

No. 66
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, September 23, 1997.

10:00 a.m.

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

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

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

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

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

Senator Jackie Vaughn III of the 4th District offered the following invocation:

In early times when men and women felt hopeless and separated, they came to God. It is in that spirit that we come to God this morning. The spirit of our living God calls us to be daring stewards and to cooperate with all of His word. It is important that we carry this through. We are entrusted with power—with so much in our program—and the love for justice. Grant us passion in law to care for all of our citizens—the oppressed, the least among us—that they, too, might endure the world. Help us to overcome parochial and small division to transcend law alone, for it is love that binds us together.

Hear our prayer, O Lord, and give us ears unto Thy hand. Hold not Thy peace and our fears, for we are strangers with Thee in this land. We sojourned as our fathers did years ago. This is our prayer for Christ's sake. Amen.

Motions and Communications

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

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

Recess

Senator DeGrow moved that the Senate recess until 10:20 a.m.

The motion prevailed, the time being 10:05 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Binsfeld.

During the recess, Senators North, Emmons, Bullard, Hoffman, McManus, Van Regenmorter, Bouchard, Gast, Stille, Bennett, Cisky, Steil, Gougeon, Posthumus, Schuette, Dunaskiss and Geake entered the Senate Chamber.

Senator DeGrow moved that Senator Rogers be excused from this week's sessions.

The motion prevailed.

The Secretary announced that the following House bill was received in the Senate and filed on Wednesday, July 16:
House Bill No. 4813

The Secretary announced the enrollment printing and presentation to the Governor on July 22, for his approval the following bills:

Enrolled Senate Bill No. 413 at 4:00 p.m.

Enrolled Senate Bill No. 619 at 4:02 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on July 25, for his approval the following bills:

Enrolled Senate Bill No. 208 at 10:15 a.m.

Enrolled Senate Bill No. 303 at 10:17 a.m.

Enrolled Senate Bill No. 319 at 10:19 a.m.

Enrolled Senate Bill No. 581 at 10:21 a.m.

Enrolled Senate Bill No. 637 at 10:23 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on August 4, for his approval the following bills:

Enrolled Senate Bill No. 164 at 3:17 p.m.

Enrolled Senate Bill No. 166 at 3:19 p.m.

Enrolled Senate Bill No. 169 at 3:21 p.m.

Enrolled Senate Bill No. 171 at 3:23 p.m.

Enrolled Senate Bill No. 172 at 3:25 p.m.

Enrolled Senate Bill No. 521 at 3:27 p.m.

Enrolled Senate Bill No. 534 at 3:29 p.m.

Enrolled Senate Bill No. 302 at 3:31 p.m.
Enrolled Senate Bill No. 173 at 3:33 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on August 6, for his approval the following bill:

Enrolled Senate Bill No. 170 at 2:38 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on August 7, for his approval the following bills:

Enrolled Senate Bill No. 167 at 11:18 a.m.
Enrolled Senate Bill No. 168 at 11:20 a.m.
Enrolled Senate Bill No. 272 at 11:22 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on August 8, for his approval the following bills:

Enrolled Senate Bill No. 114 at 11:25 a.m.
Enrolled Senate Bill No. 225 at 11:27 a.m.

The Secretary announced the printing and placement in the members' files on Friday, July 18 of:

House Bill Nos. 5042 5043 5044 5045 5046 5047 5048 5049 5050 5051 5052 5053 5054 5055
5056 5057 5058 5059 5060 5061

House Joint Resolution AA

The Secretary announced the printing and placement in the members' files on Tuesday, July 22 of:

Senate Bill Nos. 673 674 675 676

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Posthumus offered the following resolution:

Senate Resolution No. 92.

A resolution offered as a memorial for the Honorable Doug Carl.

Whereas, Doug Carl's foundations were set in the small Macomb County town of Romeo, where he attended public schools. In his youth, it was a place where there were no strangers and everybody looked out for each other. Doug's work ethic was established in his father's appliance store, where he learned integrity as practiced by a small town businessman. He also used this experience to develop empathy for people and the situations they faced on a day-to-day basis; and

Whereas, Serving as his ideological and political role models were Adam Smith and Abraham Lincoln. Smith showed him the importance of having a free market in society, where natural forces and not government governed the ebb and flow of everyday commerce. His studies at Michigan State University fed the attitudes of a governmental leader in the making, who transferred what he learned in East Lansing to his service on the Macomb County Board of Commissioners, the Michigan House of Representatives, and the Michigan Senate; and

Whereas, As a county commissioner, Doug learned government from the ground up. As he listened attentively to the whole panoply of people that he represented, he developed a desire to affect state issues. Taking his Lincolnesque philosophy to Lansing, he served in the House of Representatives and the Senate as a staunch advocate for the freedom of individuals to live their lives without government interference. Doug set a pattern for total scrutiny of all tax proposals to make sure that government did not take more from taxpayers than was needed; and

Whereas, His responsibilities in the Michigan Senate expanded with his chairmanship of the Senate Transportation and Tourism Committee. Doug played an instrumental role in the development of transportation policy and was an ardent advocate for a state highway system. When cigarette smugglers turned our state into a haven for ill-gotten gain, Doug Carl's bold and patient moves led to a solution to this vexing problem; and

Whereas, In all corners of his Senate district, he was highly regarded for his integrity and his compassion. He made an effort to know his constituents and their concerns by setting office hours that started early in the morning and ended late at night. He went into their living rooms, talked in their yards, and went to their places of work; and

Whereas, Doug Carl's legacy will touch the lives of many people. He mentored many youngsters who went on to assume statewide and national responsibilities on the political waterfront; and

Whereas, For all the remembrances and all the rewards he received for his steady and consistent service, nothing could compete with his love for his family. He looked forward to being home with his wife, Maria, and his daughter,

Colleen. They gave his life that special meaning that keeps you going through the thick and thin of public life. His mother, Dorothy McClarty, was a special influence on her son. She was a friend, a guiding light, and a role model; and

Whereas, The transcendent value in his life was his love for God. He knew his Creator and he had a personal relationship with Jesus Christ, the source of power, purpose, and direction for his life. He knew he would leave this earth at some point and join a heavenly family. It was a knowledge that emboldened him so that his work would be carried on. He is at peace; now, therefore, be it

Resolved by the Senate, That we offer our words of praise as a memorial for the Honorable Doug Carl, member of the Michigan Senate. May his family find comfort in their faith and in their memories of this fine man and his distinguished career; and be it further

Resolved, That copies of this resolution be transmitted to his wife, Maria, his daughter, Colleen, and their family as evidence of the lasting esteem we will always hold for his memory.

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

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

Senator DeGrow moved that the resolution be read.

The motion prevailed.

The resolution was adopted by a unanimous standing vote of the Senate.

Senator DeGrow moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Posthumus, Geake, Bullard, Stille, Steil, Cherry, Bouchard, Emmons, V. Smith, Peters, Stallings, Van Regenmorter, DeBeaussaert, Miller, Conroy and Vaughn asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Posthumus' statement is as follows:

I know that I express the sentiment of everybody in this Chamber when I say that I was shocked at the news of the passing of our colleague and our good friend, Doug Carl. Certainly words can't describe our feelings, both then and today. I'd like to take just a couple of minutes, as we start our the session to remember what Doug meant to us and what he meant to this body.

First, we certainly remember him as our colleague from Macomb County and as a friend and a fellow traveler in our journey to help make this state a better place for everyone. His values were certainly clear. He always stuck to them with every bit of his power. He was a valiant fighter for freedom of the individual and for families and his heart-felt desire was that both could grow and thrive without a great deal of governmental interference.

Our friend, the Senator from the 12th District, brought an innate sense of integrity to this body. There's no question or mind whether you agreed with him or not, he was always true to himself and what he believed in, whether it was raising the speed limit or fighting to stop cigarette smuggling in this state. He knew what he believed in and he was willing to stick to it and talk about it on this floor.

He, at the same time, seemed to always be able to smile and laugh where there was a corny joke or something that would help break the tension of that specific moment. With all the demands that come with a job like this, he kept his values in order. He, I know, went home every single night to be with his family, because his first love wasn't this job. His first love was to his God and then his second, of course, his family.

Maria, as Doug's wife, our hearts go out to you. You certainly were a very, very big part of that life. Colleen, he adored you. You were the apple of his eye. Every time we talked about it he beamed and he smiled and I know he's smiling today. You should be proud of who he was and what he stood for. We will all miss him.

Senator Geake's statement is as follows:

As we celebrate the life and work of Doug Carl today, I wanted to say to his family (Maria and Colleen) that rarely in my 25 years in the Legislature have I worked with a member so consistent and determined in his beliefs as Senator Doug Carl.

What I admired most is that he never, to my knowledge, let the political winds of the day shake him from a strong stance against government intrusion in the lives of ordinary citizens.

Although we did not see eye-to-eye on every matter, for instance some of those regarding the state budget, I particularly admired his principled pro-family stance on the health and human services issues.

Doug Carl consistently battled the detrimental influence of tobacco products on the health of children. He served on the special Senate task force that produced Proposal A, which has improved the financial condition of the poorer school districts in Michigan. As Chair of the Transportation Committee he helped develop several proposals that have improved the lot of Michigan's motorists.

Finally, I want to recall Doug Carl as he was the last time I saw him: unfailingly polite, he engaged in the fierce debate over final passage of the Transportation package.

In his final public statement in the July 10 Journal of the Senate, we can hear Doug Carl, consistent to the end (and I quote), "I wholeheartedly supported and voted for the previous bill and the package that we have debated here tonight. The package represents a tax cut for our children and our grandchildren. It provides needed financing for a key part of our infrastructure, vital to growth and prosperity."

That, in a couple of sentences at the end of a very long day, was Doug Carl, with a vision for the future of the children of our state and proudly protective of the working family.

Senator Bullard's statement is as follows:

I just wanted to say a few words about Doug. We had a special friendship and I have many special memories of him. I was elected to the Legislature in 1982. Doug came two years later and some time in January 1985 I met a tall, friendly man who was Doug Carl. He was sitting right in front of me on the House floor, so we had many conversations because we were both new Legislators, me in my second term and him in his first. Some time before the end of his first year he told me something absolutely shocking. He told me he was thinking of running against an incumbent Republican Senator. For me, being a newcomer, this just seemed like "why would you give up a safe House seat?" and it just astounded me. Doug and I talked about it many times and as I recall, every political expert in Lansing told him, "No, don't run. That's not a good idea. Just stay in your safe House seat. Wait your turn. You're a young man. Just wait your turn."

Well, I think Doug knew his people. He knew his district. I think he knew when he made a tough decision that he was the person who the people of his district wanted to represent them. So, ten years later, I managed to come over to the Senate and who was sitting in front of me? Doug Carl. So we continued to have many discussions on many issues.

The thing that I think most impressed me about Doug is he was a man of principle. Whether you agreed with him or disagreed with him, he had consistent views that came from his background, his family values from his constituency and he never wavered. He stuck to those principles and for that I will always admire him. As we think today of Colleen and Maria and Doug's mother and the rest of his family, we want them to know that Doug will be very missed and he'll leave a big void in the State Senate.

Senator Stille's statement is as follows:

I think the biggest thing I will remember about Doug Carl is, first of all, my changing perception of the man Doug Carl. I knew him as a fledgling legislator from the other end of the Capitol. I also knew him as a young Senator that had a tremendous gift of oratory intended to talk at length.

As I joined two committees on this end of the Capitol, my respect continued to grow over the months and years that I knew Doug. I shared the Transportation Committee with him and really gained a great deal of respect for him. But I don't think I really got to know the rest of Doug Carl until I attended visitation after his death and met his family and the friends around Doug from his corner of the state, and realized the warmth that created Doug Carl. It was a real awakening for me and a revelation that I will not forget. The scene of the funeral home and Doug, and the realization of a young man being taken away from us, is one of those few moments in life that we often remember. It makes quite an impact.

I will always respect Doug Carl for his sense of ethic, for his sense of principle and his sense of direction. This chamber will sadly miss those senses that he was so tenacious about various issues that he believed in very strongly.

Senator Steil's statement is as follows:

Today we are remembering a good friend and colleague, Senator Doug Carl. In the three years in which I have had the pleasure of serving with Senator Carl, I have always found him to be honest, hard working, and a strong supporter of the conservative values that he held so dear. Doug always kept the proper perspective on his role as an elected official.

I truly respect the dedication he demonstrated to his job as State Senator. As a legislature returns to its business today, Senator Carl's absence is felt by all of us. He was a gentleman and a fine Senator and we will all miss his presence in this body.

Senator Cherry's statement is as follows:

Doug Carl will be missed in this body. I don't know that I can state that as eloquently or thoroughly as our resolution did, but let me simply say that Doug was a man of very strong principle and very clear voice. But I think what was unique about Doug was he did not allow those qualities to set him apart. In fact, what those qualities did was impel him to be an active member of this fine institution.

I count among my blessings the opportunity to have served with Doug both in the House and in the Senate. We were both elected here in 1986. Let me say that not only was it my good fortune to serve with him, but it was my better fortune to work with him.

Doug was a person who was always open to working with individuals within this body regardless of their partisan affiliation or their philosophical inclination. He clearly had his point of view, but he understood that for this institution to function, we all had to function together.

Madam President, it would really be my hope that as new members join this institution, Doug Carl will serve as a model of how a Senator should perform their responsibilities. More importantly, I suspect Doug will serve as a model for many who aspire to public service and they will have a good model in Doug Carl.

Senator Bouchard's statement is as follows:

It is my honor and privilege to rise to talk about a good friend of all of us, and a seat-mate of mine, Senator Carl. It struck me particularly, I think, how much I had in common with Doug: We were both close to the same age and both had young children, as I also have a young daughter. So I have given this a great deal of thought. Perhaps in a small way, that is one of Doug's last gifts to us, as it helps us to re-examine our lives and the importance of certain things like God and family in the life we are living.

I was fortunate to see him the night before he passed and he had that everlasting smile on his face and a good cheer.

One of the things I periodically do is read a book that has inspirational passages in it and two came very fast to my mind as ones that summed up Doug Carl. The first one was a quote from the former president of the University of Notre Dame, and it is simply, "My basic principle is that you don't make decisions because they are easy. You don't make them because they are cheap. You don't make them because they are popular. You make them because they are right." And I can hear those words coming from Doug Carl.

The other inspirational story I found particularly appropriate deals with public service. Service to others often times is not glamorous; requires sacrifice on behalf of the family and all of the individuals who are serving here in a variety of roles throughout the community; it is financially draining sometimes; it is difficult hours; but it is, on the bottom line, God's calling when you give to others. It reminds me of the story of the doctor who devoted his life to helping the underprivileged in a large urban community over a liquor store who gave free medical care. There was simply a sign in the front window that said, "Doctor Williams is upstairs." Finally, after many years of service, he died. He had no relatives and had left no money for his burial, and never asked for payment from anyone he treated. So, friends and patients scraped together enough money to bury the individual, but they had no money for a tombstone and it appeared as if he was going to go without a tombstone. One person had a wonderful suggestion. They took the sign from the window and nailed it to a board, and it simply said "Doctor Williams is upstairs."

I am sure that is where Doug Carl is.

Senator Emmons' statement is as follows:

I had a relationship with Doug Carl both on the Finance Committee, and because he was so good at it, he got to be over on the Education Committee with me.

I remember, particularly, that Doug took on a very difficult task—that still is not solved—of the tobacco stamping issue. It was a difficult issue. It was a complex issue and Doug spent hours and hours and hours talking and bringing people together. We finally did get a solution out of this body, largely on the work that Doug Carl did.

He was, during that entire difficult procedure, a kind and courteous gentleman. He always had a kind word for me, even sometimes when I wasn't so kindly. I really enjoyed working with him. He had a tenacity. If a constituent had a problem, he stuck with that until he found a way to help.

He was a rare individual who we could admire, but more importantly we ought to emulate. He knew what he stood for, he knew what he needed to do to stand by those principles, but most importantly, Doug Carl knew where he was going. I am much cheered by his singular faith in my life, and I certainly hope to emulate that great expression of joy that we all saw in Doug Carl.

I certainly know that Maria and Colleen saw that example and will honor their husband and father in following in those same steps. Doug was friend we will miss, I will miss, as we all will miss. But, we must honor his memory with his conduct.

Senator V. Smith's statement is as follows:

I also will miss Doug. I had the pleasure of serving on the Finance Committee with your husband, Maria. He was a fine man; a straightforward man. He spoke his heart and he represented his constituency. He didn't sink to using rumor and innuendo to attack opponents, he didn't sink to using race to race-bait in Macomb County, where that has taken place in the past.

What I liked most about Doug was he said what he meant. One of the things that I remember about him when sitting on the Finance Committee with him, and I eventually came around to his way of thinking—I wasn't there initially, was that Doug did not believe in allowing this legislature to impose taxes on people. He didn't believe in allowing city councils to impose taxes on people, or county boards of commissioners. He felt that when it came to taxation, there is only one political body that should do it, and that is the voters themselves. After many years of serving with Doug on the Finance Committee, I came around to that thinking because I had to agree with him. He was right. Voters should be the ones to do that type of thing. If we are going to take that extraordinary step of raising money, the voters themselves should have to pass on that.

I also was fortunate to see your husband that weekend—always with a smile on his face and always a warm handshake. I am going to miss him. I know everyone in this body will miss him. My thoughts are with you and your daughter, and with his mother. I can only wish you all the best.

Senator Peters' statement is as follows:

I rise to make a few remarks for my friend and colleague, Doug Carl. My friendship with Doug goes back prior to being a member of the Senate. I knew Doug from the investment business and worked with him. I had the good fortune of working with him at Paine Weber for a couple of years prior to my service here in the Senate. During that time we would have frequent discussions about investments and the market and about business opportunities that existed. We also had an opportunity to go out and pursue some clients. In fact, one trip we took up to the upper peninsula as we were working to secure a very large client. However, we had all these discussions and we always turned our discussions to politics. That was truly Doug's passion—politics. It was not about the gamesmanship that you have with politics, but it was about good public policy. That is what he was interested in. How good public policy could help people help themselves and help people raise their families. I think what really drove him in his passion for dealing with families was the fact that he loved his family so much. That Maria and Colleen meant so much to him and that drove everything he did day in and day out.

When I joined the Senate later, I was able to see Doug's passion first hand and have the good fortune of serving with him on the Finance Committee, on the Education Committee and I also served on his task force for dealing with cigarette smuggling. On the Finance Committee, as it was said by some of my colleagues, he was a tireless fighter for the rights of individuals, the working families and their ability to get tax relief for those families that struggle day in and day out to make ends meet and the need for that relief. Doug was a constant and vigorous advocate.

On the Education Committee he never lost sight of what our work was in education and that was trying to get the best quality education for Michigan's children. To have the best opportunity for everyone. Although Doug and I often disagreed on some of the means to accomplish that end, we never disagreed on the end and I always respected Doug's strong steadfast advocacy for that.

We all know that Doug was a constant fighter for conservative issues and values, but what I respected most about him is that he was never afraid to take anyone on in fighting for those issues. He would be willing to take on his own party, if he needed to. He was willing to take on the Governor, if he needed to. He certainly was not afraid to take on my party, if he needed to. But while he was doing that, he never issued a harsh word. Never had a personal attack. He always dealt with every issue with incredible respect and incredible civility. In this day of ugly politics, mean spirited talk radio and harsh rhetoric—we need to take Doug's message to heart. Despite our policy differences, we can still be friends and deal with each other day in and day out as friends.

So with Doug's passing, there is no question that the people of the state of Michigan have lost a very committed public servant. Members of this Senate have lost a very respected colleague. There is no question that I have lost a friend and I will miss him.

Senator Stallings' statement is as follows:

To Maria, to Colleen and the Carl family, it's really a shock for me to have heard that they had celebrated his home-going service. I had an opportunity to work with Senator Carl on the Finance Committee and found him to be a man of impeccable integrity. I also found him to be, in further dialogue with him, a good Christian of the same like faith. So, I'd like to share with this body and with his wife and daughter a Psalm of David that embodies how I feel about Doug Carl. Psalm 26 is where David is praising God and it goes:

"Judge me, O Lord; for I have walked in mine integrity: I have trusted also in the Lord; therefore I shall not slide. Examine me, O Lord, and prove me; try my reins and my heart. For thy loving kindness is before mine eyes: and I have walked in thy truth. I have not sat with vain persons, neither will I go in with dissemblers. I have hated the congregation of evil doers; and will not sit with the wicked. I will wash mine hands in innocency: so will I compass thine altar, O Lord: That I may publish with the voice of thanksgiving, and tell of all thy wondrous works. Lord, I have loved the habitation of thy house, and the place where thine honour dwelleth. Gather not my soul with sinners, nor my life with bloody men; In whose hands is mischief, and their right hand is full of bribes. But as for me, I will walk in mine integrity: redeem me, and be merciful unto me. My foot standeth in an even place: in the congregations will I bless the Lord."

Senator Van Regenmorter's statement is as follows:

My colleagues of today very eloquently described Doug Carl's deep principle, his ethics and his hard work. I know that principle and those ethics and that hard work were driven by his deep faith in Jesus Christ and the fact that he followed Jesus Christ. I thought Maria and Colleen did a remarkable thing at the funeral in describing it as a celebration of his homecoming. Of course, they were absolutely correct. That ceremony reflected Doug's life much more powerfully than anything else that he had done or stood for. In fact, he left us, I think, an outstanding example of a man of faith. I am very, very pleased that I can call him a friend and that we can be a part of the example that he left.

Senator DeBeaussaert's statement is as follows:

I'm sure there have been many difficult days for the Carl family in the past weeks and I'm sure that, in some ways, this is a difficult day. But I also want to thank the Carl family for allowing us this opportunity to share some of our thoughts and feelings about our colleague.

I knew Doug Carl for nearly 20 years in Macomb County and it was never hard to tell where he stood. It wasn't just his imposing physical stature that made him a landmark on the political horizon. His thoughts, his words and his deeds always staked out his positions very clearly. You didn't always have to agree with Doug Carl to respect that commitment to the causes that he championed.

It was only in the last three years here in the Senate that I had the chance to work more closely with Doug, serving with him on the Education Committee or on the Senate floor, trying to find ways—common areas where we could work together to advance the causes of our constituents in Macomb County. I'm grateful that I had that opportunity because it really gave me a much better understanding, appreciation and respect for the Senator from the 12th District, who has also left me with a much deeper sense of sadness at his passing.

Doug Carl spent nearly all his adult life in the public arena in one form or another. He also opened the door of opportunity to countless young people in the political process. Through them he will continue to leave a mark on that process. He also assembled a professional staff in Lansing and in Macomb County that served him, and through him, served the people of his district. I know a number of those people are here today and I know that they've lost more than an employer. They've lost a friend and a mentor and I want to offer them my sympathy. I also want to thank them for their great efforts on behalf of the people of the 12th District, Macomb County.

Earlier this year, Senator Carl was quoted as saying that if he left this Senate before the end of the term, he would do so with his head held high and a song in his heart. His own words helped capture, for me, the mental image that I will carry of Senator Doug Carl—that towering frame loping across the Senate Chamber, coming over to share with a smile a good natured joke or a comment on an issue or a political development. Doug Carl was a good man who made this Capitol a more civil place. I will miss him.

Senator Miller's statement is as follows:

This is a very sad day here in this Chamber. Usually the first day back in session after summer you'll hear a lot of laughter and you'll hear a lot of stories about what we did and who we saw. A month ago when I got that phone call and heard about our friend Doug's passing, it was very shocking for a man of his age to leave this earth, leave his family, leave his friends, after such a short stay here. But in that short stay, Doug Carl accomplished more than most people do in twice that life time.

