

No. 47
STATE OF MICHIGAN
Journal of the Senate
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REGULAR SESSION OF 2004

Senate Chamber, Lansing, Thursday, May 13, 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 Gerald Van Woerkom of the 34th District offered the following invocation:

Our Father in Heaven, we come to You and humbly ask that You be with each and every one of us. We have many items that we have to consider today, and we pray that You'll give us wisdom and guidance in the decisions that we make.

We pray, Lord, for our country. We know that we are facing some very difficult things and some very ugly things. We pray that You will help to resolve the conflicts that we have in the world. We have a situation of war, and we have many of our people who are in harm's way. We pray that You will protect them, and we pray that they may be able to come home soon.

We pray for our President. We pray that You will help him in his decisionmaking. We pray that he will lead us in a direction that will be good and that our country can thrive and our people can thrive. We pray for our Governor. We pray that You will lead and direct her as she leads and directs the state. We pray for each and every one of us, the members of this Legislature. We pray that You will guide us and direct us.

Lord, we need Your help, and we need Your care. In Your Son's name, Amen.

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

Motions and Communications

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 12:

House Bill Nos. 4612 4652 5038

The Secretary announced that the following official bills were printed on Wednesday, May 12, and are available at the legislative Web site:

Senate Bill Nos. 1186 1187 1188 1189 1190 1191 1192

House Bill Nos. 5862 5863 5864 5865 5866 5867 5868

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 647

Senate Bill No. 977

Senate Bill No. 267

The motion prevailed.

Senator Leland entered the Senate Chamber.

Senator Hammerstrom moved that rule 3.202 be suspended to permit immediate consideration of the following bills:

Senate Bill No. 869

Senate Bill No. 1023

Senate Bill No. 1024

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

Senator Schauer moved that Senators Bernero and Emerson be temporarily excused from today's session.

The motion prevailed.

Senate Bill No. 221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43510 and 43516 (MCL 324.43510 and 324.43516), section 43510 as amended by 1996 PA 585 and section 43516 as added by 1995 PA 57.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senators Emerson and Bernero entered the Senate Chamber.

Senate Bill No. 869, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 11 (MCL 207.561), as amended by 2001 PA 157.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

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

Roll Call No. 280

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 question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 1023, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 52511; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 8, after “**specifications**” by inserting “**consistent with section 52502**”.

2. Amend page 2, following line 24, by striking out all of enacting section 1 and inserting:

“Enacting section 1. Section 52511 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.52511, is repealed effective December 31, 2011.”

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 281**Yeas—23**

Allen	Cropsey	Hardiman	Sikkema
Barcia	Garcia	Jelinek	Stamas
Birkholz	George	Kuipers	Switalski
Bishop	Gilbert	McManus	Toy
Brown	Goschka	Prusi	Van Woerkom
Cassiss	Hammerstrom	Sanborn	

Nays—15

Basham	Clark-Coleman	Johnson	Schauer
Bernero	Clarke	Leland	Scott
Brater	Emerson	Olshove	Thomas
Cherry	Jacobs	Patterson	

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. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1024, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 50501, 50502, 50504, 50506, 50507, and 50508 (MCL 324.50501, 324.50502, 324.50504, 324.50506, 324.50507, and 324.50508), as added by 1995 PA 57.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 7, by striking out all of subdivision (a) and relettering the remaining subdivisions.
2. Amend page 2, following line 6, by inserting:

“(c) **Implementing a system of forest management that is consistent with principles of sustainable forestry and with part 525.**” and relettering the remaining subdivisions.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 282**Yeas—25**

Allen	Cropsey	Hardiman	Sanborn
Barcia	Garcia	Jelinek	Sikkema
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Toy
Cassiss	Hammerstrom	Prusi	Van Woerkom
Cherry			

Nays—13

Basham	Clarke	Johnson	Schauer
Bernero	Emerson	Leland	Scott
Brater	Jacobs	Patterson	Thomas
Clark-Coleman			

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. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

House Bill No. 5500, entitled

A bill to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 1113 (MCL 436.2113), as amended by 1998 PA 416, and by adding section 1114.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 5, line 7, after “**R 436.1403**” by inserting “**and R 436.1503**”.
2. Amend page 5, line 9, after “**on-premises**” by inserting “**and an off-premises**”.
3. Amend page 5, line 13, after “**on-premises**” by inserting “**and an off-premises**”.
4. Amend page 5, line 17, after “**midnight**” by striking out the comma and “**E.S.T**”.
5. Amend page 5, line 18, after “**R 436.1403**” by inserting “**and R 436.1503**”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended and agreed to the full title. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 863, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51f. Substitute (H-2).

