

No. 37

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, April 30, 1998.

10:00 a.m.

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

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

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

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

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

Reverend George Covintree of the Baldwin United Methodist Church and Center of Pontiac offered the following invocation:

God of our ancestors, God of faith, God of the past Who has brought us here to this day, be with us now as You have been with us before. God of hope, God of the future yet to be, be with us now as we seek clarity in our vision. Give us to dream to see the sacred trust bestowed on each of us to the world and to a people yet to be. God of love, God of the present moment, open our eyes. Open our eyes to see the needs of others and to see the good in each other. Open our ears to hear the cries of those in need and open our hearts. Open our hearts to address the despair and the disease in our communities. Give us the will and wisdom and wit to do Your will.

We pray to You for help and guidance and strength, but gracious God, we cannot merely pray to You for these things, for You have already given us those things. You have given us eyes and ears and keen minds, and You have given us the resources. You have already given us the power if we would only use it and use them wisely, justly, decently, and constructively. And so, we pray this day, gracious God, for strength, determination, and will power to do, instead of just to pray and to become; instead of merely to wish.

This prayer we pray for our leaders, for their staff, and for all the people of Michigan. In Your holy name. Amen.

Motions and Communications

Senator V. Smith entered the Senate Chamber.

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

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

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

The following communication was received and read:
Office of the Senate Majority Leader

April 28, 1998

Pursuant to Senate Rule 1.105, I hereby appoint the members below to the following Conference Committee:

SB 3 Senator Mike Bouchard
 Senator Bill Van Regenmorter
 Senator Virgil Smith

Please make this communication part of the official Senate record.

Sincerely,
Senator Dick Posthumus
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced the printing and placement in the members' files on Wednesday, April 29 of:
Senate Bill No. 1071

Messages from the Governor

The following message from the Governor was received and read:

April 29, 1998

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

Commissioner of Insurance Bureau

Mr. E.L. Cox, 2215 Covey Court, S.E., Grand Rapids, Michigan 49546-75321, county of Kent, succeeding Mr. Dominic A. D'Annunzio of Okemos, for a term expiring on October 11, 1999.

Sincerely,
John Engler
Governor

The appointment was referred to the Committee on Government Operations.

Senators Shuette, Bullard and McManus entered the Senate Chamber.

Recess

Senator DeGrow moved that the Senate recess until 10:30 a.m.
The motion prevailed, the time being 10:07 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Schwarz.

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

Senators Dingell, Koivisto, Berryman, North and Jaye introduced

Senate Bill No. 1095, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a. The bill was read a first and second time by title and referred to the Committee on Hunting, Fishing and Forestry.

Senator Schuette introduced

Senate Bill No. 1096, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9f. The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Cisky, Shugars and Gast introduced

Senate Bill No. 1097, entitled

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

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

The President, Lieutenant Governor Binsfeld, assumed the Chair.

Senators Stille, McManus and North introduced

Senate Bill No. 1098, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 684 and 907 (MCL 257.684 and 257.907), section 907 as amended by 1995 PA 287.

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

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:31 a.m.

10:47 a.m.

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

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

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

Senate Bill No. 256

Senate Bill No. 962

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 493, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40106a.

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. 236

Yeas—27

Bennett	DeGrow	Jaye	Rogers
Berryman	Dingell	Koivisto	Schuette
Bullard	Dunaskiss	McManus	Shugars
Byrum	Emmons	Miller	Smith, V.
Cisky	Geake	North	Vaughn
Conroy	Gougeon	O'Brien	Young
DeBeaussaert	Hart	Peters	

Nays—8

Bouchard	Posthumus	Smith, A.	Stille
Gast	Schwarz	Steil	Van Regenmorter

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 968, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 2 (MCL 28.422), as amended by 1994 PA 338.

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. 237

Yeas—35

Bennett	Dingell	McManus	Shugars
Berryman	Dunaskiss	Miller	Smith, A.

Bouchar	Emmons	North	Smith, V.
Bullard	Gast	O'Brien	Steil
Byrum	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter
Conroy	Hart	Rogers	Vaughn
DeBeaussaert	Jaye	Schuette	Young
DeGrow	Koivisto	Schwarz	

Nays—0

Excused—2

Cherry Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 964, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40109a

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. 238

Yeas—35

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

Nays—0

Excused—2

Cherry Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 965, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40113b.

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. 239

Yeas—32

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

Nays—3

Gast	Geake	Posthumus
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Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 975, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43510 and 43513 (MCL 324.43510 and 324.43513), as amended by 1996 PA 585; and to repeal acts and parts of acts.

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. 240

Yeas—35

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

Conroy
DeBeaussaert
DeGrow

Hart
Jaye
Koivisto

Rogers
Schuette
Schwarz

Vaughn
Young

Nays—0

Excused—2

Cherry

Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1021, entitled

A bill to repeal local acts prohibiting or restricting Sunday hunting.

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. 241

Yeas—28

Bennett
Boucharde
Bullard
Byrum
Cisky
Conroy
DeBeaussaert

Dingell
Dunaskiss
Emmons
Geake
Gougeon
Hart
Jaye

Koivisto
McManus
Miller
North
O'Brien
Peters
Rogers

Schuette
Schwarz
Shugars
Smith, V.
Steil
Stille
Young

Nays—7

Berryman
DeGrow

Gast
Posthumus

Smith, A.
Van Regenmorter

Vaughn

Excused—2

Cherry

Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator DeBeaussaert's statement is as follows:

I had expressed some questions or concerns about this bill yesterday and have had a chance to have some further discussions with the sponsor of the bill. I think it's clear that there was a mistake made in my county when this issue was not put before the voters as was suggested in 1994 through the board of commissioners, and I think that the sponsor would agree that at the moment they don't have the opportunity because that law did expire to act on their own. I'm not going to offer an amendment to this bill today. The bill came from committee without a recommendation for immediate effect, and that would, I think, give my county an opportunity to put this issue before the voters, at least in an advisory capacity, in August or November of this year, that they could act before this bill were to take effect and that gives us some opportunities. And, as well, this bill will now be allowed to go over to the House for further consideration. I think it is overdue that this issue is addressed, and so I'm going to be voting for the bill today.

The following bill was read a third time:

Senate Bill No. 1052, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 28.421 to 28.434) by adding section 15.

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. 242

Yeas—32

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

Nays—2

Gast	Schwarz
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Excused—2

Cherry	Hoffman
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Not Voting—1

Conroy

In The Chair: President

The Senate agreed to the title of the bill.

Senator Conroy stated that he had intended to vote "yea" on the passage of the following bill:
Senate Bill No. 1052

The following bill was read a third time:

Senate Bill No. 978, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40113b.

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. 243

Yeas—30

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

Nays—5

Gast	Posthumus	Schwarz	Smith, A.
Geake			

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator A. Smith, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill Nos. 493 and 978.

Senator A. Smith's statement is as follows:

I voted "no" on Senate Bill Nos. 493 and 978 because the citizens of the state of Michigan passed Proposal G in 1996 that gave the Department of Natural Resources the sole authority to determine the taking of game in the state. I believe those bills infringed on the citizen-delegated responsibility to the department, and therefore, I voted "no."

The following bill was read a third time:

Senate Bill No. 966, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 504a.

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. 244**Yeas—31**

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

Nays—4

Gast	Geake	Posthumus	Smith, A.
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Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 981, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51701 and 51702 (MCL 324.51701 and 324.51702), as added by 1995 PA 57.

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. 245**Yeas—35**

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

Nays—0**Excused—2**

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 997, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 36 (MCL 791.234 and 791.236), section 34 as amended by 1994 PA 345 and section 36 as amended by 1996 PA 554.

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. 246**Yeas—35**

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

Nays—0**Excused—2**

Cherry	Hoffman
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Not Voting—0

In The Chair: President

Senator Jaye offered to amend the title to read as follows:

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional

institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senators Bouchard, Gougeon and Shugars moved that they be named co-sponsors of the following bills:

Senate Bill No. 997

Senate Bill No. 443

Senate Bill No. 1011

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 443, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 200h, 200i, 200j, 200k, and 212a.

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. 247

Yeas—35

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

Nays—0

Excused—2

Cherry Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1011, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

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. 248

Yeas—35

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

Nays—0

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 458, entitled

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

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. 249

Yeas—35

Bennett	Dingell	McManus	Shugars
Berryman	Dunaskiss	Miller	Smith, A.

Bouchard	Emmons	North	Smith, V.
Bullard	Gast	O'Brien	Steil
Byrum	Geake	Peters	Stille
Cisky	Gougeon	Posthumus	Van Regenmorter
Conroy	Hart	Rogers	Vaughn
DeBeaussaert	Jaye	Schuetten	Young
DeGrow	Koivisto	Schwarz	

Nays—0

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 250

Yeas—35

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

Nays—0

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

Senate Bill No. 1050

The motion prevailed.

The following bill was read a third time:

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.

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. 251**Yeas—35**

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

Nays—0**Excused—2**

Cherry Hoffman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 974, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40113b.

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. 252**Yeas—30**

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

Nays—5

Gast	Schwarz	Smith, A.	Steil
Posthumus			

Excused—2

Cherry	Hoffman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators A. Smith and Gast, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 974.

Senator A. Smith's statement is as follows:

I voted "no" on Senate Bill No. 974 because, once again, the citizens in 1996 voted to approve Proposal G which gave the Natural Resources Commission the exclusive authority to regulate the taking of game and to require them to utilize principles of sound scientific management in making decisions regulating the taking of game. I believe that this is definitely a bypass of what the citizens voted to delegate as the total, exclusive responsibility of the Department of Natural Resources.

Senator Gast's statement is as follows:

I voted "no" on Senate Bill No. 974 simply because the Natural Resources Commission has also already given the go ahead to raise elevated platforms. The only thing we did with this is put it in statute. Now, for instance, in another year if they decide we have to put a limit on how high these platforms can be, we'll have to come back and have another statute to amend what we've just done. I think it's rather ridiculous because we've vested this authority in the DNR Commission, and they make recommendations to the standing Natural Resources Committee, and it's up to us to accept or reject their recommendations. So, I voted "no" on it because it was just superfluous legislation.

The following bill was read a third time:

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 regulate the use and disclosure of information obtained from the card; to prescribe the

powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending section 2 (MCL 28.292), as amended by 1998 PA 2.

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. 253**Yeas—34**

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

Nays—0**Excused—2**

Cherry	Hoffman
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Not Voting—1

Miller

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

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

Pursuant to Joint Rule 20, the act title shall be updated to read as follows:

“An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations.”

The Senate agreed to the updated act title.

The following bill was read a third time:

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.

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. 254**Yeas—35**

Bennett	Dingell	McManus	Shugars
Berryman	Dunaskiss	Miller	Smith, A.
Bouchard	Emmons	North	Smith, V.

Bullard
Byrum
Cisky
Conroy
DeBeaussaert
DeGrow

Gast
Geake
Gougeon
Hart
Jaye
Koivisto

O'Brien
Peters
Posthumus
Rogers
Schuette
Schwarz

Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—0

Excused—2

Cherry

Hoffman

Not Voting—0

In The Chair: President

Senator DeGrow moved that the bill be given immediate effect.

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

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Messages from the House

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 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 1992 PA 234, entitled “An act to establish a judges retirement system; to provide for the administration and maintenance of the retirement system; to create a retirement board; to prescribe the powers and duties of the retirement board; to establish certain reserves for the retirement system; to establish certain funds; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending sections 701, 702, 715, and 716 (MCL 38.2651, 38.2652, 38.2665, and 38.2666), as added by 1996 PA 523.