I want to say that I had the privilege, and it truly was a privilege, to know this gentleman, not only as a politician but also as a stock advisor; a person who knew the outside business world. Also, it seems like just yesterday, 11 years ago, that Doug Carl came to this body as a freshman Legislator and freshman Senator. In that 11 years here in the Michigan Senate he was a man that I really admired. No matter what the heat of the debate was, what the argument was, he always approached things with a very, very warm feeling. He had time to listen to everyone's problems—whether you were a Democrat, Republican or an Independent—Doug Carl took the time to listen to the problems.

To his family, I think that his wife, his mother, his daughter, should know that this body respected Doug Carl as a man who had great vision. He had vision 11 years ago when he came here. If you look at some of his accomplishments, he was a man who will be remembered for a long time in this body. He was a great father. We used to exchange some ideas about children. He had a great love for his family, for his wife.

I think he was a man who not only was tall in structure, but he was so tall in principle, in love, and he truly was a man who talked about God's work and cared about his fellow man. I think the biggest part about Doug Carl is that he always had a smile and he had a warm comment to make your life and your day a little better. I know that the people of Macomb County and especially all those constituents whom he represented; with that great staff who always took time, no matter what day it was, whether you saw them at the mall where his district office was, to meet more people and find more solutions, or to take time to be with his family, Doug Carl set an example that will be missed in this body for many many years to come. I want his family to know that he was a friend of everyone here, that he had vision to make this a better state and a better county for all of us. It's going to be hard to replace a man with that many principles and that much vision.

Senator Conroy's statement is as follows:

It was fun working with Doug Carl as a Senator, not only on this floor but sometimes we'd be talking back in the ante-room and reminiscing on raising children and what life was all about. I recall back—I believe it was Harry Gast that had a committee and Joanne, as well, served on it—to try to get the money put back together for the cut in the property tax. We kind of had been talking about 50 cents a pack on cigarettes and in Doug's nice kind of way, he was always kind of carving away at that, trying to see if that was all that necessary. While I was very much in support of the 50 cent tax, finally after about three weeks of him kind of gnawing away at this and trying to cut it down, I said, "Well, Doug, how much would you vote for? How much really would you tax cigarettes?" He said, "Well, about 5 cents." Of course, that was not going to do anything to try to help solve the problem, but that was something that he was very sincerely responding to. I think it really kind of is a portrait of his service here in the Senate, that these taxes

aren't good. Even he was opposed to cigarettes himself, so it wasn't a case of the source in which that money would be coming from.

On the issue of 70 mph—I guess I was the person on this side who worked with him on that issue. I was frankly surprised how strong he was on that and how resolute he was. He even had some kind of a demonstration down there in his district on the expressways, having a bunch of people drive 50 mph or 60 mph, whatever it was. Apparently it tied up traffic for a morning or at least a period of time. That's an example of what the public was indeed doing anyway. They were driving that fast anyway and he seemed to want to sanctify that.

On the cigarette tax, I wanted to put the stamp inside the cellophane. We didn't have any argument about doing it, but I wanted to put the stamp inside the cellophane so we started talking to manufacturers about doing that. Of course, they don't want to do anything like that. Doug was just kind of worried—"Well, the Governor just may not fight for that, may not accept that." He was just a very thoughtful person. He wanted to get things passed even within the realm of his points of view.

He was a practical person. I don't think it could be said that he wasn't. He was effective here. He did things. Certainly, when he got up sometimes, even in spite of the objections of his own party, his own colleagues, he would say his piece. He was one of the kindest people on this floor—always gentle and someone who was upbeat.

Maria and Colleen, you've had quite a fighter down here. We've enjoyed working with him and we're going to miss him.

Senator Vaughn's statement is as follows:

I had to stand here and say something about Doug. I had the pleasure of going to his funeral to be with his family and the community. I think we're all challenged, somehow. Do something in life that will outlast it. I was sitting here thinking who shall say a few kind words about all of us. I think it's primarily on the way we live. I'm here to offer a small voice. I admired him because of his diplomacy. He added what the British would call, class, to everything he did here in terms of his effort, his pursuit and the way he carried himself. He actually preached a sermon in his life, the way that he lived, the way he talked and in his openness.

I am going to miss him for his outstanding work and he practiced quietism. Here was a diplomat, first class, but he practiced quietism in terms of his approach. I was always struck by this whole mannerism, and words go out to the family; what a life to have lived. It doesn't matter how long, it's how well we lived and I think that's the challenge for all of us.

We wonder who shall stand in this place and say a few kind words about all of us in that appointed hour. Not that we live for that purpose, but it does show in the end what you have done for the least of these, what you have said about others in terms of practicing some kind of notion. Doug practiced quietism, but very effectively and we all shall miss him for the way he lived and the way he died.

Senator DeGrow moved that a statement made by the Lieutenant Governor be printed in the Journal.

The motion prevailed.

Lieutenant Governor Binsfeld's statement is as follows:

What I saw in Senator Doug Carl was a person who recognized the importance of the governmental process; how important it was in the lives of the people. Therefore, he participated in a strong way to bring his moral convictions to the legislative debate. And, he fulfilled his mission both with strength and courage and we will all remember that.

You know, we are sort of an extended family here. We debate profusely and we sometimes become impatient with one another. But one thing that I know is true is that when one of our members hurts in any way or a member of our family does, we have great compassion. We feel that today, for you Maria, Colleen and Dorothy. Dorothy, as a mother, I can really empathize with you. We were discussing a little earlier this morning that it's not quite a year ago that I received a phone call, such as she did, on a Sunday, such as she did, about the same hour, 1 p.m., I had lost a son, the same age, with an instant heart attack.

