

**No. 2**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, January 27, 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—excused  
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—excused  
Stallings—present  
Steil—present  
Stille—present  
Van Regenmorter—present  
Vaughn—present  
Young—present

Senator Mat J. Dunaskiss of the 16th District offered the following invocation:

Dear Lord, as we begin this new busy week when the citizens of Michigan will hear the State of the State Address, we reflect back and thank You for the guidance You have given us that has lead to a record of legislative achievement on behalf of the families of Michigan.

We acknowledge humbly that our future success relies upon Your continual guidance. Your presence in our lives provides us with optimism for the future and the confidence in our ability to serve the people of Michigan. In Your name we pray. Amen.

### Motions and Communications

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

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

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

The following communication was received:  
Family Independence Agency

December 1, 1997

The Committee on Juvenile Justice is pleased to provide our 1996 annual report to the Governor and the Legislature. This annual report is required by Executive Order 1993-14 which created the Committee on Juvenile Justice.

The report provides an overview of the Committee, its purpose, some accomplishments, and new directions which the Committee is taking. Information on grants issued, monitoring visits completed, and training sessions and workshops is also enclosed.

The report includes recommendations as required. Based on our experience in implementing the federal Juvenile Justice and Delinquency Prevention Act (JJJPA) and in working in the delinquency prevention and juvenile justice areas in Michigan, these recommendations provide our best advice on reauthorization of the JJJPA which is scheduled in 1997.

We would also like to acknowledge the many resources which participation in the JJJPA provides to Michigan including the provisions of technical assistance, participation in workshops and seminars where we learn from advances in other states, and a host of reports and publications provided by the Office of Juvenile Justice and Delinquency Prevention and by the National coalition on Juvenile Justice.

Sincerely yours,  
Y. Gladys Barsamian, Chair  
Committee on Juvenile Justice

The communication was referred to the Secretary for record.

The following communications were received:  
Department of State

### Administrative Rules Notices of Filing

January 14, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:35 p.m. this date, administrative rule (98-1-1) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standards, Part 3. Fixed Ladders,*" effective 15 days hereafter.

January 14, 1998

In accordance with the provisions of Section 46(1) of 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:37 p.m. this date, administrative rule (98-1-2) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standards, Part 55. Explosives,*" effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Helen Kruger, Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Office of the Auditor General

January 15, 1998

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the Bureau of Safety and Regulation, Department of Consumer and Industry Services January 1998.

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

The communication was referred to the Secretary for record.

The following communication was received:  
Office of Drug Control Policy

January 16, 1998

I am pleased to transmit the Byrne Memorial Formula Grant application from the Office of Drug Control Policy to the U.S. Department of Justice, Bureau of Justice Assistance for the drug enforcement grant program.

This application is being forwarded to your office for information and review pursuant to Section 1304(a) (2) of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula grant program. This application requests \$16,748,000.

Should you have questions, please contact Ardith J. DaFoe, Director, Drug Law Enforcement Division at (517) 373-2952.

Sincerely,  
Darnell Jackson  
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, January 14:  
**House Bill No. 5252**

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, January 20:  
**House Bill Nos. 4672 5304 5351**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, January 21:  
**House Bill Nos. 4163 4536 4558 4743 5346**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, January 22:  
**House Bill Nos. 4425 4475 5300 5315**

The Secretary announced the printing and placement in the members' files on Wednesday, January 14 of:  
**Senate Bill No. 846**

The Secretary announced the printing and placement in the members' files on Thursday, January 15 of:  
**House Bill Nos. 5474 5475 5476**

The Secretary announced the printing and placement in the members' files on Thursday, January 22, of:  
**Senate Bill Nos. 839 840 841 842 843 844 845**  
**House Bill Nos. 5440 5441 5442 5443 5444 5445 5446 5447 5448 5449 5450 5451 5452 5453**  
**5454 5455 5456 5457 5458 5459 5460 5461 5462 5463 5464 5465 5466 5467**  
**5468 5469 5470 5471 5472 5473 5477 5478 5479 5480**

The Secretary announced the printing and placement in the members' files on Friday, January 23, of:  
**House Bill Nos. 5481 5482 5483 5484 5485 5486 5487**

By unanimous consent the Senate proceeded to the order of  
**Messages from the House**

Senator DeGrow moved that consideration of the following bill be postponed for today:  
**Senate Bill No. 181**  
The motion prevailed.

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

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:  
**Hunting, Fishing and Agriculture** - Senator Dingell replacing Senator Berryman.

The standing committee appointment was approved, a majority of the members serving voting therefor.

### Messages from the Governor

The following messages from the Governor were received and read:

January 7, 1998

Please be advised of the following appointments and reappointments to office, subject to the advice and consent of the Michigan Senate:

#### **Board of Mechanical Rules**

Mr. Terrance Lee Carolan, 3730 E. Mitchell Road, Petoskey, Michigan 49770, county of Emmet, as a member representing building officials enforcing the Building Officials and Code Administrators code, succeeding himself, for a term expiring on October 1, 1999.

Mr. Walter M. Reckinger, 23700 Hudson Street, Dearborn, Michigan 48124, county of Wayne, as a member representing ductwork, succeeding himself, for a term expiring on October 1, 1999.

Mr. William John O'Neil, 850 Teaberry Place, Walled Lake, Michigan 48390, county of Oakland, as a member representing hydronic heating and cooling and process piping, succeeding Mr. Raymond H. Brunett, Jr., of Southfield, whose term has expired, for a term expiring on October 1, 1999.

Mr. Richard L. Shaw, 615 Lilac Avenue, Big Rapids, Michigan 49307, county of Mecosta, as a member representing the general public, succeeding Ms. Cheryl L. Bruins of Lathrop Village, whose term has expired, for a term expiring on October 1, 1999.

Mr. Garry L. Sanchez, 1230 Wildwood, Westland, Michigan 48185, county of Wayne, as a member representing specialty work area, succeeding Mr. Roland H. Wilson of Southfield, whose term has expired, for a term expiring on October 1, 1999.

Mr. Daniel W. Jex, 3823 Catalpa Court, Port Huron, Michigan 48060, county of St. Clair, as a member representing building inspectors enforcing the International Conference of Building Officials code, succeeding Mr. Wayne E. Blossey of Midland, whose term has expired, for a term expiring on October 1, 1999.

Mr. Gerald W. Richards, 834 Wildemere Drive, Mason, Michigan 48854, county of Ingham, as a member representing energy producing utilities, succeeding Mr. Patrick Miller of Jackson, whose term has expired, for a term expiring on October 1, 1999.

Mr. Michael J. Lawrence, 21624 Greydale Court, Detroit, Michigan 48219-1847, county of Wayne, as a member representing the fire suppression area, succeeding Mr. John O'Neil of Walled Lake, who has resigned, for a term expiring on October 1, 1998.

January 7, 1998

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

#### **Michigan Bean Commission**

Mr. Michael J. Eisengruber, 9101 Liken Road, Sebawaing, Michigan 48759, county of Huron, as a member representing bean shippers, succeeding himself, for a term expiring on December 31, 2000.

Mr. David J. Milligan, 6226 Bay City-Forestville Road, Cass City, Michigan 48726, county of Tuscola, as a member representing bean growers in District 4, succeeding Mr. Michael A. Zwerk of Vassar, whose term has expired, for a term expiring on December 31, 2000.

Mr. Robert D. Caister, 852 S. Van Dyke, Marlette, Michigan 48453, county of Sanilac, as a member representing bean growers from District 1, succeeding Mr. William S. Thayer of Palms, whose term has expired, for a term expiring on December 31, 2000.

Mr. Thomas E. Randgaard, 1316 Robinwood Lane, Faribault, Minnesota 55021, as a member representing processors and canners, succeeding Ms. Pamela R. Hufford of Fremont, who has resigned, for a term expiring on December 31, 1998.

January 7, 1998

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

#### **Michigan Board of Osteopathic Medicine and Surgery**

Dr. Tammy Lynn Geurkink-Born, 4580 Second Street, Caledonia, Michigan 49316, county of Kent, as a member representing professionals, succeeding herself, for a term expiring on December 31, 2001.

Mr. Michael K. Helmer, 1327 Carillon Court South, Bloomfield Hills, Michigan 48302, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2001.

January 8, 1998

Please be advised of the following appointment to office, subject to the advice and consent of the Senate:

**Director, Department of Management and Budget**

Ms. Janet E. Phipps, P.O. Box 30026, Lansing, Michigan 48909, county of Ingham, effective January 16, 1998, succeeding Mark Murray of Lansing, who has resigned, for a term expiring at the pleasure of the Governor.

January 16, 1998

Please be advised of the following appointment and reappointments to office:

**Fire Fighters Training Council**

Mr. Michael J. Burke, 3714 West Genesee Road, Lapeer, Michigan 48446, county of Lapeer, as a member representing the Michigan State Firemen's Association, succeeding himself, for a term expiring on December 31, 2000.

Mr. Kenneth W. Eagle, 2728 West 20th, Sault Ste. Marie, Michigan 49783, county of Chippewa, as a member representing the Michigan Fire Chiefs Association, succeeding himself, for a term expiring on December 31, 2000.

Mr. Joseph John Zielinski, 24060 Union, Dearborn, Michigan 48124, county of Wayne, as a member representing the Metropolitan Club of America, succeeding himself, for a term expiring on December 31, 2000.

Mr. Terrence H. Chesney, 3161 Maxwell, Trenton, Michigan 48183, county of Wayne, as a member representing the Michigan State Fire Fighters Union, succeeding himself, for a term expiring on December 31, 2000.

Mr. Thad N. Taylor, 319 S. State, Alpena, Michigan 49707, county of Alpena, as a member representing the Michigan Municipal League, succeeding Ms. H. Kay Jacobs of Traverse City, whose term has expired, for a term expiring on December 31, 2000.

January 21, 1998

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

**Workers' Compensation Board of Magistrates**

Mr. David W. Nowinski, 2509 Regency Hills Drive, Shelby Township, Michigan 48316, county of Macomb, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

Mr. Craig R. Petersen, 3737 Springbrook Lane, Lansing, Michigan 48917, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

Ms. Sharon L. Smith, 28890 Walnut Grove Lane, Southfield, Michigan 48034-1557, county of Oakland, as a member representing the general public, succeeding herself, for a term expiring on January 26, 2002.

Ms. L'Mell Moore Smith, 2300 Montego Drive, Lansing, Michigan 48912, county of Ingham, as a member representing the general public, succeeding herself, for a term expiring on January 26, 2002.

Mr. Winston A. Wheaton, 8430 Spring Road, NW, Stanton, Michigan 48888, county of Montcalm, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

Ms. Donna J. Grit, 2706 Oakwood, S.E., East Grand Rapids, Michigan 49506, county of Kent, as a member representing the general public, succeeding herself, for a term expiring on January 26, 2002.

Ms. Mary C. Brennan, 16145 Maplewood Court, Northville, Michigan 48167, county of Wayne, as a member representing the general public, succeeding herself, for a term expiring on January 26, 2002.

Mr. John M. Wierzbicki, 10704 Nadine Avenue, Huntington Woods, Michigan 48070, county of Oakland, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

Mr. Richard J. Zettel, 12359 Moers Drive, Sterling Heights, Michigan 48313-2586, county of Macomb, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

Mr. Patrick J. MacLean, 14472 Woodside Drive, Livonia, Michigan 48154-5271, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on January 26, 2002.

January 22, 1998

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

**Civil Rights Commission**

Mr. Albert Calille, 1412 Maple, Plymouth, Michigan 48170, county of Wayne, as a member representing the general public, succeeding Rev. Robert A. Sirico of Grand Rapids, whose term has expired, for a term expiring on December 31, 2001.

Mr. Gary H. Torgow, 14661 Ludlow, Oak Park, Michigan 48237, county of Oakland, as a member representing the general public, succeeding Mr. Richard D. Letts of Lansing, who has died, for a term expiring on December 31, 2000.

Mr. Richard Joseph Garcia, 2933 Audreys Way, East Lansing, Michigan 48823, county of Ingham, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2001.

Ms. Valerie Pierre Simmons, 1209 Dunham, S.E., Grand Rapids, Michigan 49506, county of Kent, as a member representing the general public, succeeding Ms. Sondra L. Berlin of West Bloomfield, who has died, for a term expiring on December 31, 2000.

January 22, 1998

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

**Commission on Agriculture**

Mr. James E. Maitland, 4448 Maitland Road, Williamsburg, Michigan 49690, county of Grand Traverse, as a member representing Republicans, succeeding Mr. Norman R. Veliquette of Elk Rapids, whose term has expired, for a term expiring on December 31, 2001.

Sincerely,  
John Engler  
Governor

The appointments were referred to the Committee on Government Operations.

Senators Stille, Geake and Posthumus entered the Senate Chamber.

The following message from the Governor was received and read:

NATURAL RESOURCES; STATE FORESTS

January 2, 1998

Today I have vetoed and am returning to you herewith, Enrolled Senate Bill 727.

This bill mandates the Department of Natural Resources (Department) to develop, operate, maintain and promote an integrated recreation system that provides opportunities for hunting, fishing, camping, hiking, snowmobiling, off-road vehicle riding, boating, trail-related activities and other forms of recreation within each state forest. This would seemingly conflict with current law for certain activities like off-road vehicle riding where prudent management may be more restrictive.

The bill also attempts to require the Department to accept the direction of the Michigan Snowmobile Advisory Committee (MSAC) in developing, operating and maintaining snowmobile trails and snowmobile programs. I believe this to be an unconstitutional delegation of authority and, while likely severable from the act, I believe possible litigation should be discouraged.

Finally, this bill is tie-barred to House Bill 5254 and House Bill 5278. These two bills only recently passed the House and are currently in the Senate Committee on Natural Resources and Environmental Affairs. I am reluctant to sign one measure tie-barred to others, when I do not know the final content of the remaining bills and how they are interrelated, if at all.

For these reasons I am returning Enrolled Senate Bill 727 without signature.

Sincerely,  
John Engler  
Governor

This bill was returned from the Governor on January 2, 1998, at 11:47 a.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator DeGrow moved that the veto message be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

By unanimous consent the Senate returned to the order of

**Messages from the House**

**Senate Bill No. 642, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5502 (MCL 324.5502), as amended by 1995 PA 227.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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 full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 514, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

The House of Representatives has appointed Reps. Gubow, Basham and Llewellyn as conferees to join with Senators Shugars, Schwarz and Byrum.

The bill was referred to the Conference Committee on January 14, 1998.

**Third Reading of Bills**

The following bill was read a third time:

**House Bill No. 4146, entitled**

A bill to amend 1982 PA 455, entitled "The library privacy act," by amending section 2 (MCL 397.602).

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. 1****Yeas—36**

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

**Nays—0****Excused—2**

Bullard	Smith, V.
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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.

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

"An act to provide for the confidentiality of certain library records; and to provide for the selection and use of library materials,".

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5084, entitled**

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending sections 2, 6, 8, and 12 (MCL 54.262, 54.266, 54.268, and 54.272).

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. 2****Yeas—36**

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

**Nays—0****Excused—2**

Bullard	Smith, V.
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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.

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

“An act to create a state survey and remonumentation commission and to prescribe its powers and duties; to provide for the appointment of an executive director; to provide for a contract for the services of a state geodetic advisor; to create the state survey and remonumentation fund and to provide for its use; to coordinate and implement the monumentation and remonumentation of property controlling corners in this state and coordinate the establishment of geographic information systems; and to provide for certain powers and duties of certain state and local officers and agencies.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Bouchard's statement is as follows:

It's my great privilege today to have the opportunity to introduce to you and my colleagues a young man from my district who went out of his way to affect another life in a very, very important and favorable way. The young man, a 12-year-old student at Baker Middle School, was on his way to school one morning and observed a man laying in the ground, who apparently had been shoveling snow. He went inside the man's house to try to get help and actually brought out a blanket and covered the man. He ran home and notified his mom and got 911 going. The paramedics came and ultimately decided, if not for the actions of this young man, it's very possible that this man could have perished.

So, at the age of 12, he stepped forward and literally saved a life. It is always a great pleasure, Madam President, when we have the opportunity to recognize people who go out of their way to help other people, especially when they are young and have done great things. I would ask that we recognize Daryl Savage, and his family who have joined us here today, as a very young hero to our community and our state, and express our appreciation to him for those efforts.



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

Senator DeGrow moved that the Committee on Human Resources, Labor and Veterans Affairs be discharged from further consideration of the following resolution:

**Senate Resolution No. 122.**

A resolution commemorating School-to-Work Week, January 26 - February 2, 1998, as an opportunity to recognize and celebrate School-to-Work as the crucial link between successful learning and productive citizenship and recognize February 2, 1998, as National Groundhog Job Shadow Day.

The motion prevailed, a majority of the members serving voting therefor, and the resolution was placed on the order of Resolutions.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

**House Concurrent Resolution No. 81.**

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Thursday, January 29, 1998, at 6:45 p.m., to receive the message of Governor John Engler.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations, Senator DeGrow moved that the rule be suspended.

The question being on the adoption of the concurrent resolution,

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

The concurrent resolution was adopted.

Senator Conroy was named co-sponsor of the concurrent resolution.

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

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

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

**Senate Resolution No. 122**

**Senate Resolution No. 124**

The resolution consent calendar was adopted.

**Senate Resolution No. 122.**

A resolution commemorating School-to-Work Week, January 26 - February 2, 1998, as an opportunity to recognize and celebrate School-to-Work as the crucial link between successful learning and productive citizenship and recognize February 2, 1998, as National Groundhog Job Shadow Day.

Senator Schwarz was named co-sponsor of the resolution.

Senator Gougeon offered the following resolution:

**Senate Resolution No. 124.**

A resolution offered as a memorial for Arthur L. Hopp.

Well done, good and faithful servant; thou has been faithful  
 over a few things, I will make thee ruler over many things.  
 Enter into the joy of your Lord.

—Matthew 25:23

Whereas, It is with deep respect that we offer this resolution as a memorial for the life of Arthur Hopp. His passing has saddened all who had the good fortune of knowing him and we extend our sympathies and respect to his family and many friends. Art will be sincerely missed and will forever be remembered for his selfless commitment to serving others; and

Whereas, Art established himself as an effective and ethical leader during the time he served his nation as a sergeant in the United States Marine Corps during the Vietnam conflict. His integrity was well-known to the people he worked with as a police officer in Big Rapids and St. Joseph, prior to coming to Pinconning in 1980; and

Whereas, Art Hopp served as an officer until November 1, 1991, when he was appointed police chief. Mr. Hopp was a good police chief, but also a good community leader and a good friend to all who knew him. His death is a tremendous loss to the small, close-knit community of Pinconning; and

Whereas, Art was very interested in young people and extremely concerned about the welfare of the students in the Pinconning area schools, where he started the SMART MOVES program. He thought in terms of the future, more than the present, when he served as a member of the Pinconning Mayor's Scholarship Fund Board of Directors and the Bay County's 911 Advisory Board; and

Whereas, Art Hopp also knew how to help young people by serving on the Board of Directors of the Boys and Girls Club of Bay County and was one of the founders of the Boys and Girls Club, Pinconning Unit. He reveled at the opportunity to help children get a good start on the road of life, and in a final act of service, his family requested memorials for the Art Hopp Memorial Scholarship Fund of the Boys and Girls Club, Pinconning Unit or the Pinconning Mayor's Scholarship Fund; and

Whereas, This man who loved kids and serving his community will best be remembered for his abundant personal warmth. His wife, Helen, their son, two daughters, four grandchildren and a legion of friends should take great pride in this fine man who bequeathed a wonderful legacy of accomplishment and love; now, therefore, be it

Resolved by the Senate, That this document is signed and dedicated to offer words of praise as a memorial for Arthur L. Hopp; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Arthur Hopp as evidence of our respect and admiration.

Senators Conroy, Stille, Schwarz, Shugars and Emmons were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senators Bullard, Geake, Shugars and Byrum introduced

**Senate Joint Resolution P, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to permit local tax assessing units to exempt tangible personal property.

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

Senator Bullard introduced

**Senate Bill No. 847, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by repealing section 4d (MCL 205.54d).

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

Senator Bullard introduced

**Senate Bill No. 848, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4q; and to repeal acts and parts of acts.

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

Senators Bullard, Geake, Hoffman, Shugars, Dunaskiss and Byrum introduced

**Senate Bill No. 849, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9a.

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

Senators DeBeaussaert, Miller, Hart and Berryman introduced

**Senate Bill No. 850, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Senator Bullard introduced

**Senate Bill No. 851, entitled**

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," (MCL 247.801 to 247.816) by adding section 807b.

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

Senators Van Regenmorter and Shugars introduced

**Senate Bill No. 852, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending section 61 (MCL 780.811), as amended by 1996 PA 82.

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

Senators Van Regenmorter and Shugars introduced

**Senate Bill No. 853, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 310d, 319, 625, 625a, 625b, and 625c (MCL 257.303, 257.310d, 257.319, 257.625, 257.625a, 57.625b, and 257.625c), sections 303 and 319 as amended by 1996 PA 587, section 310d as amended by 1991 PA 99, sections 625 and 625a as amended by 1996 PA 491, and sections 625b and 625c as amended by 1994 PA 450, and by adding section 5b.

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

**House Bill No. 4163, entitled**

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

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 Finance.

**House Bill No. 4425, entitled**

A bill to make certain appropriations for the department of community health for the fiscal year ending September 30, 1998; and to provide for the expenditure of those certain appropriations.

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 Appropriations.

**House Bill No. 4475, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, and 13110.

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 Economic Development, International Trade and Regulatory Affairs.

**House Bill No. 4536, entitled**

A bill to amend 1957 PA 206, entitled "An act to authorize 2 or more counties, cities, townships and incorporated villages, or any combination thereof, to incorporate an airport authority for the planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining and operating the landing, navigational and building facilities necessary thereto of 1 or more community airports; to provide for changes in the membership therein; to authorize an authority or the counties, cities, townships and incorporated villages that form an authority to levy taxes for such purposes; to provide for the operation and maintenance and issuing notes therefor; and to authorize condemnation proceedings," by amending the title and sections 1, 3, 4, 7, 8, and 11 (MCL 259.621, 259.623, 259.624, 259.627, 259.628, and 259.631), the title as amended by 1987 PA 153, sections 1, 3, 4, and 8 as amended by 1982 PA 312, and section 7 as amended by 1983 PA 182.

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

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

**House Bill No. 4558, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 601.

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 Natural Resources and Environmental Affairs.

**House Bill No. 4672, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).

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

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

**House Bill No. 4743, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

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 Finance.

**House Bill No. 5252, entitled**

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

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

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

**House Bill No. 5300, entitled**

A bill to amend 1996 PA 522, entitled "The Michigan biologic products institute transfer act," by amending the title and sections 3 and 5 (MCL 333.26333 and 333.26335) and by adding sections 3a and 3b.

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 Appropriations.

**House Bill No. 5304, entitled**

A bill to amend 1997 PA 16, entitled "The playground equipment safety act," by amending section 4 (MCL 408.684).

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 Human Resources, Labor and Veterans Affairs.

**House Bill No. 5315, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending section 18 (MCL 205.18), as added by 1980 PA 162.

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

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

**House Bill No. 5346, entitled**

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000," by amending section 5 (MCL 446.205).

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

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

**House Bill No. 5351, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1538 (MCL 380.1538), as added by 1988 PA 339.

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

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

**Committee Reports**

## COMMITTEE ATTENDANCE REPORTS

The Trial Court Assessment Commission submits the following:

Meeting held on Friday, January 16, 1998, at 9:00 a.m., 8th Floor Conference Room, Farnum Building

Present: Senators Van Regenmorter and Dingell

The Trial Court Assessment Commission submits the following:

Meeting held on Friday, January 23, 1998, at 10:00 a.m., 8th Floor Conference Room, Farnum Building

Present: Senators Van Regenmorter and Dingell

**Scheduled Meetings**

Government Operations Committee - Wednesday, January 28, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-1758).

Financial Services Committee - Wednesday, January 28, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-2523).

**Scheduled Meeting Changed**

Legislative Council - Tuesday, February 3, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-0170).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 10:32 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, January 28, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.