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.

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

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

Roll Call No. 255**Yeas—33**

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

Nays—2

Bouchard	Jaye
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Excused—2

Cherry	Hoffman
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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.
 The Senate agreed to the title as amended.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 154.

A resolution to urge the United States Department of Interior and the Fish and Wildlife Service to expand the boundaries for the late season Canada Goose hunt.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Conroy was named co-sponsor of the resolution.

Senate Resolution No. 163.

A resolution to memorialize the Congress of the United States to ban the importation of produce and other food products from countries where certain pesticides are used.

(For text of substitute, see Senate Journal No. 35, p. 686.)

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

Senators Berryman, DeBeaussaert, DeGrow and Conroy were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 75.

A concurrent resolution to memorialize the Congress of the United States to ban the importation of produce and other food products from countries where certain pesticides are used.

(For text of substitute, see Senate Journal No. 35, p. 687.)

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The concurrent resolution, as substituted, was adopted.

Senators Berryman, DeBeaussaert, DeGrow and Conroy were named co-sponsors of the concurrent resolution.

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

Senate Resolution No. 179

Senate Resolution No. 180

Senate Resolution No. 181

The resolution consent calendar was adopted.

Senator Jaye offered the following resolution:

Senate Resolution No. 179.

A resolution honoring Captain Richard Shebib.

Whereas, That it is a great personal privilege and a pleasure to join with the Michigan State Senate in honoring Captain Richard Shebib for his outstanding performance at flight training school; and

Whereas, Captain Shebib has compiled an outstanding record of performance with the 62nd Fighter Squadron. A member of the Spikes, as the squadron is known, and graduating April 3, 1998, Captain Shebib has earned the highest score for AiM-9, gun, and BFM training, making him the Air-to-Air Turkey Shoot Top Gun. Captain Shebib also has earned the Academic Award for the highest academic average in his class; and

Whereas, Throughout his training with the 62nd Fighter Squadron, Captain Shebib has continually demonstrated the utmost professionalism and has always provided a fine example for others in the squadron. He has clearly recognized the importance of his responsibilities and has fulfilled them to the best of his considerable ability. Due to his excellent efforts, he has earned these coveted awards, the respect of his colleagues, and the admiration of citizens; and

Whereas, Captain Shebib has earned these awards after successfully completing seven months of intensive training in the F-16C Fighting Falcon. This training is done to prepare fighter pilots for duties at operational squadrons around the world. Clearly, fighter pilots like Captain Shebib pay great dividends to the people of our state and our nation. Each and every day they put their lives on the line to protect others. May Captain Shebib and all of his colleagues know that their special efforts are most appreciated; now, therefore, be it

Resolved by the Senate, That we honor Captain Richard Shebib for his dedicated performance at flight training school; and be it further

Resolved, That this document is signed by the members of the Michigan State Senate to commend Captain Richard Shebib for his Top Gun performance with the 62nd Fighter Squadron and that a copy of this resolution be transmitted to Captain Richard Shebib.

Senators Van Regenmorter, Stille, Shugars, Hart, Schwarz, Conroy and Bouchard were named co-sponsors of the resolution.

Senators Miller, Hoffman, Hart, Geake, Gast, Koivisto and Byrum offered the following resolution:

Senate Resolution No. 180.

A resolution in celebration of the 50th Anniversary of Jackson Harness Raceway.

Whereas, Leon A. Slavin, a Kalamazoo paper manufacturer, always loved horse racing. He and his brother had long owned a thoroughbred racing stable, and so it was not unexpected when they joined with other Kalamazoo businessmen to bring parimutuel harness racing to the fairgrounds in Jackson in 1948; and

Whereas, Mr. Slavin felt racing in Jackson could succeed. In 1949 he took over as sole owner, President and General Manager for a race meet of 43 nights. Mr. Slavin was to become a force in Michigan racing for the next quarter century, pioneering, innovating and nurturing racing, and eventually moving his residence to Jackson; and

Whereas, Jackson Harness Raceway, under Mr. Slavin's leadership, was a successful business by 1956 and had the largest percentage of an increased handle of all tracks, both harness and thoroughbred, in the state of Michigan. In fact, Jackson recorded the highest increase of all harness racing tracks in America; and

Whereas, The year 1974 saw a sad passing of the reins with Leon Slavin's death. His daughter, Nanette Slavin-Rakieten, took over as President and General Manager of Jackson Harness Raceway and Jackson-at-Northville Downs.

A single mother of four, Nanette Slavin-Rakieten's connection to the track had been ongoing over the years. She became the first woman owner and General Manager of a standardbred racetrack in the United States. James A. "Chic" Young was named Vice President and General Manager of Jackson Harness Raceway in 1975. James Young, a well-known Jackson resident and respected banker, joined Nanette Slavin-Rakieten running the day-to-day racing operation; and

Whereas, As Jackson Harness Raceway celebrates its 50th Anniversary in 1998, Nanette Slavin-Rakieten has retired and Daniel B. Rakieten becomes President as well as General Manager of the organization. Jackson Harness Raceway begins its next 50 years with the third generation guiding the family business; now, therefore, be it

Resolved by the Senate, That we salute and honor the Slavin Family on the occasion of the 50th Anniversary of the Jackson Harness Raceway; and be it further

Resolved, That a copy of this resolution be transmitted to Nanette Slavin-Rakieten and her family as evidence of our best wishes.

Senators Young and Conroy were named co-sponsors of the resolution.

Senators Miller, Dingell, Hart, Geake, Gast, Koivisto and Byrum offered the following resolution:

Senate Resolution No. 181.

A resolution in celebration of Polish American History Month.

Whereas, From earliest days in Michigan, Polish Americans have played leading roles in the development of our Great Lakes state; and

Whereas, Michigan is fortunate enough to count the large number of Polish descent in its population who make important contributions to Michigan's economy and society through their commitment to numerous professions, commerce, family and the arts; and

Whereas, Polish Americans General Thaddeus Kosciuszko and Count Casimir Pulaski, who was a General and founder of the U.S. Calvary in the American Revolution, selflessly contributed to the independence of our nation in wars and conflicts throughout our history; and

Whereas, Astronomers Nicolaus Copernicus and Marie Curie, novelist Henryk Sienkiewicz, Nobel Peace Prize winner Lech Walesa, spiritual leader Pope John Paul II, and the extraordinary musical legacy of revered composers Frederic Chopin and Ignacy Jan Paderewski have also made significant contributions to our nation; and

Whereas, Polish Americans in Michigan and all over the world continue to be strengthened and enriched, through their culture, pride, piety, industriousness and commitment to the principles upon which our great nation was founded; now, therefore, be it

Resolved by the Senate, That we share in the commemoration of Polish American History Month because this is an important occasion for all Polish Americans and all who honor the ideals of liberty; and be it further

Resolved, That a copy of this resolution be transmitted to Polish World Newspaper as a reflection of our admiration for all that the Polish Americans have contributed to our nation.

Senators Young, DeBeaussiaert, Conroy and Bouchard were named co-sponsors of the resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the following bills, now on the order of General Orders, be referred to the Committee on Hunting, Fishing and Forestry:

Senate Bill No. 963, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43517 and 43520 (MCL 324.43517 and 324.43520), as added by 1995 PA 57.

Senate Bill No. 980, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509u (MCL 168.509u), as added by 1994 PA 441.

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.

The motion prevailed.

Senator DeGrow moved that the following resolution, now on the order of Resolutions, be referred to the Select Committee to Examine Qualifications of Senator Stallings:

Senate Resolution No. 134.

A resolution to expel Senator Henry E. Stallings II of the Third Senatorial District, State of Michigan.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Miller, Dunaskiss, Vaughn, Hart, Shugars and Jaye 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:

Madam Governor, I was temporarily outside the chamber this morning during the middle of the Third Reading roll calls, and had I got here a few seconds quicker, I would have been able to vote on House Bill No. 4031. So I would like the record, Madam Governor, to show that I was outside talking with some of my constituents who were here visiting the Capitol on this last day of April, and I inadvertently missed voting on House Bill No. 4031. I'd like the record to show that I would have supported it had I been here a couple of seconds earlier.

Senator Dunaskiss' statement is as follows:

I would like the body to be aware that this is Spinal Cord Injury Awareness Prevention Month. I am very pleased to be able to be participating in the awareness by participating in what they call a "Day in a Wheelchair." I'm respectful of the Senate rules and understand that I could not participate for this portion of the day because that would be considered a prop or a tool, and so I could not use a wheelchair on the Senate floor, but for the remainder of the day, I do plan on being in a wheelchair to first-hand experience some of the difficulties that are associated with individuals who are confined to a wheelchair.

I'd also like to commend the seven Representatives who will be doing this today as well as my understanding that Senator Mike Bouchard will be participating in "Day in the Wheelchair" back in his district. So, I commend them as well.

This is set up by the Heidi Van Arnhem Foundation. Heidi is a friend of mine. I've known her family for a long period of time, and it is very tragic that, when she was 16, she was involved in an accident that changed her life. As a result, she struggled to be a productive member of society, which she certainly is. She has a phenomenal column in The Detroit News, a weekly column which is called "Disabilities Today." She also founded a foundation in 1992, and one of the special emphases that she has brought to my attention is the need for ramping—ramping for the disabled and also, as our population continues to age, the need for ramping for the aged as well.

And so, I would just like to remind the body that this could happen to you or a loved one in a split second. Many times, many times through driving accidents, violence, falls, and from sport-related accidents, and so we should do everything we can as state policymakers to make our society, our buildings more accessible to those who are disabled or confined to a wheelchair.

I'd also like to commend the body. I remember fondly serving here with Senator Faust, as many of you did, and how the Senate bent over backwards to try to ensure that all the accommodations were made. I think that will be something that I will see today as I spend a "Day in the Wheelchair."

Senator Vaughn's statement is as follows:

I'd like to call my colleagues' attention to the 50th anniversary of the State of Israel. Secondly, on that you know that it is written that we should hallow the 50th year, and it shall be a celebration, a jubilee. I think it is appropriate. And thirdly, I do this for another personal reason. I happen to have known the name of perhaps one of the greatest rabbis, Rabbi Morris Adler, who for many, many, many years was the rabbi of Congregation Sharrey Zedek.

My statement goes this way.

Today we celebrate the 50th anniversary of the State of Israel. Today we remember the many sacrifices that were made to create an official homeland for the world's Jewish people.

We recognize Israel's many accomplishments today. Israel was and still is a safe haven for many people. The survivors of the Holocaust helped to start the State of Israel, and today she is a home to many, not only Jews but other people from many countries including Africa and other parts and the former Soviet Union.

Today we recognize the economic accomplishments of the State of Israel. It is one of the strongest in that region. Secondly, Israeli technicians are known throughout the world and have made a major contribution to the world of technology and industry.

And today, in our own country, we have supported the State of Israel for 50 long years since President Truman recognized Israel just ten minutes after the state was born. And so, it is truly a golden opportunity for us to say congratulations on the 50th anniversary to the state, and our prayers and thoughts continue to go out with the Jewish people and this great heritage that we have inherited.

Senator Hart's statement is as follows:

This past week saw the passing of a very dear friend to many of us in this chamber; the passing of Imam Mohammed Karoub, who was my guest here six months ago, and who knew many of us by our first names. He not only was a spiritual leader in the Islamic community, but a prime mover, not only among Christians and Jews, but someone who worked in the best interests of all mankind.

In that spirit I want to say that I'm introducing a resolution next week commemorating his passing.