And, so, I know that loss that they are feeling and I know that all your prayers and your caring will help to see them through. Doug was a young man, as was my son, but none of us know the hour or the day. I hope and pray that we will each live our lives so that when that day comes for us, we will be prepared to meet our Creator as those two young men were.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator DeGrow moved that the following bill, now on the order of General Orders, be referred to the Committee on Transportation and Tourism:

Senate Bill No. 582, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds

from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending the title and sections 1c, 1d, 3, 5a, 7, 10, 10a, 10c, 10k, 11, 11b, 12, 12c, 13, 13a, 14, 16, 17, 18a, 18b, 18c, 18d, 18e, 18l, and 20a (MCL 247.651c, 247.651d, 247.653, 247.655a, 247.657, 247.660, 247.660a, 247.660c, 247.660k, 247.661, 247.661b, 247.662, 247.662c, 247.663, 247.663a, 247.664, 247.666, 247.667, 247.668a, 247.668b, 247.668c, 247.668d, 247.668e, 247.668l, and 247.670), the title and section 11b as amended by 1992 PA 223, sections 1c and 10k as amended and section 12c as added by 1982 PA 438, section 5a as added by 1981 PA 184, sections 10, 11, 12, 13, and 17 as amended by 1993 PA 294, section 10a as amended by 1992 PA 137, section 10c as amended by 1990 PA 73, section 14 as amended by 1987 PA 234, sections 18b and 18e as amended by 1985 PA 201, and section 18l as added by 1992 PA 224, and by adding sections 1g and 11f; and to repeal acts and parts of acts.

The motion prevailed.

Senator DeGrow moved that the Committee on Transportation and Tourism be discharged from further consideration of the following bill:

Senate Bill No. 458, entitled

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

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the bill be referred to the Committee on Health Policy and Senior Citizens.

The motion prevailed.

Senator DeGrow moved that the Committee on Transportation and Tourism be discharged from further consideration of the following bill:

Senate Bill No. 273, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator DeGrow moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 514

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

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

Senate Bill No. 273, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 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.

Substitute (S-5).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator DeGrow moved that the rules be suspended and that the following bill be placed on its immediate passage:

Senate Bill No. 514

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

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 473

Yeas—20

Bennett	Dunaskiss	Hoffman	Schwarz
Bouchard	Emmons	McManus	Shugars
Bullard	Gast	North	Steil
Cisky	Geake	Posthumus	Stille
DeGrow	Gougeon	Schuette	Van Regenmorter

Nays—15

Berryman	DeBeaussaert	Miller	Stallings
Byrum	Dingell	Peters	Vaughn
Cherry	Hart	Smith, A.	Young
Conroy	Koivisto	Smith, V.	

Excused—1

Rogers

Not Voting—1

O’Brien

In The Chair: President

Senator V. Smith moved that Senator O’Brien be excused from the balance of today’s session.
The motion prevailed.

The following bill was read a third time:

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 question being on the passage of the bill,

Senator Byrum offered the following amendments:

1. Amend page 2, line 6, after "(4)" by inserting "UNTIL DECEMBER 31, 1999,".
2. Amend page 2, line 9, after "(5)" by inserting "UNTIL DECEMBER 31, 1999,".

The question being on the adoption of the amendments,

Senator V. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

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

Roll Call No. 474

Yeas—15

Berryman	DeBeaussaert	Miller	Stallings
Byrum	Dingell	Peters	Vaughn
Cherry	Hart	Smith, A.	Young
Conroy	Koivisto	Smith, V.	

Nays—19

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

Excused—2

O'Brien	Rogers
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Not Voting—1

Van Regenmorter

In The Chair: President

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. 475

Yeas—20

Bennett	Dunaskiss	Hoffman	Schwarz
Bouchard	Emmons	McManus	Shugars
Bullard	Gast	North	Steil
Cisky	Geake	Posthumus	Stille
DeGrow	Gougeon	Schuette	Van Regenmorter

Nays—15

Berryman	DeBeaussaert	Miller	Stallings
Byrum	Dingell	Peters	Vaughn
Cherry	Hart	Smith, A.	Young
Conroy	Koivisto	Smith, V.	

Excused—2

O'Brien	Rogers
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Byrum, V. Smith and Conroy, under their constitutional right of protest (Art. IV, Sec. 18), protested against the passage of Senate Bill No. 514.

Senators Byrum and V. Smith moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Byrum’s statement is as follows:

I, too, must rise in opposition of final passage. I will acknowledge that these short-term duration health policies is an issue that needs to be addressed by the Michigan Legislature. It’s been very problematic, very difficult to define out, and gave the committee quite a good deal of frustration in working through trying to craft language that would both address the issue, but also not circumvent what we put in place with the Patients’ Bill of Rights. We had an extreme amount of difficulty in the Patients’ Bill of Rights dealing with pre-existing conditions and the guarantee renewability of health policies. And this issue has played itself out again in the short-term duration policies.

I think that my whole attempt in trying to put a sunset in place was to make sure that this fix was in the best interest of Michigan’s consumers—the people who were purchasing these health care policies—and that the fears on one side of the argument didn’t come to be, to play out and that the testimony that we were getting from the other side of the issue—from the insurance companies—was, in fact, accurate in terms of practices in the market. I thought the best way to do that was to take a look two years out by sunseting it, making them come back and having the justification at that time instead of trying to pass a new law to undo what had been potential problems in the market. That didn’t come to be and, therefore, I need to be in a position of opposing this at this time.

I would also like to address the deliberative nature of the state Senate. And yes, the committee did spend some time a week ago—quite an extensive period of time a week ago. We discussed it briefly. I don’t really think there was a committee meeting last spring on this issue. If there was a committee meeting, I remember it being on and off again back in a caucus room. That aside, I think the deliberations are going to occur in the House and they’re going to occur in the House Committee on Insurance chaired by State Representative David Gubow, and if that’s the way the Senate is going to proceed on its deliberations, I guess my “no” vote will be placed here and we’ll let the House deliberate.

Senator V. Smith’s first statement, in which Senator Conroy concurred, is as follows:

The good Senator made my point for me. Senate Bill No. 514 is exempted from the legislation we passed on October 1, 1996, dealing with pre-existing conditions and the Patients’ Bill of Rights. Since it’s exempted, in effect, Senate Bill No. 514 has the potential to allow the user to renew this six-month policy and does not guarantee renewability on behalf of the client, but it does allow the insurance companies to renew. If the insurance companies decide to just renew the short-term coverage, they can go around the Patients’ Bill of Rights, they can go around the

pre-existing conditions and they pick and choose whether they want to allow that coverage to exist or not allow the coverage to exist. For all intensive purposes they have the ability to gut the Patients' Bill of Rights that was passed in October 1, 1996. If that's the purpose of what you're trying to accomplish, then I guess you need to put a "yes" vote up. If you're concerned about that, you need to stand with those of us that are opposed and put a "no" vote up. I would ask that you would vote no.

Senator V. Smith's second statement, in which Senator Conroy concurred, is as follows:

I would ask the body to turn this bill down at the present time. I do think that there may be some basis for passage of this bill, but we have skipped the committee process. We basically are in our first day back after a long summer break. Nobody is really concentrating on this issue. We didn't see too much debate on General Orders because I don't think most of the body has concentrated on what came out of the Health Policy and Senior Citizens Committee. This bill seems to turn around what occurred just last year when the Patients' Bill of Rights was passed on October 1, 1996. I am just wondering why would we try to reverse a law which just went into effect in October, and do it in such a way that we're doing it on the first day that we return after the summer and we're doing it without the committee process. I was hoping that we would become, and go back to, the deliberative body which the Senators always have been known as. If you have got the votes, fine, then you can pass it now or you can pass it next week. But what's wrong with a little deliberation? What's wrong with a discussion on this issue? What's wrong with a give and take of an amendatory process? Why are we in such a hurry that the first day back we're going to suspend all the rules, push this bill right to the head of the calendar and then pass it so we can see it sit over in the House? I would hope that the members of this body would take another look at this particular piece of legislation and that they would try to look at some of the changes that were made in the committee on Senate Bill No. 514 and not support its passage at the present time.

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

The motion prevailed.

Senator Shugars' statement is as follows:

The Health Policy and Senior Citizens Committee did hold committee meetings before we broke for the summer. Over the summer we did work on the bill. When we came back, we had a meeting last week and then also last Thursday after the committee meeting we had the groups that were interested, that wanted to take the time to work on this bill, work on some of the details, and then this morning we were able to vote it out. I believe that there was an extensive amount of deliberation, debate and discussion from a number of the people involved.

To be consistent in the Patients' Bill of Rights, it's important to know that this section is already exempt and is a conflict with guaranteed issuance. If we are going to be consistent, we need to correct it also in this bill. This bill is going to correct that.

Under the Kennedy-Kassenbaum, if you're a Democrat, and if you're a Republican, it's Kassenbaum-Kennedy bill—under the federal legislation they exempt the short-term health care policies. They obviously felt that this was something not to be covered under the portability act.

But I want to finish with one phrase and I want everyone to think about this. If you vote "no" on Senate Bill No. 514, you are denying affordable health insurance for the unemployed. I urge your support for Senate Bill No. 514.

By unanimous consent the Senate returned to the order of
Resolutions

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

Senate Resolution No. 90

Senate Resolution No. 91

Senate Resolution No. 93

The resolution consent calendar was adopted.

Senators Miller and Dingell offered the following resolution:

Senate Resolution No. 90.

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. Cavalry in 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 Frederick 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 strengthen and enrich, 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 Shugars, Vaughn, Schwarz, McManus, Stille, Conroy, Berryman, Young, Cherry and Hoffman were named co-sponsors of the resolution.

Senators Steil, Cisky, Vaughn, Byrum, Posthumus, DeGrow and A. Smith offered the following resolution:

Senate Resolution No. 91.

A resolution honoring Dorothy A. Stevens.

Whereas, For her 31 years of dedication and service to the state of Michigan, 20 years of which was with the Municipal Employees Retirement System of Michigan (MERS), it is with the utmost respect that we honor Dorothy A. Stevens, as she retires as the Executive Director of MERS, effective October 1, 1997. It is a privilege to pay homage to this individual for the contributions of her time and talents to the people of the state of Michigan; and

Whereas, Dorothy began her tenure with the state of Michigan in the Treasury Department in 1965 as an Executive Secretary. In 1970, Dorothy advanced within the department to become the Administrative Assistant to the Director of Investments. The year 1976 marked a change in Ms. Stevens' career path. A new route was forged which would lead Dorothy to wonderful future successes, as she accepted a new position in the Department of Management and Budget as the Investment Analyst for MERS. Dorothy's responsibilities included the oversight of the system's outside investment managers and the investment of the system's daily cash balance. Appointed as the Administrator of MERS in 1987, Dorothy became responsible for the planning and directing of the daily operations of the retirement system. In addition, she continued her role in administering investment programs and benefits for both retirees and current employees; and

Whereas, Great changes took place within MERS during August of 1996, when it established itself as an independent agency from the state of Michigan. Its new identity became that of a nonprofit corporation. Dorothy, known for her extensive experience, loyalty, and leadership, was appointed as its first Executive Director; thus, ending her 31 years in state government and initiating her beginning in the corporate arena; and

Whereas, It is a privilege to acknowledge the distinguished career of Dorothy A. Stevens. She is deserving of our gratitude and praise for her contributions within the state of Michigan. We join with her family, colleagues, and friends in honoring Dorothy on the occasion of her retirement; now, therefore, be it

Resolved by the Senate, That tribute be accorded to Dorothy A. Stevens; and be it further

Resolved, That a copy of this resolution be transmitted to Dorothy A. Stevens as evidence of our immeasurable respect.

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

Senator Rogers offered the following resolution:

Senate Resolution No. 93.

A resolution commemorating the week of September 21-27, 1997, as "Lawsuit Abuse Awareness Week" in Michigan.

Whereas, One of the primary roles of state government is to cultivate an atmosphere which encourages innovators and dreamers to risk capital, seize opportunities and create jobs for Michigan citizens; and

Whereas, The government's duty to protect an entrepreneurial environment for its citizens is equaled in importance by its duty to defend each citizen's security and right to equal protection under the law; and

Whereas, Lawsuit abuse discourages innovation and the development of products needed by Michigan citizens; and

Whereas, Lawsuit abuse corrupts our civil justice system, denies justice to its victims, and has made a mockery of the principles of personal responsibility and fairness that our nation's founders worked admirably to promote; and

Whereas, Michigan citizens have formed a coalition called Michigan Lawsuit Abuse Watch, M-LAW, to stop abuses of Michigan's civil justice system and to educate the public about the negative effects lawsuit abuse has on our families; and

Whereas, The bi-partisan efforts of M-LAW's supporters deserve the encouragement of all elected leaders who are sworn to defend our constitution; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the week of September 21-27, 1997, as "Lawsuit Abuse Awareness Week" in Michigan and encourage all citizens of our great state to support efforts to ensure fairness and personal responsibility in our courts; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Lawsuit Abuse Watch Coalition as evidence of our respect and best wishes.

Senators Shugars, Schwarz, McManus, Stille, Young and Hoffman were named co-sponsors of the resolution.

Committee Reports

The Committee on Health Policy and Senior Citizens reported

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.

With the recommendation that the substitute (S-5) 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 and Bullard

Nays: Senator O'Brien

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, September 23, 1997, at 8:30 a.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 167 submits the following:

Meeting held on Tuesday, July 1, 1997, at 3:00 p.m., Senate Appropriations Room, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 173 submits the following:

Meeting held on Tuesday, July 1, 1997, at 4:00 p.m., Room 405, Capitol Building

Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 172 submits the following:

Meeting held on Tuesday, July 1, 1997, at 4:20 p.m., Room 405, Capitol Building

Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 168 submits the following:

Meeting held on Wednesday, July 2, 1997, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators McManus (C) and Koivisto

Excused: Senator Gast

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 166 submits the following:
Meeting held on Wednesday, July 2, 1997, at 3:00 p.m., Senate Appropriations Room, Capitol Building
Present: Senators Steil (C), Gast and O'Brien

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 4309 submits the following:
Meeting held on Thursday, July 3, 1997, at 1:00 p.m., Room 424, Capitol Building
Present: Senators Schwarz (C), Cisky and Koivisto

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill Nos. 4219 and 4220 submits the following:
Meeting held on Thursday, July 3, 1997, at 1:00 p.m., Room 428, Capitol Building
Present: Senators Schuette (C), Gougeon and Stallings

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 171 submits the following:
Meeting held on Thursday, July 3, 1997, at 4:30 p.m., Senate Appropriations Room, Capitol Building
Present: Senators DeGrow (C) and A. Smith
Excused: Senator Steil

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 4310 submits the following:
Meeting held on Wednesday, July 9, 1997, at 11:00 p.m., Room 351, Capitol Building
Present: Senators DeGrow (C), Schwarz and Conroy

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 174 submits the following:
Meeting held on Friday, July 11, 1997, at 3:00 p.m., St. James Township Hall, 37735 Michigan Avenue, Beaver Island, Michigan
Present: Senator Hoffman (C)
Excused: Senators DeGrow and O'Brien

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:
Meeting held on Thursday, July 24, 1997, at 1:00 p.m., Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan
Present: Senators Van Regenmorter (C), Rogers and Dingell
Excused: Senators Cisky, Geake, Peters and V. Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:
Meeting held on Monday, August 4, 1997, at 10:05 a.m., Grand Traverse County Commission Chamber, 400 Boardman Avenue, Traverse City, Michigan
Present: Senator Bullard (C)
Excused: Senators Emmons, Hoffman, Miller and Hart

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Monday, August 4, 1997, at 6:00 p.m., Oakland County ISD, 2100 Pontiac Lake Road, Waterford, Michigan

Present: Senators Van Regenmorter (C) and Peters

Excused: Senators Rogers, Cisky, Geake, Dingell and V. Smith

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Wednesday, August 6, 1997, at 1:00 p.m., Kalamazoo County Administration Building, Commissioner Room, 201 W. Kalamazoo, Kalamazoo, Michigan

Present: Senator Van Regenmorter (C)

Excused: Senators Rogers, Cisky, Geake, Dingell, Peters and V. Smith

COMMITTEE ATTENDANCE REPORT

The Michigan Trial Court Assessment Commission submits the following:

Meeting held on Friday, August 22, 1997, at 10:00 a.m., 8th Floor Conference Room, Farnum Building

Present: Senators Van Regenmorter and Dingell

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Thursday, September 11, 1997, at 4:00 p.m., Kent County ISD Building, 2930 Knapp, N.W., Grand Rapids, Michigan

Present: Senator Van Regenmorter (C)

Excused: Senators Rogers, Cisky, Geake, Dingell, Peters and V. Smith

COMMITTEE ATTENDANCE REPORT

The Michigan Sentencing Commission submits the following:

Meeting held on Monday, September 15, 1997, at 3:00 p.m., Holiday Inn Lansing West Conference Center, 7501 W. Saginaw Highway, Lansing, Michigan

Present: Senators Geake (C), Van Regenmorter and Dingell

Excused: Senator Peters

COMMITTEE ATTENDANCE REPORT

The Michigan Sentencing Commission submits the following:

Meeting held on Tuesday, September 16, 1997, at 9:00 a.m., Holiday Inn Lansing West Conference Center, 7501 W. Saginaw Highway, Lansing, Michigan

Present: Senator Geake (C)

Excused: Senators Van Regenmorter, Dingell and Peters

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy and Senior Citizens submits the following:

Meeting held on Tuesday, September 16, 1997, at 10:00 a.m., Room 210, Farnum Building

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

Excused: Senator Byrum

COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Wednesday, September 17, 1997, at 10:00 a.m., Room 310, Kent County Administration Building, 300 Monroe Avenue NW, Grand Rapids, Michigan

Present: Senator Gougeon (C)

Excused: Senators Bouchard, Geake, V. Smith and Peters

Scheduled Meetings

Administrative Rules Joint Committee - Thursday, September 25, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-6476).

Conference Committee on Senate Bill No. 174 - Wednesday, September 24, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2426).

Legislative Retirement Board of Trustees - Wednesday, October 8, at 12:00 Noon, Elijah Myers Room, 2nd Floor, Capitol Building (3-0575).

Trial Court Assessment Commission - Friday, October 10, at 10:00 a.m., 8th Floor Conference Room, Farnum Building (3-7000).

Scheduled Meeting Canceled

Michigan Sentencing Commission - Friday, September 26, at 9:00 a.m., 8th Floor Conference Room, Farnum Building (3-7676).

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 11:51 a.m.

The President, Lieutenant Governor Binsfeld, declared the Senate adjourned until Wednesday, September 24, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