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

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

Roll Call No. 283**Yeas—38**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas

Bishop
Brater
Brown
Cassis
Cherry

George
Gilbert
Goschka
Hammerstrom
Hardiman

McManus
Olshove
Patterson
Prusi

Switalski
Thomas
Toy
Van Woerkom

Nays—0

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.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 865, entitled

A bill to amend 1953 PA 189, entitled "An act to provide for the taxation of lessees and users of tax-exempt property," (MCL 211.181 to 211.182) by adding section 1a.

Substitute (H-3).

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

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

Roll Call No. 284

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 question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 867, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 51105 (MCL 324.51105), as amended by 1996 PA 451.

Substitute (H-1).

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

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

Roll Call No. 285

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 question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

Senate Bill No. 872, entitled

A bill to amend 1984 PA 385, entitled “Technology park development act,” by amending section 12 (MCL 207.712), as amended by 1996 PA 445.

Substitute (H-1).

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

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

Roll Call No. 286

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

The Senate agreed to the full title.

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

Senator Schauer moved that Senator Emerson be temporarily excused from the balance of today's session. The motion prevailed.

Senate Bill No. 875, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending section 5 of chapter 1 (MCL 141.1155), as amended by 1998 PA 241.

Substitute (H-3).

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

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

Roll Call No. 287

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

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

The Senate agreed to the full title.

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. 5331

House Bill No. 5335

House Bill No. 5341

House Bill No. 5342

House Bill No. 5343

House Bill No. 5345

House Bill No. 5241

Senate Bill No. 677

House Bill No. 4244

House Bill No. 5666

The motion prevailed.

The following bill was read a third time:

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.

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. 288**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

"An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments;

to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation.”.

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 289

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units.”.

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 290**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: President

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

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 291**Yeas—37**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer

Basham	Cropsey	Johnson	Scott
Bernero	Garcia	Kuipers	Sikkema
Birkholz	George	Leland	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Goschka	Olshove	Thomas
Brown	Hammerstrom	Patterson	Toy
Cassis	Hardiman	Prusi	Van Woerkom
Cherry			

Nays—0

Excused—1

Emerson

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 promote economic growth within economically distressed local governmental units; to provide for the creation of enterprise zones; to provide for the creation of an enterprise zone authority; to prescribe the powers and duties of officials and agencies of the state and certain local governmental units; to provide for the establishment of citizens’ councils and to prescribe their powers and duties; to authorize the levy and collection of specific taxes; and to provide qualifications for certification of and incentives for certain businesses located in enterprise zones,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5343, entitled

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

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. 292

Yeas—36

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

Nays—0

Excused—1

Emerson

Not Voting—1

Thomas

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.”.

The Senate agreed to the full title.

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

The following bill was read a third time:

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.

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. 293**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: Birkholz

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 permit the imposition and collection by cities of an excise tax levied on or measured by income; to permit the collection and administration of the tax by the state; to provide the procedure including referendums for, and to require the adoption of a prescribed uniform city income tax ordinance by cities desiring to impose and collect such a tax; to limit the imposition and collection by cities and villages of excise taxes levied on or measured by income; to prescribe the powers and duties of certain state and municipal agencies, departments, and officials; to establish the city income tax trust fund; to provide for appeals; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

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.

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. 294**Yeas—35**

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

Nays—1

Sanborn

Excused—1

Emerson

Not Voting—1

Cassis

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

The following bill was read a third time:

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 2003 PA 254.

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. 295

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

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.

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. 296

Yeas—37

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott

Bernero	Garcia	Kuipers	Sikkema
Birkholz	George	Leland	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Goschka	Olshove	Thomas
Brown	Hammerstrom	Patterson	Toy
Cassis	Hardiman	Prusi	Van Woerkom
Cherry			

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

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.

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. 297

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: Birkholz

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 make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Senator Schauer moved that Senator Thomas be temporarily excused from the balance of today’s session. The motion prevailed.

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 pro tempore, Senator Birkholz, designated Senator Allen as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having resumed the Chair, the Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 296, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406*l*.

Substitute (S-3).

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.

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

Senate Bill No. 918, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 539*j*. Substitute (S-3).

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.