Senator Shugars' statement is as follows:

Madam Governor, I would like to make an announcement and explain a bill that we just introduced. If any of colleagues would like to sign on, I would encourage them to do so. As you remember, we had a resolution months ago that asked venue operators to note in their advertising and sale of tickets if there are any entertainers that are promoting violence, illegal drugs, teenage suicide, Satanism, offensive sexual behaviors, and things of that sort, and that a child under 18 would have to be accompanied by their parents to go to those concerts.

We've been doing a lot of research, and we have come up with a bill that I think you will like. What it does is it gives local control to the city councils, commissions, or township trustees. They can vote on a resolution that if the venue operator is having an entertainer coming in that promotes these bad behaviors, which we find are causing problems in our society, that they can require that the venue operator note on any advertising and any tickets that any child under 18 has to be accompanied by their parents.

This bill is named "Parents' Right to Know," and I encourage you to sign on the bill that says Parents' Right to Know. We've researched it; it's not censorship because the entertainer can still perform in that community, and it's not a limitation on freedom of speech. It supports the parents' decision if they don't want their child to go to those type of concerts. It lets the community and the venue operators support the parents' decision. I think it's imperative.

We are finding children bringing guns to schools and killing one another, killing parents, and killing teachers. We found in one case that the child was a strong listener of one of these shock entertainers and really into that band. I think it was in Pennsylvania. I suggest to you that we need to make a clear statement.

This is permissible so that the local government doesn't have to do it, but at least it gives the tools to our communities. If someone is promoting teenage suicide, promoting killing parents, promoting violence, promoting usage of illegal drugs, or promoting Satanism, then they can at least notify the parents. They should to have the authority and responsibility to prevent their children from going to those concerts if they wish.

Senator Jaye's statement is as follows:

Today the Michigan Senate passed its first installment of a major hunting, fishing, and firearms package on a bipartisan, bi-house basis. These bills mark a historic advance in promoting, expanding, and protecting the rights of outdoors men and women in Michigan.

I'm very proud to be honored by the Majority Leader and my colleagues to be chairman of the first ever Hunting, Fishing and Forestry Committee in the Legislature. We were able to make some significant improvements regarding the utilization of our renewable resources. Families who hunt and fish together enjoy unique relationships with each other and with nature. Hunting and fishing rights are the backbone of Michigan's outdoor heritage.

Overly restrictive government regulation has created unnecessary bureaucratic red tape for hunting and fishing advocates. Michigan needs to modernize its antiquated fishing and hunting laws to give outdoor enthusiasts more opportunities to enjoy their favorite sports, and we must hold the outdoor regulators accountable for their decisions. I know that some had made an objection that Proposal G gave the Department of Natural Resources Commission exclusive authority on hunting and fishing rights. That is not true. The voters gave a co-equal authority to the DNR and only and if and only the Legislature decides to reject their proposals or to prod them in the right direction if they made the wrong decisions. We, as the Legislature, delegated our authority to the DNR in the same manner in which we did the Public Service Commission on electrical rates and phone rates, or to the Road Commission, Transportation Commission, and Health Commission.

However, this Legislature is the people's house. We are the ones accountable to the individuals who are concerned about their private property rights and about the utilization of natural resources in a variety of bills that were encompassed in this 12-bill package. For instance, the right to have stolen or illegally used weapons returned to their rightful owner. Another bill to allow hunting on Sundays if the community allows hunting, and the private property owner wants it. A number of other bills to allow elevated tree stands, to allow the use of a pistol with shot ammunition during bird season, extending the time limit for obtaining a permit to purchase a pistol—these are measured, moderate and constitutionally sound attempts to empower, expand, and promote hunting and fishing in this great state.

I believe we made significant progress today and that our goal is to increase access to the great outdoors and make all of Michigan part of up North. Fully one-third of our land is our people's land, and once again, we are returning to the people their right to be able to be the masters of their destiny, to enjoy their outdoors, their time with their families, and the resources in the great state of Michigan.

Committee Reports

The Committee on Finance reported

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.

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

1. Amend page 1, line 10, after "51F" by inserting a comma and "OR THE AMOUNT DETERMINED PURSUANT TO SUBSECTION (3),".

2. Amend page 2, line 6, after "1996" by inserting "AND BEFORE JANUARY 1, 2000".

3. Amend page 2, following line 7, by inserting:

"(C) BEGINNING JANUARY 1, 2000, THE AMOUNT DETERMINED UNDER SUBSECTION (3) .

(3) BEGINNING JANUARY 1, 2000, THERE SHALL BE DEPOSITED IN THE STATE SCHOOL AID FUND CREATED IN SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 THAT PORTION OF THE GROSS REVENUES COLLECTED BEFORE REFUNDS UNDER THIS SECTION AND SECTIONS 51B, 51C, 51D, 51E, AND 51F THAT IS EQUAL TO THE AMOUNT THAT WOULD RESULT IF A TAX RATE OF 1.012% HAD BEEN LEVIED AND IMPOSED UPON THE TAXABLE INCOME OF EVERY PERSON OTHER THAN A CORPORATION." and renumbering the remaining subsections.

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

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and V. Smith

Nays: None

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

The Committee on Finance reported

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.

With the recommendation that the bill pass.

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

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and V. Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

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.

With the recommendation that the bill pass.

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

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and V. Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

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.

With the recommendation that the bill pass.

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and V. Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

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.

With the recommendation that the bill pass.

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

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Shugars, Peters and V. Smith

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Resolution No. 178.

A resolution to memorialize the Congress of the United States to provide that federal income taxes can only be raised through a supermajority vote in each house of the Congress.

(For text of resolution, see Senate Journal No. 35, p. 682.)

With the recommendation that the resolution be adopted.

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard and Shugars

Nays: Senators Peters and V. Smith

The resolution was placed on the order of Resolutions.

The Committee on Finance reported

Senate Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 2/3 of the members of each house to impose certain taxes or to make certain modifications to certain taxes.

With the recommendation that the substitute (S-3) be adopted and that the joint resolution then be adopted.

Joanne Emmons

Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard and Shugars

Nays: Senators Peters and V. Smith

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, April 28, 1998, at 1:10 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons (C), Bullard, Shugars, Peters and V. Smith

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 813, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5501, 5521, and 5522 (MCL 324.5501, 324.5521, and 324.5522); and to repeal acts and parts of acts.

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.

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Dunaskiss, Gast, Dingell and DeBeaussaert

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 Natural Resources and Environmental Affairs submits the following:

Meeting held on Tuesday, April 28, 1998, at 3:00 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Bennett (C), Dunaskiss, Gast, Dingell and DeBeaussaert

The Committee on Health Policy and Senior Citizens reported

Senate Bill No. 151, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406f.

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, 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. 152, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401e.

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.

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. 153, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053c.

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.

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 28, 1998, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Human Resources, Labor and Veterans Affairs reported

Senate Resolution No. 177.

A resolution to call on the Michigan Jobs Commission to maintain and improve the quality of employment services for veterans.

(For text of resolution, see Senate Journal No. 35, p. 681.)

With the recommendation that the resolution be adopted.

Mike Rogers
Chairperson

To Report Out:

Yeas: Senators Rogers, Steil, Stille and DeBeaussaert

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Human Resources, Labor and Veterans Affairs submits the following:

Meeting held on Tuesday, April 28, 1998, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Rogers (C), Steil, Stille and DeBeaussaert

Excused: Senator O'Brien

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources and Environmental Quality submits the following:

Meeting held on Tuesday, April 28, 1998, at 1:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators McManus (C), Gast, Hoffman, Koivisto and A. Smith

Scheduled Meeting

Financial Services Committee - Wednesday, May 6, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 12:07 p.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Tuesday, May 5, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

