingerprinting bill is somewhat better than the version that we saw a few weeks ago, there are still some serious defects. And really, I question whether or not the bill is necessary to begin with because I have yet to be presented with any sort of objective evidence that this type of measure is necessary to protect from fraud that may be occurring in our welfare system.

Two main issues I have with this bill. One is that the scope is much too broad. If you look at the definition of individuals who will have to be fingerprinted. Two, we need to have a more definitive cost/benefit analysis to determine whether or not this is really a worthwhile expenditure on behalf of the state.

Taking a look at the first issue, in terms of scope, in the bill it states that anybody who receives temporary aid to needy families will have to be fingerprinted. That definition is not defined anywhere in the law and is extremely broad. Under this broad definition, individuals who receive adoption subsidies—families who, for example, are adopting a special-needs disabled child will have to be fingerprinted. Folks who receive day care services will have to be fingerprinted. Anybody obviously in the family independence assistance but also individuals in certain staffing positions at the FIA whose salary is based on some type of assistance for needy families will have to be fingerprinted. Also, a whole range of family preservation and prevention services, those individuals will have to be fingerprinted. Employment and training support services, not to mention child support enforcement assistance as well as individuals involved with domestic violence protection and treatment. Also, individuals who are seeking state emergency relief,

this would include emergency home repairs, appliances, and furniture for victims of fires and other disasters, assistance with home heating, electric water bills, and even burial assistance, all of these individuals might have to be fingerprinted. To highlight some of those, in particular, emergency relief, seniors, disabled, blind individuals, victims of fires and disasters would all have to be finger imaged under this very broad definition. Any victim of domestic violence who would receive some sort of assistance—those victims would have to go in and be finger imaged and have their fingerprint taken as well as the whole host of family preservation services. I think this is extremely broad. It's going to be extremely expensive and may be one reason why we have no estimate whatsoever as to what the cost of this program will actually be to the state of Michigan.

On the second point of the cost/benefit analysis, we've heard some figures kicked around. In fact, the only people who have really come to our committees and supported this endeavor is the company that wants to sell this service to the state of Michigan, and when they sell this service, they're going to, of course, make a windfall as far as revenue to their company in selling this. They put forward some examples of where there have been savings in other states. They quote, in particular, New York and California, and as I brought up in the discussions in the last bill, even those numbers are questionable. But it's a very important distinction when you look at those two states as when that finger imaging program went into effect in those states, they had a general assistance program where all able-bodied individuals could receive assistance. That's not the case in Michigan right now. Michigan did away with that some time ago, and now when you go in for assistance, you need to sign a social contract, and you need to work in order to receive those benefits. You have to work a minimum of 20 hours in order to receive benefits. So in Michigan if you go in and claim one name, I'm John Doe today, sign the contract, in order to receive any benefits, you're going to have to work a minimum of 20 hours. Now if you were to go in the next day and claim that you are another person, well now as the other person, you're going to have to sign another social contract, and that other person is going to have to work a minimum of 20 hours. So now you have yourself a situation where you have to work a minimum of 40 hours if you are going to claim to be two people. There is a work requirement for anybody who receives that type of assistance. Believe me, if you're going to work 40 hours or more a week, you're better off in a regular job working 40 hours more a week than being in the welfare system trying to get two welfare checks by putting in the minimum 20 for each of those checks. It just doesn't make sense. You're not going to see that type of duplication with the current system.

I think we have to look at some other states and some detailed analysis that has been done of their finger imaging system. Other states have, before they embark on spending a great deal of taxpayer money, actually go through a very detailed evaluation report. I have two reports here. One from the Illinois Department of Human Services and the other one from the Texas Department of Human Services. It would certainly be nice if Michigan did this type of analysis before moving ahead on spending millions of dollars of taxpayer money, but let me look at these reports and what they found with their imaging system.

The first one in the state of Illinois, which actually uses both the retinal scanning system and electronic fingerprint system, found in their report which was just published in December of 1997, just last year, that as of December 1, 1997, only one actual multiple enrollment had been found out of more than 21,000 enrollments recorded by the system. And then they further found out in the report that they would have discovered that one multiple enrollment using existing systems of looking at false documents and misleading information. There was no need to expend the money on finger imaging. That one false enrollment would have been detected under conventional methods. They also found that there was no measurable deterrent effect indicated by the relatively low numbers of the application denials. They basically found the system ineffective in the state of Illinois.

The other comprehensive report done by the Texas Department of Human Services of the Lone Star Image System Pilot Project reviewed a pilot in which they used finger imaging. In that pilot, I'll read some of the results here in which they took the imprint of 66,025 individuals in Texas and detection of fraud. Their conclusion is during this time, no instances of duplicate benefits were detected out of those. They go on through this extensive report, and let me read the conclusion of key cost research results from this. "The Lone Star Image System demonstration cost the state of Texas \$1.7 million for the first seven months of operation, and excluding development and implementation costs, yielded a net operating loss of \$892,000. Furthermore, since this system yielded no net impacts on benefit payments, there was no indication based on demonstration results that the initiative would recoup the development and implementation cost of \$805,000." Their conclusion is as follows: "In the demonstration, electronic imaging has failed to produce the expected effects. The demonstration has not reduced caseloads significantly by detecting or deterring duplicate benefits. Instead, it has appears to have induced some temporary exits among food stamp recipients for whom the process of getting food stamps has become more difficult due to the need to have all adults on a case report to a DHS office for imaging. The demonstration cost the state of Texas \$1.7 million for the first seven months of operation and has yielded no savings in benefit payments." Basically, it was a wasted expenditure for the state of Texas.

Based on these reports and the fact that some of the other evidence that we have seen just simply does not apply to the state of Michigan I do not believe that I can support this bill because there is no cost/benefit that could possibly support spending that type of money on a system. The only people who would benefit from this imaging system is one, the company that is going to receive a windfall who has been very aggressively marketing this program here in the state of Michigan and perhaps some politicians who are going to be able to have a bullet on their campaign piece of literature that they're cracking down on fraud. The losers will be the taxpayers of the state of Michigan who will see a wasted

expenditure of money, and the real losers will be the women and children and individuals in this state who desperately need assistance. They don't need money wasted on finger imaging. They need money in assistance to help feed their babies. I hope we oppose this bill.

Senator Conroy's statement is as follows:

I think this bill is much too intrusive, and I think it's a poor precedent to start. I think that if we were moving toward less government, as some people would like us to believe, this is not a way to do it. This is more government, more regulation, and we could probably spend the money for fingerprinting on, maybe, leggings and boots and mittens and warm clothes in the winter for these children who may need it.

Senator Cherry's first statement is as follows:

I rise to oppose Senate Bill No. 1020, and I listened very closely to the arguments on behalf of the bill. I wanted to assure the Senator from the 13th District that I don't rise because I think this is simply a political game. I believe he's very serious and is convinced and believes this is the appropriate way to go. I am convinced that the Senator from the 23rd District is serious when she says that we are sending a message to people that they are receiving taxpayer money that they don't deserve, that somehow that senior citizen who suffers health problems and is placed in a nursing home and is unfortunate because of his or her economic circumstance must utilize some state assistance. I'm convinced she's serious when she says she believes that person is utilizing taxpayer money they don't deserve.

I don't agree with that. I think that the state does have an obligation to assist those older citizens who, when they find themselves in a situation where their health is failing, require particular medical care and need state assistance, I think the state has an obligation to step forward. I would not say that they don't deserve help.

Ultimately, when fingerprinting is all about is symbolic. It is a symbolic effort to say that these people don't deserve help. I think that's callous. That's what bothers me about this bill. I share the concern of the Senator from the 13th District, the Senator from the 32nd District, the Senator from the 23rd District's concern about welfare fraud and our need to weed that out to ensure that our money is not wasted when it can be well used to provide deserving people of assistance, but this doesn't accomplish that. I mean, if we look at our own fiscal agency analysis, it talks about the additional cost. It does ultimately say that the bill has an indeterminate fiscal impact on state government. They cannot determine what the cost or savings is. They talk about the costs, and ultimately they say that there could be some savings because of case load reduction attributed to the implementation of a finger imaging system, but they, they being the savings, could be offset to some degree by the additional administrative costs. That's a very soft and diplomatic way of saying that the program is going to cost more than what savings are achieved, that when the Senator from the 32nd District stands up and says that we are going to reap great welfare savings by rooting out fraud, he's creating a myth. Our fiscal agency can't substantiate—they're the people that we charge—that nonpartisan agency. The people we charge with analyzing our bills to determine what the fiscal impact is, cannot, cannot identify a huge windfall savings to state government. It's a myth, but it's a myth that is necessary to propagate because it's the only thing that can justify this bill.

What this bill is really about, Madam President, is the symbol of telling people who approach state government in time of need for financial assistance—it's a symbol to tell them that they ought not come forward because they are asking for money they don't deserve simply because they're in need. I think again, Madam President, that's a very callous, callous attitude for us to have.

It's also been suggested here as we've discussed this that fingerprinting is the primary technology for identification. Now, I can tell you, in spite of the fact that I have been fortunate enough to be elected to a fairly prestigious public office and am out and about my district on a regular basis and know many people, that when I am asked for identification in my district, I am not fingerprinted. I'm requested to use my driver license. When I use a credit card or write a check and there's a need to verify my identity, I'm asked to show my driver license. I'm not fingerprinted. It's not the primary technology that we as citizens are asked to use when we need to verify our identity. So let's not let that myth to go unchallenged. We as a society choose to identify in another fashion. And while, in fact, the Senator from the 13th District may not view the bill as an invasion of privacy, ultimately, the public does tend to view the necessity to fingerprint as one that is associated with criminal conduct, that when one's arrested, they're fingerprinted. That is why we fingerprint—to maintain records of criminal conduct so that fingerprints can be compared in the future to determine if someone committed a crime. That's how we socially view fingerprinting. And in fact, we tend to symbolize as a society the need to fingerprint as casting some suspicion on the person in question. That bothers me here, but what bothers me most, I think, Madam President, is that it really is a small opening of that door on the privacy question. In spite of the fact that the Senator from the 13th District doesn't see this as an invasion of privacy, as being a fairly innocent proposal, the fact of the matter is we as a society in this day in age when technology is advancing so rapidly, we are experiencing daily new forms of invasion on our individual privacies and that to simply treat this as an inconsequential change, I think underscores that tendency in society to treat this as an innocent sort of thing. But ultimately, Madam President, we all deserve to be able to protect our privacy and that we ought not, as a Legislature, treat invasions of it casually. There can be significant invasions. I know that just this week we all read about how Social Security numbers were made public through a hacker who entered a state computer. So I don't believe that questions about fingerprints, Social Security numbers are inconsequential and should be treated lightly. They do have

significant impact on our privacy. And any invasion is an invasion and invites more. That's the way things happen—that a small opening ultimately becomes a larger opening as we become more acclimated to this invasion.

So it's not just about the immediate bill. It's about a concern about where we're headed, about how casually we treat things like fingerprinting.

In summary, Madam President, it seems to me that the bill and, perhaps, its intent to get at welfare fraud has merit. But when you begin to examine how the technology works, what the experience in other states has been, what our own analysis says about the program, you quickly begin to realize that the intent falls by the wayside, that it simply isn't effective in accomplishing what we intend. By proceeding with that knowledge, ultimately, all we do is begin to symbolically tell people in our communities that they're not deserving of our assistance, our attention when they encounter circumstances that we all ought to pray to God that we don't have to experience on an individual basis, whether it be ill health, a lack of food, a lack of shelter, temporary economic dislocation. When we suffer those, we ought to be prepared and ought to expect that our neighbors, through state government or another avenue will be with us and will not be asking us to be fingerprinted, will not be telling us that we don't deserve those hard-earned tax dollars because we were unfortunate to have to encounter those circumstances. We ought to believe that our communities, our neighbors, and our state will help us through those temporary situations. This bill seems to fly in the face of that kind of attitude, and that's why I will oppose it, Madam President.

Senator Cherry's second statement is as follows:

Like the Senator from the 23rd District, I read the bill, too, and it did say that the Family Independence Agency "may" exempt certain populations. I found that extremely interesting. Normally when we are very concerned that something happens, we say "shall." In fact, we won't even allow a department to intervene in that decision. We say "these populations shall be exempted," "this shall not apply." We don't throw it off into the bureaucracy to make a determination about whether the exemption should apply or not, and when we, in fact, on those rare occasions show that we trust the agency and allow them to exercise the power, we give them explicit directions: "You shall exempt; you shall not." This bill says "may." It's one of those little bones that you kind of throw to assure the fact to you give yourself a little political cover, that "Oh, we said that the department could exempt you." We didn't say, "The department shall exempt you." We didn't say here that you "shall not be required to do this." We did not, in fact, choose to be commanding here. We did not choose to take it upon ourselves to protect those citizens in this bill. We have left that question open. We have left it possible for these people to be required to be fingerprinted.

So let's not kid ourselves. We have not given them an exemption. We have not protected them. We have left them vulnerable. If this bill, in fact, said "shall," it would be a different story. I would be a little less concerned as I am today to see that it is possible under this bill for a senior citizen laying in a bed in a nursing home to be approached and asked to have a fingerprint given. That's possible under this bill. I think that's inappropriate. I don't think this language protects them one iota. That's why I'm voting against the bill.

Senator Berryman's first statement is as follows:

I also rise to oppose the legislation. This is the bill that we can finally get to, and talk to, that we tried to talk about three weeks ago, and kept being called out of order. At least we do now have an opportunity to talk about this bill.

Not to go over everything the previous speaker said, I think it comes down to a bottom line. I think this bill is more meant for political purposes than it is detection of fraud. I would certainly hope that the House of Representatives would not pass this bill. I do not think that they will. I think it is going to become a political year football. Someone wants to get tough on these welfare cheats, and we that vote against it do not. That is not the case whatsoever. I think that all of us can agree; when there is abuse in the system it hurts the people who the system was intended to help.

When I cannot even be told what percentage is even feared to be at jeopardy because of abuse and fraud—the department cannot even give me that percentage. Much of the fraud that is talked about will never be detected by fingerprinting. One of the issues that is talked about is an individual who will take their food stamps and sell them at half cost and take the cash. Then the individual buying those food stamps can turn them back for full value. Fingerprinting is not going to help that one bit if that is an individual who is legally receiving those, even though he is wrong for doing it. This is certainly not going to detect that.

I certainly think it is another invasion of privacy. It certainly classes people in a group; just because you are poor, you are out of a job, and you need state assistance. Along with many of the other things that the previous speaker talked about: the blind, disabled, seniors—and when they say seniors, I am included. You read this. Yes, they are. They certainly can be. There is no definite exemption.

In this election year, as I have stated before, if we had a bill in front of us that would only fingerprint African Americans, or Hispanics, or Jews, or Catholics, or any minority group solely on the basis of their minority group solely on the basis of religion everyone in here would be—I would hope, maybe not; I think the public would be—outraged, as they should be. It would be the lead story in the evening news and front page of the paper, as it should be. But this is just as offensive because it is fingerprinting someone solely on the condition of economic status solely on the condition of being poor, or out of a job, and temporarily needing state assistance. People should be just as offended and outraged that we would so class law-abiding citizens who have never broken the law.

When we tried to change this and say, if there was a probability, if there was even a suspicion of abuse, then these things could go forward. But no, this is a condition of eligibility, and, Madam President, I would say that when it comes to food stamps, it can put this food stamp program in the state of Michigan at risk. Because I think, it is illegal, what you are doing. I think it goes beyond federal law when the federal government says that you cannot add additional conditions of eligibility. This bill specifically says that this is a condition of eligibility. So go ahead and pass it, and put the whole food stamp program in this state in jeopardy.

Senator Berryman's second statement is as follows:

Just to respond a little bit to the good Senator from the 32nd District, who said that roughly 70-75 percent of the people in other states didn't mind that they were fingerprinted. Well, when it's a condition of eligibility—there are people who go to a bank—I remember when I went to a bank for our first loan for our home, and if they would have asked me to be fingerprinted, I would have given them our first child to get the loan. Sure, people are going to say "I don't mind being fingerprinted." You say, if you are going to get these benefits, if you're going to be taken care of, if you're going to be able to put food on the table, would you mind putting your thumbprint here? People are going to say "No, I don't mind," because they need the assistance. They need the help to put food on the table or a roof over the head. Sure, they are going to say that.

That's unfortunate. I think you could interview a lot of people who would say, "I don't mind." But all of a sudden you turn around, and one bit of privacy after another, after another, after another, is being taken away. All of a sudden we have social security numbers on everything; fingerprinting, drug testing. You turn around—and many of the rights that we've been sworn to protect—and tell our constituents, who we protect, that they are gone.

Boy, and once they have the fingerprints, once they do the drug testing, once they have the social security numbers, you've lost it. I think a "no" vote here is defending those rights to privacy for law-abiding citizens who have never done anything wrong. We ought to maintain those rights to privacy. There are some things that are just sacred.

Let me just end with this: the Senator from the 23rd District, and I'm glad that our leader got up and was outraged by the statement of "those" people. Now she may very well say, "I didn't mean it that way." But I think that's exactly the spin that many of you put on this, and unfortunately the attitude of many people across this state is that somebody who's on assistance are "those" people. Somehow, anyone who receives state assistance is grouped into "those" people. They're not one of "us." They're something different. There's something dirty about "those" people. I don't want to associate with "those" people, that "those" people deprive you of your tax dollars. I think that is offensive—very offensive.

Every church that I've gone to—and I happen to be Catholic—and I visit many of my churches around my district, many different faiths, and you know, there hasn't been a Sunday that I haven't gone to church, no matter what church I'm in, that they don't talk about our responsibility to take care of individuals who can't take care of themselves. Those are "those" people that we're talking about. Again, it doesn't make any difference what church I was in. Every single church on every one of those Sundays would say the same thing—that is our responsibility.

So our responsibility is to individuals who need the state's help, but this bill does not just deal with individuals on state assistance or welfare, where you're trying to direct this conversation. It goes well beyond individuals on assistance. It goes into many, many individuals around this state who fall in a whole lot different categories than welfare.

I would hope that you would also remember—and I'm sure the way the vote's going to go, and I think it's unfortunate—but ask your constituents to look around and see how many rights they feel they not longer have or the intrusion into their privacy, into their homes, has occurred. It's awfully amazing to me that after eight years, after eight years—six months before an election—all of a sudden we found a way to go after fraud in the welfare system. As the good Senator from the 32nd District said, we've already developed programs that have eliminated fraud, programs that already work, programs that don't include fingerprinting. You can go after fraud without the invasion of privacy of fingerprinting. I think a "no" vote on this bill is a vote for privacy and to hold on to a few more of those rights that seem to be taken away from us—taken away from law-abiding citizens—far, far too often. Certainly, too often it seems like in an election year, six months away. Now we find out there's double-dipping. Now we find out there's fraud. I think there's a whole lot more behind this than just fingerprinting to protect dollars. I think it's trying to protect some seats at the expense of privacy and the expense of individuals who are unfortunate.

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

Senate Bill No. 1028, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 217, 504, 701, 702, 705, 706, 711, 715, and 716 (MCL 38.2104, 38.2217, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, 38.2661, 38.2665, and 38.2666), section 104 as amended by 1995 PA 193, section 217 as amended by 1996 PA 525, and sections 701, 702, 705, 706, 711, 715, and 716 as added by 1996 PA 523, and by adding sections 701a and 718a.

(This bill was read a third time earlier today, amendment offered and consideration postponed. See p. 644.)

The question being on the adoption of the amendment offered by Senator Jaye,
 The amendment was not adopted, a majority of the members serving not having voted therefor.
 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. 205**Yeas—34**

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

Nays—1

Jaye

Excused—2

Hart

Van Regenmorter

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Jaye, Dunaskiss, North and Shugars introduced

Senate Bill No. 1074, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending sections 2 and 4a (MCL 390.1152 and 390.1154a), section 2 as amended by 1987 PA 206 and section 4a as added by 1989 PA 96.

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

Senators Gougeon, Jaye and Shugars introduced

Senate Bill No. 1075, entitled

A bill to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1373).

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

Senators Jaye and Shugars introduced

Senate Bill No. 1076, entitled

A bill to amend 1960 PA 77, entitled "An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority," by amending section 7 (MCL 390.957), as amended by 1990 PA 117.

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

Senators Jaye, Dunaskiss and Shugars introduced

Senate Bill No. 1077, entitled

A bill to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 3 (MCL 390.1323).

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

Senators Jaye, Dunaskiss and Shugars introduced

Senate Bill No. 1078, entitled

A bill to amend 1966 PA 313, entitled "An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor," by amending section 1 (MCL 390.991), as amended by 1980 PA 503.

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

Senators Bennett, Emmons, McManus, North, Schwarz, Hoffman, Geake, Bouchard, Bullard, Steil, Dunaskiss, Rogers, Stille, Gougeon, Schuette, Van Regenmorter, Jaye, Shugars, DeGrow, Posthumus and Cisky introduced

Senate Bill No. 1079, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194, and by adding section 51b.

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

Senators Gougeon, Emmons, McManus, North, Schwarz, Hoffman, Geake, Bouchard, Bullard, Steil, Dunaskiss, Rogers, Stille, Bennett, Schuette, Van Regenmorter, Jaye, Shugars, DeGrow, Posthumus and Cisky introduced

Senate Bill No. 1080, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

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

Senators Shugars, Emmons, McManus, North, Schwarz, Hoffman, Geake, Bouchard, Bullard, Steil, Dunaskiss, Rogers, Stille, Gougeon, Bennett, Schuette, Van Regenmorter, Jaye, DeGrow, Posthumus and Cisky introduced

Senate Bill No. 1081, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

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

Senators Dunaskiss, Emmons, McManus, North, Schwarz, Hoffman, Geake, Bouchard, Bullard, Steil, Rogers, Stille, Gougeon, Bennett, Schuette, Van Regenmorter, Jaye, Shugars, DeGrow, Posthumus and Cisky introduced

Senate Bill No. 1082, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.

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

Senators Bullard, Emmons, McManus, North, Schwarz, Hoffman, Geake, Bouchard, Steil, Dunaskiss, Rogers, Stille, Gougeon, Bennett, Schuette, Van Regenmorter, Jaye, Shugars, DeGrow, Posthumus and Cisky introduced

Senate Bill No. 1083, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

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

Senator Stille introduced

Senate Bill No. 1084, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," (MCL 550.901 to 550.962) by adding section 33. 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. 5138, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 482 (MCL 168.482), as amended by 1993 PA 137, and by adding section 488.

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 Government Operations.

House Bill No. 5139, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 9.

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 Government Operations.

House Bill No. 5140, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by amending the title and by adding section 2a.

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 Government Operations.

House Bill No. 5141, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," (MCL 61.1 to 74.25) by amending the title, as amended by 1983 PA 44, and by adding section 14 to chapter III.

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 Government Operations.

House Bill No. 5142, 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," (MCL 46.1 to 46.32) by adding section 10c.

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 Government Operations.

House Bill No. 5143, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; and to provide for the exercise by a charter county of certain powers whether or not authorized by its charter," (MCL 45.501 to 45.521) by amending the title, as amended by 1994 PA 20, and by adding section 2a.

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 Government Operations.

House Bill No. 5144, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by amending the title and by adding section 2a.

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 Government Operations.

House Bill No. 5145, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending the title, section 3 of chapter I, sections 11 and 13 of chapter XXVIII, and section 1 of chapter XXXIII (MCL 81.3, 108.11, 108.13, and 113.1), the title as amended by 1983 PA 45, and by adding section 11 to chapter VI.

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 Government Operations.

House Bill No. 5146, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by amending the title, as amended by 1986 PA 64, and by adding section 25a.

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 Government Operations.

House Bill No. 5147, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by amending the title, as amended by 1996 PA 569, and by adding section 12a.

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 Government Operations.

House Bill No. 5148, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by amending the title, as amended by 1996 PA 570, and by adding section 12a.

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 Government Operations.

House Bill No. 5149, entitled

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; and for the regulation and subdivision of land," (MCL 125.321 to 125.333) by amending the title and by adding section 3a.

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 Government Operations.

House Bill No. 5150, entitled

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; and to prescribe the powers and duties of township boards with respect to those services and facilities," (MCL 41.331 to 41.350t) by amending the title, as amended by 1989 PA 83, and by adding section 20u.

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 Government Operations.

House Bill No. 5151, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," (MCL 141.101 to 141.140) by amending the title, as amended by 1987 PA 263, and by adding section 33b.

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 Government Operations.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

The following bill was announced:

Senate Bill No. 1047, entitled

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

(This bill was read a third time on April 21, amendment defeated, amendment offered and consideration postponed. See Senate Journal No. 32, p. 616.)

The question being on the adoption of the amendment offered by Senator A. Smith, Senator A. Smith withdrew the amendment.

Senators A. Smith and Schwarz offered the following amendments:

1. Amend page 6, line 20, after "MEANS" by inserting "FOR PURPOSES OF LEAD ABATEMENT".
2. Amend page 6, line 24, after "APART." by inserting "FOR PURPOSES OF CASE MANAGEMENT OF CHILDREN UNDER SIX YEARS OF AGE SCREENED AND TESTED FOR LEAD ELEVATED BLOOD LEVEL MEANS AN EXCESSIVE ABSORPTION OF LEAD THAT IS A CONFIRMED CONCENTRATION OF LEAD IN WHOLE BLOOD OF 10 UG/DL.".

The amendments were adopted, a majority of the members serving voting therefor.

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. 206**Yeas—35**

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

Nays—0**Excused—2**

Hart	Van Regenmorter
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Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Statements

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

The motion prevailed.

Senator V. Smith's statement is as follows:

Senator George Hart introduced Senate Bill No. 787, which is a bill to use the Internet to facilitate certain sex crimes against children. It would prohibit that activity.

Senator Hart introduced this bill back in April 1997, and with the recent situation that happened in the city of Howell, where we had individuals come from out-of-state—a grown man with his son—I think the man was in his 50s where he had encountered this young girl in a chat room. She was 13 years old. He was arrested recently by the Howell police.

This bill that Senator Hart had introduced was in response to police saying that frequently the Internet is used to lure young victims to sexual predators, a trend noted by the F.B.I. in testimony before Congress in April of 1997. Currently there are nearly 6 million children under the age of 18 who are regularly using the Internet system. According to the emerging technology research group, the number has grown expediently from 1995 from 1.1 million children who regularly use the Internet. According to the National Center for Missing and Exploited Children of 1997, there were at least 50 cases of abductions of children by predators using the Internet to gain the trust of youthful victims.

For those of you in this chamber who are not familiar with the Internet and the World-Wide Web, there a number of sites called chat rooms in which people who are often complete strangers communicate with each other. While these interactions are usually healthy, the potential for misuse exists because there is no way to verify that the person you are chatting with is really who they represent themselves to be. By using these chat rooms, an adult predator can develop a relationship of confidence with a young person and exploit that youth's problems and his securities. What often ensues is the predator suggest to youths that they meet in person at some location where the youth's parents cannot protect him or interfere.

That is precisely what occurred to that young lady out of Howell. She was (I think) 13 years old. She was lured to a motel; she was raped by the adult male—at least alleged rape by an adult male. Since Senate Bill No. 787 was introduced on November 4, 1997, and it is now April of 1998, there was a hearing held by the Judiciary Chairman on February 3, 1998, but no action was taken by the Senate Judiciary Committee. In view of the recent incidents involving this young lady in view of the fact that Senator George Hart has introduced Senate Bill No. 787 in 1997, in view of the fact that the Judiciary Committee, in which I sit, has taken this bill up, but has deemed not to report this bill out, I am putting my Republican colleagues on notice that I intend to move to discharge Senate Bill No. 787 next week on Tuesday.

Senator Dingell's statement is as follows:

I rise to speak about what is termed the firemen's rule, even though it applies equally to both policemen, policewomen, and firepersons, if you will. This is a judicially derived rule which in its purest form tells police and fire personnel that they simply cannot sue for injuries on the job. They are stuck with just worker's comp benefits only.

In cases such as police men at a stop light transporting a prisoner in the back who happens to be hit by a drunk driver—believe it or not, the drunk driver can be sued by the injured prisoner—however, the injured police person cannot sue the drunk driver. I think that this is an outrage. The courts should modify this. In very confusing fashion, they have had a couple of what are called plurality decisions, whereby there's a majority of the court that agrees with one side or the other, but not a majority of the court agreeing on a particular opinion.

All this has got to stop! I thought it had to stopped last year. The Michigan House passed legislation to repeal the firemen's rule at an early time last year. I came over here to the Senate last October. I told my Republican colleagues that if by sometime in March or April they hadn't done something to work out a compromise piece of legislation—get it out here to the Senate floor and get it over to the State House—then I was going to move to discharge the House-passed version. Well, here it is close to the end of April as things have proved themselves.

Next Tuesday we are going to have a gallery full of blue. The police chiefs, the lieutenants, the sergeants, and the police officers—they are all going to be here in town. Therefore, I am going to probably move to discharge the House-passed version next Tuesday. I think we have the votes here in the Senate to pass the House-passed version. I think it's time to do something about this. It's an outrage to leave things the way they are right now.

With that, it should be an interesting session next Tuesday. I would encourage police and fire people who have the morning off next Tuesday to be right here to watch the show.

Committee Reports

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 458, 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.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Jaye, Byrum and O'Brien

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 1050, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," by amending section 4 (MCL 691.1504), as added by 1986 PA 21.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Byrum and O'Brien

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 1051, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20965 (MCL 333.20965), as amended by 1997 PA 78.

With the recommendation that the bill pass.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Byrum and O'Brien

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy and Senior Citizens reported

House Bill No. 4031, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1996 PA 204.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Jaye, Byrum and O'Brien

Nays: None

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

The Committee on Health Policy and Senior Citizens reported

House Bill No. 4620, 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.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Schwarz, Jaye, Byrum and O'Brien

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, April 21, 1998, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Schwarz, Jaye, Byrum and O'Brien

The Committee on Judiciary reported

Senate Bill No. 1009, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 401, 403, 404, 405, 406, and 505 (MCL 484.1401, 484.1403, 484.1404, 484.1405, 484.1406, and 484.1505), sections 401, 403, and 405 as amended and section 406 as added by 1994 PA 29.

With the recommendation that the bill and the substitute (S-3) be referred to the Committee on Technology and Energy.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Cisky, Geake, Dingell, Peters and V. Smith

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee on Technology and Energy.

The Committee on Judiciary reported

Senate Bill No. 1010, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 102, 303, 316, 601, 602, and 604 (MCL 484.1102, 484.1303, 484.1316, 484.1601, 484.1602, and 484.1604), section 102 as amended by 1996 PA 313, sections 303 and 602 as amended by 1994 PA 29, and section 601 as amended by 1989 PA 36, and by adding section 605.

With the recommendation that the bill and the substitute (S-3) be referred to the Committee on Technology and Energy.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Cisky, Geake, Dingell, Peters and V. Smith

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee on Technology and Energy.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Tuesday, April 21, 1998, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 988, 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," (MCL 691.1401 to 691.1415) by adding section 7a.

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

David Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, McManus, Hoffman, Byrum, Dingell

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Michigan Sentencing Commission submits the following:

Meeting held on Tuesday, April 21, 1998, at 5:30 p.m., University Rooms 3 and 4, Holiday Inn South Convention Center, 6820 South Cedar Street, Lansing, Michigan

Present: Senators Van Regenmorter and Peters

Scheduled Meetings

Health Policy and Senior Citizens Committee - Tuesday, April 28, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Local, Urban and State Affairs Committee - Wednesday, April 29, at 1:00 p.m., Room 100, Farnum Building (3-1635).

Natural Resources and Environmental Affairs Committee - Tuesday, April 28, at 3:00 p.m., 8th Floor Conference Room, Farnum Building (3-7350).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:26 p.m.

The Assistant President pro tempore, Senator Hoffman, declared the Senate adjourned until Tuesday, April 28, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.