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

House Bill No. 5692, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 539*d* (MCL 750.539*d*). Substitute (S-1).

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.

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

House Bill No. 5693, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2004 PA 2.

Substitute (S-1).

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.

During the Committee of the Whole, Senator Thomas entered the Senate Chamber.

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.

Senator Hammerstrom moved that rule 3.204 be suspended to permit immediate consideration of the following concurrent resolution:

House Concurrent Resolution No. 55

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

House Concurrent Resolution No. 55.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Michigan Public Safety Communications System Phase V.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing facilities and equipment to be used by the State pursuant to a lease for the Facilities is a recognized public purpose; and

Whereas, Four public acts, 1995 PA 128, 1999 PA 265, 2000 PA 291, and 2001 PA 81, appropriate \$234,157,200 (State Building Authority share \$212,726,000; State General Fund share \$21,431,200) to complete plans and construct the Department of State Police Michigan Public Safety Communications System; and

Whereas, The public safety communications system known as the Department of State Police Michigan Public Safety Communications System is to be constructed in five phases; and

Whereas, By Senate Concurrent Resolution No. 288 adopted by the Senate and the House of Representatives on December 3 and December 11, 1996, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase I of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$35,211,085, plus interest charges on monies advanced by the State, of which not more than \$34,890,000, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 100 adopted by the Senate and the House of Representatives on December 2 and December 8, 1998, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase II of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$42,660,808, plus interest charges on monies advanced by the State, of which not more than \$42,660,808, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By House Concurrent Resolution No. 80 adopted by the House of Representatives and the Senate on February 29, 2000, and March 7, 2000, respectively, the Michigan Legislature approved the conveyance of property and a lease for Phase III of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$58,964,403, plus interest charges on monies advanced by the State, of which not more than \$58,964,403, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 19 adopted by the Senate on May 29, 2001, and the House of Representatives on June 13, 2001, the Michigan Legislature approved the conveyance of property and a lease for Phase IV of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$36,336,575, plus interest charges on monies advanced by the State, of which not more than \$36,336,575, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, The sites for Phase V of the Department of State Police Two-Way Radio System and Microwave Backbone System are located in Baraga, Chippewa, Gogebic, Houghton, Iron, Keweenaw, Marquette, Montmorency, and Ontonagon Counties (sites and related equipment together constitute “the Facilities”) and are currently owned by the State; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facilities by the Authority to the State (the “Lease”); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the total cost for the Department of State Police Two-Way Radio System and Microwave Backbone System Phase V, consisting of the Facilities, shall not exceed \$43,271,963, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, of which not more than \$43,271,963, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facilities and leasing it to the State and hereby determines that the leasing of the Facilities from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of “True Rental” for the Facilities shall be within or below the range of \$3,992,000 and \$4,879,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That any savings generated from the restructuring or refinancing of State Building Authority bond issues shall remain in the State Building Authority rent line-items and lapse to the General Fund for the 2003-04 fiscal year; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

The Assistant Secretary of the Senate made the following statement:

Madam President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 298

Yeas—37

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott

Bernero	Emerson	Johnson	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry			

Nays—0

Excused—0

Not Voting—1

Kuipers

In The Chair: Birkholz

Senators Clarke, Garcia, Jacobs, Johnson, Prusi and Toy were named co-sponsors of the concurrent resolution.

Senators Hammerstrom, Toy, Birkholz, Jacobs, McManus, Goschka, Johnson, Cherry, Cassis, Brater, Scott, Clark Coleman and Schauer offered the following resolution:

Senate Resolution No. 261.

A resolution to urge the Governor to appoint a task force on cervical cancer awareness in Michigan.

Whereas, While all losses to cancer are heartbreaking, deaths due to forms of cancer that could be prevented through early detection and treatment are especially frustrating to all of us. Cervical cancer is a disease that continues to take the lives of thousands of women each year, even as screening capabilities are such that virtually all of the deaths could be prevented; and

Whereas, Studies indicate that approximately half of all women diagnosed with cervical cancer have never been screened, and 10 percent of those diagnosed have not been screened within 5 years. Another component of this problem is that lower-income women and those without insurance are even less likely to have the examinations and screening that could save their lives; and

Whereas, A thorough and highly visible effort to provide education on the importance of regular checkups would have a significant impact on the health of our citizens. Similar high profile initiatives to increase awareness of certain diseases have been very effective in encouraging examinations and attentiveness. A task force of public officials, health professionals, and community leaders could literally help save women from cervical cancer; now, therefore, be it

Resolved by the Senate, That we urge the Governor to appoint a task force on cervical cancer awareness in Michigan. We urge that the task force consist of 12 members, including the chairs of the Senate and House health policy committees, a representative of the American Cancer Society, a representative of a health maintenance organization, a representative of the health insurance industry, a representative of the American College of Obstetrics and Gynecology, a representative of a women's health organization, an oncologist, a nurse practitioner, an epidemiologist from the Department of Community Health, the Surgeon General or a designee, and the Department of Community Health's Medical Services Administration director of Medicaid management or a designee; and be it further

Resolved, That we urge that the task force develop and promote a comprehensive statewide cervical cancer prevention plan and issue an annual report to the Legislature and the Governor on the progress of efforts to reduce cervical cancer rates in our state; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

Pending the order that, under rule 3.204, the resolutions 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 resolutions,

Senator Hammerstrom moved that the resolutions be referred to the Committee on Health Policy.

The motion prevailed.

Senators Bernero, Clarke, Garcia, Kuipers and Prusi were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senator Johnson introduced

Senate Bill No. 1193, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2003 PA 236 and section 17b as amended by 2000 PA 297.

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

Senator Johnson introduced

Senate Bill No. 1194, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2003 PA 236 and section 17b as amended by 2000 PA 297.

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

Senators Brater, Prusi, Emerson, Scott and Leland introduced

Senate Bill No. 1195, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2974.

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

Senators Gilbert, Birkholz, Sanborn, Van Woerkom, McManus, Cropsey, Sikkema, Kuipers, Stamas, Jelinek, Hardiman, Bishop, Allen, Cassis, Goschka, Olshove, Barcia and Garcia introduced

Senate Bill No. 1196, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407c.

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

Senators Birkholz, Gilbert, Sanborn, Van Woerkom, McManus, Cropsey, Sikkema, Kuipers, Stamas, Jelinek, Hardiman, Bishop, Allen, Cassis, Goschka, Olshove, Barcia and Garcia introduced

Senate Bill No. 1197, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402d.

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

Senators Sanborn, Gilbert, Van Woerkom, McManus, Cropsey, Sikkema, Kuipers, Birkholz, Stamas, Jelinek, Hardiman, Bishop, Allen, Cassis, Goschka, Olshove, Barcia and Garcia introduced

Senate Bill No. 1198, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16240 and 20195.

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

Senators Allen, Basham, Jelinek, Kuipers, McManus and Brown introduced

Senate Bill No. 1199, entitled

A bill to identify commerce centers; to target state funding; and to prescribe the powers and duties of certain state agencies and officials.

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

Senators Cropsey, Kuipers, McManus, Brown and Allen introduced

Senate Bill No. 1200, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 14 and 16 (MCL 125.1514 and 125.1516), section 16 as amended by 2001 PA 164.

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

Senators McManus, Basham, Jelinek, Brown, Kuipers and Allen introduced

Senate Bill No. 1201, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 3 (MCL 125.1653), as amended by 1993 PA 323.

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

Senators Hardiman, Jelinek, Kuipers, McManus, Brown and Allen introduced

Senate Bill No. 1202, entitled

A bill to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Senators Gilbert, Basham, Jelinek, Kuipers, McManus, Brown and Allen introduced

Senate Bill No. 1203, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8395 (MCL 600.8395).

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

Senators Birkholz, Jelinek, Kuipers, Brown, McManus and Allen introduced

Senate Bill No. 1204, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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

Senators Kuipers, Jelinek, McManus, Brown and Allen introduced

Senate Bill No. 1205, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," (MCL 338.2301 to 338.2313) by adding section 10a.

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

Senators Van Woerkom and Allen introduced

Senate Bill No. 1206, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 3 and 12 (MCL 207.773 and 207.782), as amended by 2001 PA 217.

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

Senator McManus introduced

Senate Bill No. 1207, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3113, 3503, 4105, 6516, 6517, 6521, 8308, 8310, 8504, 9112, 11509, 11511, 11512, 11516, 11542, 11703, 11704, 11709, 30104, 30105, 30113, 30304, 30307, 31509, 31512, 32312, 32503, 32515, 32606, 35304, 36505, 41702, 41709, 42101, 42501, 42702, 44513, 44517, 45503, 45902, 45903, 45906, 51311, 61525, 62509, 63103c, 63524, 63525, 63704, 63708, 72108, 76105, 76109, 76504, and 80159 (MCL 324.3104, 324.3113, 324.3503, 324.4105, 324.6516, 324.6517, 324.6521, 324.8308, 324.8310, 324.8504, 324.9112, 324.11509, 324.11511, 324.11512, 324.11516, 324.11542, 324.11703, 324.11704, 324.11709, 324.30104, 324.30105, 324.30113, 324.30304, 324.30307, 324.31509, 324.31512, 324.32312, 324.32503, 324.32515, 324.32606, 324.35304, 324.36505, 324.41702, 324.41709, 324.42101,

324.42501, 324.42702, 324.44513, 324.44517, 324.45503, 324.45902, 324.45903, 324.45906, 324.51311, 324.61525, 324.62509, 324.63103c, 324.63524, 324.63525, 324.63704, 324.63708, 324.72108, 324.76105, 324.76109, 324.76504, and 324.80159), sections 3104, 30104, and 32312 as amended by 2003 PA 163, sections 3503, 6521, and 8504 as added by 1995 PA 60, sections 6516 and 6517 as amended by 1996 PA 166, section 8310 as amended by 2002 PA 418, section 9112 as amended by 2000 PA 504, sections 11509 and 11511 as amended by 1996 PA 358, sections 11512 and 11516 as amended by 2003 PA 153, section 11542 as amended by 1996 PA 359, section 30105 as amended by 1999 PA 106, section 30113 as amended by 1995 PA 171, sections 30304, 31509, 31512, 32515, and 35304 as added by 1995 PA 59, section 30307 as amended by 1998 PA 228, section 32503 as amended by 2002 PA 148, section 32606 as added by 2000 PA 278, section 36505 as amended by 1998 PA 470, section 41702 as amended by 2001 PA 23, sections 41709, 42101, 42501, 44513, 44517, 45503, 45903, 51311, 63525, 63704, and 63708 as added by 1995 PA 57, section 42702 as amended by 2000 PA 191, section 45902 as amended by 1996 PA 200, section 45906 as amended by 2003 PA 270, section 61525 as amended by 1998 PA 303, section 62509 as amended by 1998 PA 467, section 63103c as added by 1997 PA 149, sections 63524 and 76504 as amended by 2001 PA 78, sections 72108 and 80159 as added by 1995 PA 58, and sections 76105 and 76109 as amended by 2001 PA 75, and by adding sections 1301, 1303, 1305, 1307, 1309, 1311, and 1313.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Stamas introduced

Senate Bill No. 1208, entitled

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," (MCL 288.471 to 288.540) by adding section 33a.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Jelinek introduced

Senate Bill No. 1209, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 6 and 9i (MCL 290.646 and 290.649i), as amended by 2002 PA 13.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Brown introduced

Senate Bill No. 1210, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending section 9 (MCL 286.209), as amended by 2003 PA 104.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Van Woerkom introduced

Senate Bill No. 1211, entitled

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending section 3 (MCL 287.123), as amended by 2003 PA 85.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Van Woerkom introduced

Senate Bill No. 1212, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 7 (MCL 285.67), as amended by 2002 PA 80.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Hammerstrom introduced

Senate Bill No. 1213, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 9 and 14 (MCL 431.309 and 431.314), section 9 as amended by 2000 PA 164 and section 14 as amended by 1998 PA 408.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Cassis introduced

Senate Bill No. 1214, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 4 (MCL 287.334), as amended by 2003 PA 83.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Hammerstrom introduced

Senate Bill No. 1215, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 13 (MCL 400.713), as amended by 2004 PA 59.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator George introduced

Senate Bill No. 1216, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 137 (MCL 330.1137), as amended by 1995 PA 290.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator George introduced

Senate Bill No. 1217, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20162 (MCL 333.20162) and by adding section 20935.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Allen introduced

Senate Bill No. 1218, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," (MCL 289.1101 to 289.8111) by adding section 4116.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Stamas introduced

Senate Bill No. 1219, entitled

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," (MCL 288.561 to 288.740) by adding section 110a.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Johnson introduced

Senate Bill No. 1220, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 23 (MCL 432.11 and 432.23), as amended by 1996 PA 167.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Sanborn introduced

Senate Bill No. 1221, entitled

A bill to amend 1967 PA 227, entitled "An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts," by amending sections 15 and 16 (MCL 408.815 and 408.816).

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Sanborn introduced

Senate Bill No. 1222, entitled

A bill to amend 1965 PA 285, entitled "Private detective license act," by amending sections 9, 11, and 26 (MCL 338.829, 338.831, and 338.846), as amended by 2002 PA 474.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senators Bernero and Sikkema introduced

Senate Bill No. 1223, entitled

A bill to amend 1986 PA 135, entitled "Asbestos abatement contractors licensing act," by amending sections 209 and 211 (MCL 338.3209 and 338.3211), section 209 as amended by 1993 PA 55 and section 211 as amended by 1998 PA 132.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Gilbert introduced

Senate Bill No. 1224, entitled

A bill to amend 1988 PA 440, entitled "Asbestos workers accreditation act," by amending sections 11 and 14 (MCL 338.3411 and 338.3414), as amended by 1998 PA 133.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Gilbert introduced

Senate Bill No. 1225, entitled

A bill to amend 1972 PA 295, entitled "Forensic polygraph examiners act," by amending sections 7 and 15 (MCL 338.1707 and 338.1715).

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Bishop introduced

Senate Bill No. 1226, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2002 PA 76.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Hardiman introduced

Senate Bill No. 1227, entitled

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending section 31 (MCL 338.3541).

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Thomas introduced

Senate Bill No. 1228, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and

to repeal acts and parts of acts,” by amending sections 5 and 9a (MCL 722.115 and 722.119a), section 5 as amended by 1998 PA 519 and section 9a as added by 1980 PA 232.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Toy introduced

Senate Bill No. 1229, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 1510a.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Toy introduced

Senate Bill No. 1230, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 5 (MCL 338.2205), as amended by 1988 PA 461.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Toy introduced

Senate Bill No. 1231, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 207, 405, 409, and 411 (MCL 339.207, 339.405, 339.409, and 339.411), section 405 as added by 1988 PA 463 and sections 409 and 411 as amended by 2002 PA 611.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Kuipers introduced

Senate Bill No. 1232, entitled

A bill to amend 1984 PA 192, entitled “Forbes mechanical contractors act,” by amending sections 6 and 10 (MCL 338.976 and 338.980), section 10 as amended by 1997 PA 119.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Cropsey introduced

Senate Bill No. 1233, entitled

A bill to amend 1956 PA 217, entitled “Electrical administrative act,” by amending section 3 (MCL 338.883), as amended by 1997 PA 120.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Patterson introduced

Senate Bill No. 1234, entitled

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 4a (MCL 408.754a), as amended by 1986 PA 277.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Garcia introduced

Senate Bill No. 1235, entitled

A bill to amend 1968 PA 330, entitled “Private security business and security alarm act,” by amending sections 9, 11, and 25 (MCL 338.1059, 338.1061, and 338.1075), sections 9 and 25 as amended by 2002 PA 473 and section 11 as amended by 2000 PA 411.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senator Birkholz introduced

Senate Bill No. 1236, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 4 (MCL 492.104) and by adding section 6a.

The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senators Schauer and Jacobs introduced

Senate Bill No. 1237, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," (MCL 125.581 to 125.600) by adding section 1b. The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Schauer and Jacobs introduced

Senate Bill No. 1238, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 1b.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Schauer and Jacobs introduced

Senate Bill No. 1239, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 1b.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators George, Allen, Kuipers, Cropsey, McManus, Goschka, Van Woerkom, Olshove and Brown introduced

Senate Bill No. 1240, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 7 (MCL 125.1651 and 125.1657), section 1 as amended by 2004 PA 66 and section 7 as amended by 1985 PA 221.

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

Senators Barcia, Allen, Kuipers, Cropsey, Olshove, Goschka, Van Woerkom and Brown introduced

Senate Bill No. 1241, entitled

A bill to provide for the establishment of a neighborhood improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Senators Toy, Allen, Kuipers, Switalski, Bishop, Cropsey, McManus, Goschka, Van Woerkom, Olshove and Brown introduced

Senate Bill No. 1242, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an

exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2003 PA 5.

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

Senators Brown, Hardiman, Toy, Jelinek, Birkholz, Prusi and Garcia introduced

Senate Bill No. 1243, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.1100) by adding section 73.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

House Bill No. 4612, entitled

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

The House of Representatives has passed the bill by a 3/4 vote and ordered that it be given immediate effect.

The bill was read a first and second time by title.

Senator Hammerstrom moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders.

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

House Bill No. 4652, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2690 (MCL 333.2690).

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 Health Policy.

House Bill No. 5038, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending section 1 (MCL 125.1801), as amended by 1998 PA 499.

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

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

Statements

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

The motion prevailed.

Senator Scott’s statement is as follows:

I wanted to follow up on some remarks that were made by one of my colleagues on the other side of the aisle—that discrimination in the process of ratemaking is illegal and that redlining in the process of ratemaking is also illegal by definition under the law. Well, I wholeheartedly agree that discrimination and redlining are illegal, and I am happy to have had that message reinforced here in the Senate Chamber.

But the state does have a duty to guarantee that insurance is available at fair and equitable rates to everyone. Yet residents in the city of Detroit continue to pay more than twice, sometimes three and four times, for automobile and home insurance in comparison with other areas of the state. Despite that for the last six years auto theft has been down in Detroit, but yet the insurance has gone up. And it’s not just Detroit; there are some other areas, cities—Highland Park, Hamtramck—you know, it’s by our zip codes and that’s how we are charged in the city.

Such disparity is substantiated in the 2003 Buyers’ Guide to Auto Insurance in Michigan prepared by the Office of Financial and Insurance Services, which identifies automobile insurance companies and a sampling of their rates for different policies for different areas of the state.

The existence of widespread disparities in auto and homeowners insurance rates for residents of urban areas, particularly in Detroit, as compared to those living in rural areas suggest that redlining is a practice that remains a reality. It further demonstrates the need for greater transparency in how insurance rates are calculated.

The fact is, the insurance commissioner is in the process of trying to figure out why rate disparity across this state is occurring, and I applaud her efforts in this regard. You can rest assured that I will continue to work with her and members of this body as we seek answers as well as solutions.

Committee Reports

The Committee on Commerce and Labor reported

Senate Resolution No. 228.

A resolution to call on the Governor to work with the Premier of Ontario to create a Michigan-Ontario commission on border-crossing streamlining and safety.

(For text of resolution, see Senate Journal No. 29, p. 416.)

With the recommendation that the resolution be adopted.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers, McManus and Olshove

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, May 11, 2004, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Kuipers, McManus, Schauer and Olshove

The Committee on Judiciary reported

House Bill No. 4983, entitled

A bill to regulate certain transactions involved in immigration matters and the providing of services in those matters; to set standards and security requirements involving certain immigration matters and persons engaged in immigration matters; to create a registry; to provide for certain powers and duties for certain state agencies; and to provide for remedies and penalties.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Bernero and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4984, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2002 PA 475.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Bernero and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5105, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 529, 529a, and 530 (MCL 750.529, 750.529a, and 750.530), section 529a as added by 1994 PA 191.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 151, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6 of chapter V (MCL 765.6), as amended by 1988 PA 46.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

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 Judiciary submitted the following:

Meeting held on Tuesday, May 11, 2004, at 12:00 noon, Room 210, Farnum Building

Present: Senators Cropsey (C), Bishop, Sanborn, Patterson, Schauer, Bernero and Brater

The Committee on Natural Resources and Environmental Affairs reported

Senate Resolution No. 171.

A resolution to memorialize the Congress of the United States and the federal government to work with Michigan officials to align the ownership of mineral rights and surface rights on state and federal lands in Michigan and to express our intent to take actions to achieve this goal.

(For text of resolution, see Senate Journal No. 83 of 2003, p. 1821.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

Senate Concurrent Resolution No. 35.

A concurrent resolution to memorialize the Congress of the United States and the federal government to work with Michigan officials to align the ownership of mineral rights and surface rights on state and federal lands in Michigan and to express our intent to take actions to achieve this goal.

(For text of resolution, see Senate Journal No. 83 of 2003, p. 1821.)

With the recommendation that the concurrent resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

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 11, 2004, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Patterson

Scheduled Meetings**Appropriations -****Subcommittees -**

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

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

Family Independence Agency - Thursdays, 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)

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 - Thursday, 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)

Commerce and Labor - Tuesday, May 18, 3:00 p.m., Room 100, Farnum Building (373-2413)

Health Policy - Wednesday, May 19, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

Judiciary - Tuesday, May 18, 1:00 p.m., Room 210, Farnum Building (373-3760)

Local, Urban and State Affairs - Thursday, May 20, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1707)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 11:36 a.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Tuesday, May 18, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate