

No. 45
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Tuesday, May 11, 2004.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor John D. Cherry, Jr.

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

Allen—present
Barcia—present
Basham—present
Bernero—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Emerson—present
Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—present
Hardiman—present
Jacobs—present
Jelinek—present
Johnson—present
Kuipers—present
Leland—present
McManus—present

Olshove—present
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—present
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Senator Samuel Buzz Thomas III of the 4th District offered the following invocation:

I will read today from the book of Matthew: "Now when he saw the crowds, he went up on a mountainside and sat down. His disciples came to him, and he began to teach them saying: 'Blessed are the poor in the spirit, for theirs is the kingdom of heaven. Blessed are those who mourn, for they will be comforted. Blessed are the meek, for they will inherit the earth. Blessed are those who hunger and thirst for righteousness, for they will be filled. Blessed are the merciful, for they will be shown mercy. Blessed are the pure in heart, for they will see God. Blessed are the peacemakers, for they will be called sons of God. Blessed are those who are persecuted because of righteousness, for theirs is the kingdom of heaven. Blessed are you when people insult you, persecute you and falsely say all kinds of evil against you because of me. Rejoice and be glad, because great is your reward in heaven, for in the same way they persecuted the prophets who were before you.'"

My prayer today is for peace, reconciliation, truth, and honesty. Amen.

The President, Lieutenant Governor Cherry, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senators Johnson, Cropsey, Schauer and Jacobs entered the Senate Chamber.

Senator Hammerstrom moved that Senator Brown be temporarily excused from today's session. The motion prevailed.

The following communication was received:
Office of the Auditor General

May 7, 2004

Enclosed is a copy of the following audit report:

Performance audit of the Management Information Database (MIDB), Department of Information Technology.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 6:
House Bill Nos. 5586 5665 5701 5702

The Secretary announced the enrollment printing and presentation to the Governor on Friday, May 7, for her approval the following bills:

Enrolled Senate Bill No. 778 at 10:41 a.m.

Enrolled Senate Bill No. 1093 at 10:43 p.m.

The Secretary announced that the following official bills and joint resolution were printed on Thursday, May 6, and are available at the legislative Web site:

Senate Bill Nos. 1183 1184

House Bill Nos. 5853 5854 5855 5856 5857 5858

House Joint Resolution Y

The Secretary announced that the following official bills were printed on Friday, May 7, and are available at the legislative Web site:

Senate Bill No. 1185

House Bill Nos. 5859 5860 5861

Messages from the Governor

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

Senate Bill No. 195

Senate Bill No. 364

Senate Bill No. 293
Senate Bill No. 265
Senate Bill No. 288
Senate Bill No. 540
Senate Bill No. 283
Senate Bill No. 464
Senate Bill No. 466
Senate Bill No. 395
Senate Bill No. 474
Senate Bill No. 840
Senate Bill No. 785
Senate Bill No. 788
Senate Bill No. 829
Senate Bill No. 841

The motion prevailed.

The following messages from the Governor were received:

Date: May 7, 2004

Time: 8:43 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 206 (Public Act No. 97), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 3, and by adding section 16323a and part 168.

(Filed with the Secretary of State on May 7, 2004, at 2:20 p.m.)

Date: May 7, 2004

Time: 8:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 350 (Public Act No. 96), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 666 and 668 (MCL 168.666 and 168.668) and by adding section 668a.

(Filed with the Secretary of State on May 7, 2004, at 2:18 p.m.)

Date: May 7, 2004
Time: 8:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 759 (Public Act No. 95), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 80140 (MCL 324.80140), as added by 1995 PA 58.

(Filed with the Secretary of State on May 7, 2004, at 2:16 p.m.)

Date: May 7, 2004
Time: 8:49 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 109 (Public Act No. 94), being

An act to amend 1975 PA 164, entitled “An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking,” by amending sections 2 and 4 (MCL 18.302 and 18.304).

(Filed with the Secretary of State on May 7, 2004, at 2:14 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

May 6, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 16421 of the Public Health Code, 1978 PA 368, MCL 333.16421:

Michigan Board of Chiropractic

Mr. Gary R. McLeod, D.C., of P.O. Box 447 West Broadway, Three Rivers, Michigan 49093, county of St. Joseph, succeeding Harry A. Settini, whose term has expired, representing professionals, for a term commencing May 6, 2004 and expiring December 31, 2007.

Ms. Patricia L. Chelenyak, D.C., of 41274 Lehigh Court, Northville, Michigan 48167, county of Oakland, reappointed to represent professionals, for a term expiring December 31, 2007.

May 6, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 13 of the Michigan Early Stage Venture Investment Act of 2003:

Michigan Early Stage Venture Investment Corporation

Mr. Douglass J. Diggs of 782 Middlesex, Grosse Pointe Park, Michigan 48230, county of Wayne, appointed to represent the general public, for a term commencing May 6, 2004 and expiring May 6, 2005.

Mr. Thomas C. Kinnear of 2651 Hawthorn Road, Ann Arbor, Michigan 48104, county of Washtenaw, appointed to represent statewide organizations exempt from taxation under 501(c)(3) or 501(c)(4) of the internal revenue code, for a term commencing May 6, 2004 and expiring May 6, 2007.

Mr. Charles P. Rothstein of 5002 Lake Bluff Road, West Bloomfield, Michigan 48323, county of Oakland, appointed to represent the general public, for a term commencing May 6, 2004 and expiring May 6, 2006.

May 6, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 4 of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1454:

Michigan Merit Award Board

Ms. Penelope Bailer of 1324 Joliet Place, Detroit, Michigan 48207, county of Wayne, succeeding Clark Durant, whose term has expired, representing the general public, for a term commencing May 6, 2004 and expiring September 30, 2007.

Ms. Carolyn A. Hart of 3729 Mesa Court, NE, Rockford, Michigan 49341, county of Kent, succeeding Kathleen S. Barclay, whose term has expired, representing the general public, for a term commencing May 6, 2004 and expiring September 30, 2007.

May 6, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 13 of the State Plumbing Act, 2002 PA 733, MCL 338.3523:

State Plumbing Board

Mr. Richard S. Gaber, Jr., of 10255 Pontiac Lake Road, White Lake, Michigan 48386, county of Oakland, reappointed to represent licensed journey plumbers with 10 years of experience, for a term expiring June 30, 2006.

May 10, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 4 of the Michigan Gaming Control and Revenue Act, Initiated Law of 1996, MCL 432.204:

Michigan Gaming Control Board

Mr. Donald L. Robinson, a Democrat, of 9000 East Jefferson #25-10, Detroit, Michigan 48214, county of Wayne, succeeding the late Geraldine Bledsoe Ford, appointed for a term commencing May 10, 2004 and expiring December 31, 2004.

Ms. Barbara J. Rom, a Democrat, of 60 Quarton Lane, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding Ritchie T. Davis, whose term has expired, appointed for a term commencing May 10, 2004 and expiring December 31, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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

Senate Bill No. 784

Senate Bill No. 863

Senate Bill No. 865

Senate Bill No. 867

Senate Bill No. 872

Senate Bill No. 875

Senate Bill No. 647

The motion prevailed.

Senate Bill No. 653, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30, and by adding section 3122a.

The House of Representatives has concurred in the Senate amendments to the House substitute (H-1).

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

Senate Bill No. 977, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3101 and 3115 (MCL 324.3101 and 324.3115), section 3101 as amended by 2001 PA 114, and by adding section 3111b.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 3115 (MCL 324.3115), as amended by 2004 PA 91.

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

Senate Bill No. 1026, entitled

A bill to designate Michigan manufacturing day in the state of Michigan.

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

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

Third Reading of Bills

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

House Bill No. 5281

House Bill No. 4434

House Bill No. 4867

Senate Bill No. 1141

Senate Bill No. 1160

Senate Bill No. 1179

The motion prevailed.

The following bill was read a third time:

House Bill No. 5281, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 410a.

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. 269

Yeas—33

Allen	Cropsey	Jelinek	Sanborn
Barcia	Garcia	Johnson	Schauer
Basham	George	Kuipers	Scott
Birkholz	Gilbert	Leland	Sikkema
Bishop	Goschka	McManus	Stamas
Brater	Hammerstrom	Olshove	Switalski
Cassis	Hardiman	Patterson	Toy
Clark-Coleman	Jacobs	Prusi	Van Woerkom
Clarke			

Nays—4

Bernero	Cherry	Emerson	Thomas
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Excused—1

Brown

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 revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4434, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

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. 270

Yeas—37

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Scott
Bernero	Garcia	Kuipers	Sikkema
Birkholz	George	Leland	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Goschka	Olshove	Thomas
Cassis	Hammerstrom	Patterson	Toy
Cherry	Hardiman	Prusi	Van Woerkom
Clark-Coleman			

Nays—0

Excused—1

Brown

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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

Senator Brown entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4867, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 504 (MCL 324.504), as amended by 1996 PA 171.

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. 271

Yeas—34

Allen	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Johnson	Schauer
Basham	Emerson	Kuipers	Sikkema
Bernero	Garcia	Leland	Stamas
Birkholz	George	McManus	Switalski
Bishop	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—4

Brater

Clark-Coleman

Jacobs

Scott

Excused—0**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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1141, entitled

A bill to amend 1994 PA 27, entitled “Drug dealer liability act,” by amending section 3 (MCL 691.1603).

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. 272**Yeas—38**

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1160, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 82.

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. 273

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1179, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 74.

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. 274

Yeas—38

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Hammerstrom 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 Cherry, designated Senator Bishop as Chairperson.

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

House Bill No. 4272, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20188; and to repeal acts and parts of acts.

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. 724, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 2 (MCL 52.202), as amended by 2001 PA 26.

Substitute (S-2).

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

Resolutions

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

Senate Resolution No. 175

Senate Resolution No. 139

Senate Resolution No. 241

Senate Concurrent Resolution No. 40

The motion prevailed.

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

Senate Resolution No. 258

The resolution consent calendar was adopted.

Senator Basham offered the following resolution:

Senate Resolution No. 258.

A resolution to designate May 22-28, 2004, as Safe Boating Week.

Whereas, In 2002, there were 750 boating-related fatalities in the United States according to the U.S. Coast Guard; and

Whereas, The U.S. Coast Guard has estimated that in 85 percent of those fatalities, the person who died was not wearing a life jacket; and

Whereas, New life jackets that are lighter, more flexible, and more comfortable are now available, making it easier than ever to wear a life jacket; and

Whereas, By being safer and smarter on the water and reducing the number of preventable accidents, boaters can allow law enforcement officials to concentrate on other important matters; and

Whereas, The National Safe Boating Council will be starting its National Safe Boating Council on May 22, 2004; now, therefore, be it

Resolved by the Senate, That May 22-28, 2004, be hereby designated as Safe Boating Week in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard, the United States Coast Guard Auxiliary, the United States Power Squadron, the Michigan Department of Natural Resources Law Enforcement Division, and the Michigan Sheriffs Association.

Senators Bishop, Brater, Cassis, Cherry, Clark-Coleman, Cropsey, Jacobs, Prusi, Switalski and Van Woerkom were named co-sponsors of the resolution.

Senators Olshove, Cherry, Allen, Bernero, Basham, Hammerstrom and Prusi offered the following resolution:

Senate Resolution No. 259.

A resolution to memorialize Congress to enact legislation mandating electricity reliability standards and rules.

Whereas, On August 14, 2003, at nine minutes past 4:00 pm Eastern Daylight Time, an estimated 50 million people in large swaths of the Midwest and Northeast United States and Ontario, Canada experienced the largest electricity power outage in North American history. In Michigan, for the first time in the company's history, Detroit Edison Company's (DTE) entire utility system was knocked out. For almost three days, over 6 million Michiganders in Detroit and much of the southeastern part of the state were without electricity and other essential services such as water and sewers; and

Whereas, Although no Michigan utilities or transmission companies were responsible or involved in the blackout, initial reports estimated that state and local governments suffered over \$20 million in direct costs; DTE suffered \$35 million in losses; over 70 manufacturing companies were forced to shut down; and Michigan residents lost an estimated \$1 billion in total earnings. Fortunately, the blackout did not result in the loss of life; and

Whereas, On August 15, 2003, President George W. Bush and Prime Minister Jean Chretien authorized the joint U.S.-Canada Power System Outage Task Force to investigate the causes of the blackout and recommend ways to reduce the possibility of future outages. Among the task force's many recommendations was the implementation of mandatory and enforceable electricity reliability standards and rules in both Canada and the United States, with noncompliance penalties to enforce the standards and rules; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to enact legislation mandating electricity reliability standards and rules; and be it further

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

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

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senators Brater, Cassis, Clark-Coleman, Cropsey, Jacobs and Switalski were named co-sponsors of the resolution.

Senators Olshove, Cherry, Allen, Bernero, Basham and Prusi offered the following concurrent resolution:

Senate Concurrent Resolution No. 45.

A concurrent resolution to memorialize Congress to enact legislation mandating electricity reliability standards and rules.

Whereas, On August 14, 2003, at nine minutes past 4:00 pm Eastern Daylight Time, an estimated 50 million people in large swaths of the Midwest and Northeast United States and Ontario, Canada experienced the largest electricity power outage in North American history. In Michigan, for the first time in the company's history, Detroit Edison Company's (DTE) entire utility system was knocked out. For almost three days, over 6 million Michiganders in Detroit and much of the southeastern part of the state were without electricity and other essential services such as water and sewers; and

Whereas, Although no Michigan utilities or transmission companies were responsible or involved in the blackout, initial reports estimated that state and local governments suffered over \$20 million in direct costs; DTE suffered \$35 million in losses; over 70 manufacturing companies were forced to shut down; and Michigan residents lost an estimated \$1 billion in total earnings. Fortunately, the blackout did not result in the loss of life; and

Whereas, On August 15, 2003, President George W. Bush and Prime Minister Jean Chretien authorized the joint U.S.-Canada Power System Outage Task Force to investigate the causes of the blackout and recommend ways to reduce the possibility of future outages. Among the task force's many recommendations was the implementation of mandatory and enforceable electricity reliability standards and rules in both Canada and the United States, with noncompliance penalties to enforce the standards and rules; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to enact legislation mandating electricity reliability standards and rules; and be it further

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

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senators Brater, Cassis, Clark-Coleman, Cropsey, Jacobs and Switalski were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

May 11, 2004

Pursuant to Joint Rule 3(a), I have made the following appointments to the Conference Committee on House Bill 4610:
Senator Sikkema, Senator Hammerstrom and Senator Emerson

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Leland and Schauer introduced

Senate Bill No. 1186, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 353b. The bill was read a first and second time by title and referred to the Committee on Commerce and Labor.

Senators Leland and Schauer introduced

Senate Bill No. 1187, entitled

A bill to regulate persons engaged in carpentry; to create a board of carpentry; to provide for powers and duties of certain state agencies and departments; to establish standards; to provide for the licensing of carpenter contractors and journey carpenters; to prescribe fees; to provide for the promulgation of rules; and to prescribe remedies and penalties.

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

Senators Leland and Schauer introduced

Senate Bill No. 1188, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 14 (MCL 207.1014). The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Bernero, Bishop, Brater, McManus, Hardiman, Patterson, Cherry, Schauer, Hammerstrom, Goschka, Basham, George, Scott, Cassis, Allen, Barcia, Prusi, Jacobs, Clark-Coleman, Clarke, Switalski, Olshove, Leland and Emerson introduced

Senate Bill No. 1189, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1271. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Patterson, Olshove, Cherry, Jacobs, Kuipers, Basham, Schauer, Brater, Prusi and Cassis introduced

Senate Bill No. 1190, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21525. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Patterson, Olshove, Cherry, Kuipers, Basham, Goschka, Prusi and Cassis introduced

Senate Bill No. 1191, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 49 (MCL 338.2249), as amended by 2003 PA 87.

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

Senators Jelinek, Kuipers, Brown, Basham, Goschka, Garcia and Hardiman introduced

Senate Bill No. 1192, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2003 PA 152.

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

House Bill No. 5586, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2004 PA 90, and by adding section 3111b; and to repeal acts and parts of acts.

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. 5665, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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 Agriculture, Forestry and Tourism.

House Bill No. 5701, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

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.

House Bill No. 5702, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

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.

Statements

Senators Scott and Bishop asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

As you all know, this past Saturday I participated in a rally hosted by talk radio personality Craig Trombley at Detroit's Hart Plaza to discuss insurance reform. One of my other colleagues was there, Senator Hansen Clarke. I was

glad to see him. The weather may have been dismal outside, but that didn't hinder the desire of many concerned citizens who made the effort to share their stories and to listen to others give their explanations and account of frustration and anguish over high insurance premiums, "bad faith" settlement practices, and the inequitable use of credit scores.

I was pleased at the rally to see a crowd made up of not only people from the city of Detroit, but citizens from all over this state. We heard from a woman from Rochester who said that she had just lost all hope, but I said to her, "Don't lose hope; help is on the way. I know my colleagues are sooner or later going to take these insurance bills up."

The rally was a good venue for talking about the important issue of insurance reform. I am hopeful that this dialogue will carry on as we continue to push for legislative action to resolve some serious inequities in this state's insurance system.

Senator Bishop's statement is as follows:

I'm not sure if anyone's listening, but I think it's important that we set the record straight on some of these insurance issues that have been raised, and some of my colleagues have made a record on the floor.

Specifically, I want you all to know that on the subject of insurance rates, discrimination is illegal. Discrimination in the process of ratemaking is illegal. Redlining in the process of ratemaking is illegal, by definition under law. We have laws that regulate the insurance industry, numerous laws that regulate the insurance industry. We also have an entire state department, the Office of Financial and Insurance Services, whose responsibility is to oversee licensees in the insurance industry. The Governor just appointed a director who is the chief regulator, whose sole responsibility is to regulate this industry. If any insurance companies are acting illegal, if they are discriminating any rate setting, or acting any way contrary to law, we need to ask OFIS and the director why this is happening.

The fact is, a regulatory has the authority—and, in fact, I would argue the duty—to enforce the laws, to invalidate illegal insurance rates, and to ultimately revoke licenses if necessary. We need to know if this problem exists right now, why that is not happening.

I happened to have had a conversation with the director not too long ago, and it comes to my attention that the department is not aware of anyone coming to them. No legislator so far has come to them with this complaint on behalf of their citizens. We can have press conferences. We can have rallies. We can hear from all different people around this state and politicize this all we want, but in the end, she's not been made aware of any of the complaints, so I'm told.

So let's not beat around the political bush here. If you're a legislator and you see this happening in your back yard, it's not going to help anyone to come here and read a written statement every day. Frankly, it's an insult to everybody who's been working hard to try and resolve this issue; studying the issue and trying to figure out ways to resolve it, and it's also an insult to the members of our community, the ratepayers out there, who are actually expecting us to come forward with good public policy. I would encourage you to participate in the meaningful discussion. I know I've had several committee hearings on the subject. I've invited members to participate. In fact, I sent my staff one day to personally invite to their office a certain member of this body, and as of today's date, there has been no participation at all. I just want you to know that we remain open to participation and the members are free to come at any time and that will always remain open to you.

In my mind, the best way to resolve this issue is for meaningful dialogue in a committee, respecting the legislative process. I do know that there have been various members who have come forward with remedies, proposed remedies. I've had a chance to review them with the industry leaders, with the experts on the record, and so far I have not been advised that any of the proposals would have any impact, any positive impact on rates in this state. In fact, what I've heard is that rates might, in fact, go up if we were to implement these proposed remedies.

So we need to take a deep breath on this and start listening to the experts on the subject. We need not to be political about this process. The citizens of the state expect more. I would suggest also that instead of working in the media on this subject and coming forward with executive directives or orders that have substantial changes to the insurance industry, we instead take the time to respect the legislative process, discuss this in committee and afford this body the opportunity to come forward with meaningful changes in the law. Otherwise, we have to live with the reality of what the consequences are. And, frankly, so far I can tell you all the remedies that people have come forward with so far will have one effect, and the people of the state will not be pleased because that one effect is to raise rates across this state.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 722, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14501 (MCL 324.14501), as amended by 1998 PA 289, and by adding section 14514.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 723, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14513 (MCL 324.14513), as added by 1998 PA 289.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Resolution No. 234.

A resolution to memorialize the Congress of the United States to provide funding for the dredging of canals around the city of Gibraltar.

(For text of resolution, see Senate Journal No. 33, p. 526.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Basham

Nays: Senator Brater

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

Senate Concurrent Resolution No. 41.

A concurrent resolution to memorialize the Congress of the United States to provide funding for the dredging of canals around the city of Gibraltar.

(For text of resolution, see Senate Journal No. 33, p. 526.)

With the recommendation that the concurrent resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Basham

Nays: Senator Brater

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, May 4, 2004, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Patterson, Van Woerkom, Brater and Basham

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5331, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31a.

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

1. Amend page 4, line 9, after "(A)" by striking out "In" and inserting "During".
2. Amend page 4, line 9, after "in" by inserting "1 of".

3. Amend page 4, line 12, after “(B)” by striking out “In” and inserting “During”.
4. Amend page 4, line 12, after “in” by inserting “1 of”.
5. Amend page 4, line 18, after “(C)” by striking out “In” and inserting “During”.
6. Amend page 4, line 18, after “in” by inserting “1 of”.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

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

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5335, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 9 (MCL 207.779), as amended by 2003 PA 127.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5341, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 7hh.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5342, entitled

A bill to amend 1985 PA 224, entitled “Enterprise zone act,” by amending section 21c (MCL 125.2121c), as amended by 1998 PA 242.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5343, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 10 (MCL 125.2790).

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5345, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 35a to chapter 2.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5241, entitled

A bill to amend 1974 PA 263, entitled "An act to permit counties to impose and collect an excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests; to provide for the disposition of the revenues thereof; and to prescribe penalties," by amending section 2 (MCL 141.862), as amended by 1991 PA 91.

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus and Brater

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, May 5, 2004, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), Garcia, McManus and Brater

Absent: Senator Thomas

The Committee on Education reported

Senate Bill No. 677, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 1 (MCL 388.851), as amended by 2002 PA 628.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4244, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5666, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2003 PA 158.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, May 6, 2004, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom, Clark-Coleman and Leland

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Tuesday, May 4, 2004, at 3:00 p.m., Room 405, Capitol Building

Present: Senators Brown (C), Stamas and Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submitted the following:

Meeting held on Thursday, May 6, 2004, at 8:00 a.m., Room 210, Farnum Building

Present: Senators Hardiman (C), George and Scott

COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:

Meeting held on Thursday, May 6, 2004, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George (C), McManus and Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Meeting held on Thursday, May 6, 2004, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Brown (C), Jelinek and Barcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submitted the following:

Meeting held on Thursday, May 6, 2004, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hardiman (C), George and Scott

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, May 13, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Agriculture - Thursdays, May 13 and May 20, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

Commerce, Labor and Economic Development - Wednesdays, May 12 and May 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

Family Independence Agency - Thursdays, May 13, 8:00 a.m., Room 210, Farnum Building; May 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; and May 20, 8:00 a.m., Room 210, Farnum Building (373-1801)

General Government - Tuesday, May 18, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

History, Arts, and Libraries - Thursday, May 13, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

State Police and Military Affairs - Tuesday, May 18, 3:00 p.m., Room 405, Capitol Building (373-5932)

State Police and Military Affairs and House State Police/Military and Veterans Affairs - Thursdays, May 13 (CANCELED) and May 20, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

Transportation Department - Tuesday, May 18, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Banking and Financial Institutions - Thursday, May 13, 1:00 p.m., Room 100, Farnum Building (373-2417)

Economic Development, Small Business and Regulatory Reform - Wednesday, May 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Thursday, May 13, 2:00 p.m., Room 210, Farnum Building (373-6920)

Finance - Wednesday, May 12, 1:00 p.m., Room 110, Farnum Building (373-1758)

Local, Urban and State Affairs - Thursday, May 13, 1:00 p.m., Room 110, Farnum Building (373-1707)

Technology and Energy - Wednesday, May 12, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 10:45 a.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, May 12, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate