

No. 65
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Thursday, June 24, 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—excused
George—present
Gilbert—present
Goschka—present
Hammerstrom—excused
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—excused
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Senator Bill Hardiman of the 29th District offered the following invocation:

Father God, we thank You for Your love. We thank You for Your presence. We thank You for life. There are so many wonderful gifts that You have bestowed upon us. We come before You in gratitude.

Father, I thank You for this opportunity to pray before this wonderful assembly. In fact, Father, I say who am I that I should even stand here before Your throne and before my esteemed colleagues? Who am I that You have brought me from a hole in the ground to the State Senate? Who am I that You have called me to serve the wonderful people of Michigan? Yet, Father, I stand here with my colleagues, and we share this responsibility and this honor.

So, Father, I ask You to bless them. Bless each and every one of us with Your wisdom and Your discernment. May we operate in integrity and in compassion and strength of conviction.

Father, I pray not only for my Senate colleagues, but for all who are here in this chamber; Father, for those who record the proceedings, for those who operate the equipment, for the pages who serve us, and not only for us, Lord God, but for our Governor, our judges, our President, and those who operate at the federal level. We thank You for them, and we ask You to bless, Lord God, but certainly, for the people whom we serve.

Father, somewhere in this state a woman has been abused. Lord God, she needs Your help. Somewhere a child is hungry and needs Your help. Someone is out of a job and has been seeking for a job for a long time and is discouraged. They need Your help.

Father, bless us to make wise decisions, and of course, with Your will, we might live in peace and prosper. Lord God, we come from different backgrounds, different walks of life, different parts of this state, and even different faiths. We know that You love us all, each and everyone.

Father, I ask these blessings, and I ask for Your presence here in this place, even now. I pray these things in the precious name of Jesus Christ. Amen.

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

Motions and Communications

Senator Schauer moved that Senator Leland be temporarily excused from today's session.

The motion prevailed.

Senator Schauer moved that Senator Scott be excused from today's session.

The motion prevailed.

Senator Cropsey moved that Senators Garcia and Hammerstrom be excused from today's session.

The motion prevailed.

Senator Hammerstrom is attending the Women in Government conference, where she is the national chairwoman.

Senators Emerson and Clarke entered the Senate Chamber.

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

Senate Bill No. 1302

Senate Bill No. 1303

Senate Bill No. 1304

Senate Bill No. 1305

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 23:

House Bill Nos. 4213 5471 5888 5969 5974 6004

The Secretary announced that the following official bills were printed on Wednesday, June 23, and are available at the legislative Web site:

Senate Bill Nos. 1310 1311 1312 1313 1314 1315 1316

House Bill Nos. 6031 6032 6033 6034 6035 6036 6037 6038 6039

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

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

Senate Bill No. 267

Senate Bill No. 774

Senate Bill No. 831

Senate Bill No. 832

The motion prevailed.

Senate Bill No. 1167, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending the title and sections 4, 4a, 5a, 7, and 9 (MCL 28.724, 28.724a, 28.725a, 28.727, and 28.729), section 4 as amended by 1999 PA 85 and section 4a as added and sections 5a, 7, and 9 as amended by 2002 PA 542, and by adding section 5b.

The House of Representatives has amended the bill as follows:

1. Amend page 4, line 22, after "changes" by striking out the balance of the line through "fee" on line 23.
2. Amend page 8, line 3, after "section 7(1)" by striking out the balance of the line through "applicable," on line 4.
3. Amend page 8, line 19, after "section 7(1)" by striking out the balance of the subsection and inserting a period.
4. Amend page 8, line 27, after "section 7(1)" by striking out the balance of the sentence and inserting a period.
5. Amend page 12, line 19, by striking out all of subsection (7) and renumbering the remaining subsections.
6. Amend page 14, line 12, after "subsection" by striking out "(3)" and inserting "(2)".
7. Amend page 14, line 15, by striking out all of subsection (2) and renumbering the remaining subsections.
8. Amend page 14, line 25, after the first "fee" by striking out "and the change of data fee".
9. Amend page 15, line 6, after "fee" by striking out the balance of the line through "fee" on line 7.
10. Amend page 15, line 8, after the first "fee" by striking out the balance of the line through "fee" on line 9.
11. Amend page 15, line 14, after the first "fee" by striking out the balance of the line.
12. Amend page 15, line 17, after the first "fee" by striking out "or change of data fee".
13. Amend page 15, following line 23, by inserting:
"Sec. 5c. The department of corrections shall not collect any fee prescribed under this act."
14. Amend page 18, line 18, after "section 5a(6)" by striking out "or (7)".
15. Amend page 18, line 26, after "section 7(1)" by striking out the balance of the line through the second "fee" on line 1 of page 19.
16. Amend page 19, line 1, after the second "fee" by inserting "within 90 days of the date the individual reports under section 4a or 5a".
17. Amend page 19, following line 17, by inserting:
"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:
(a) House Bill No. 4920.
(b) House Bill No. 5195.
(c) House Bill No. 5240."

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

A bill to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe penalties and sanctions," by amending the title and sections 4, 4a, 5a, 7, and 9 (MCL 28.724, 28.724a, 28.725a, 28.727, and 28.729), section 4 as amended by 1999 PA 85 and section 4a as added and sections 5a, 7, and 9 as amended by 2002 PA 542, and by adding sections 5b and 5c.

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

Senators Goschka and Leland entered the Senate Chamber.

House Bill No. 5632, entitled

A bill to amend 1993 PA 327, entitled "An act to provide for a tax upon the sale and distribution of tobacco products; to regulate and license manufacturers, wholesalers, secondary wholesalers, vending machine operators, unclassified acquirers, transportation companies, transporters, and retailers of tobacco products; to prescribe the powers and duties of the revenue division and the department of treasury in regard to tobacco products; to provide for the administration,

collection, and disposition of the tax; to levy an assessment; to provide for the administration, collection, defense, and disposition of the assessment; to provide for the enforcement of this act; to provide for the appointment of special investigators as peace officers for the enforcement of this act; to prescribe penalties and provide remedies for the violation of this act; and to repeal acts and parts of acts,” by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 2002 PA 503.

The House of Representatives has amended the Senate substitute (S-11) as follows:

1. Amend page 7, line 21, after “MCL 333.5953.” by inserting “**Fifty percent of the proceeds described in this subdivision that are used for smoking prevention programs shall be used by the department of community health to expand the free smokers quit kit program to include the nicotine patch or nicotine gum.**”.

2. Amend page 8, line 13, after “MCL 333.5953.” by inserting “**Fifty percent of the proceeds described in this subdivision that are used for smoking prevention programs shall be used by the department of community health to expand the free smokers quit kit program to include the nicotine patch or nicotine gum.**”.

3. Amend page 9, line 2, after “MCL 333.5953.” by inserting “**Fifty percent of the proceeds described in this subdivision that are used for smoking prevention programs shall be used by the department of community health to expand the free smokers quit kit program to include the nicotine patch or nicotine gum.**”.

4. Amend page 9, line 18, after “MCL 333.5953.” by inserting “**Fifty percent of the proceeds described in this subdivision that are used for smoking prevention programs shall be used by the department of community health to expand the free smokers quit kit program to include the nicotine patch or nicotine gum.**”.

5. Amend page 10, line 5, after “MCL 333.5953.” by inserting “**Fifty percent of the proceeds described in this subdivision that are used for smoking prevention programs shall be used by the department of community health to expand the free smokers quit kit program to include the nicotine patch or nicotine gum.**”.

The House of Representatives has concurred in the Senate substitute (S-11) as amended and agreed to the full title.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the House amendments made to the Senate substitute,

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

Roll Call No. 455

Yeas—20

Basham	Clarke	Johnson	Schauer
Bernero	Emerson	Kuipers	Sikkema
Brater	George	Leland	Switalski
Cherry	Hardiman	Olshove	Thomas
Clark-Coleman	Jacobs	Prusi	Van Woerkom

Nays—15

Allen	Brown	Goschka	Sanborn
Barcia	Cassis	Jelinek	Stamas
Birkholz	Cropsey	McManus	Toy
Bishop	Gilbert	Patterson	

Excused—3

Garcia	Hammerstrom	Scott
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Not Voting—0

Protest

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House amendments to House Bill No. 5632.

Senator Cassis' statement is as follows:

I rise to make my "no" vote explanation on the cigarette tax increase, entitled "Ode to sacrifice, suffering cigarette and taxes."

Puff on, oh smokers of Michigan. Take a deep and satisfying puff. Enjoy it! For every puff is furled with gold. Why eat caviar? Take a puff. You are the chosen ones. Your expensive taste will feed the hungry and heal the sick. Your sacrifice will bring you a glory and forever emblazon your name in the annals of history. You were the chosen ones to make the ultimate sacrifice to save your state's fortunes and glory.

You are leading the fight against the scourge of disease. The cause is just; the aim is pure. Your leaders have nothing but the highest regard for your health and safety.

With apologies to "Man of La Mancha," I add this quixotic and satirical summary:

Hear me now, oh, the bleak and unbearable world
 Thou art base and debauched as can be
 And a knight with his banner all bravely unfurled
 Now hurls down his gauntlet to thee!

I am I, Don Quixote, the Lord of La Mancha
 Destroyer of evil am I
 I will march to the sound of the trumpets of glory
 Forever to conquer or die.

I am Sancho, yes I am Sancho
 I follow my master till the end
 I'll tell all the world proudly
 I'm his squire, I'm his friend.

Hear me heathens, and wizards, and servants of sin
 All your dastardly doings are past
 For a holy endeavor is now to begin
 And virtue shall triumph at last!

I am I, Don Quixote, the Lord of La Mancha
 My destiny calls and I go
 And the wild winds of fortune will carry me onward
 Oh whither so ever they blow
 Wither so ever they blow
 Onward to glory I go!

Senate Bill No. 1135, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 20517 and 20519.

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. 456

Yeas—35

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

Bishop
Brater
Brown
Cassis

George
Gilbert
Goschka
Hardiman

McManus
Olshove
Patterson
Prusi

Thomas
Toy
Van Woerkom

Nays—0

Excused—3

Garcia

Hammerstrom

Scott

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. 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.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House,
Senator Allen offered the following substitute to the House substitute:
Substitute (S-2).

The substitute to the substitute was adopted.

The question being on concurring in the House substitute, as substituted,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 457

Yeas—35

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Emerson
George
Gilbert
Goschka
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—3

Garcia

Hammerstrom

Scott

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.

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

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 158 and section 7 as amended by 1985 PA 221.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

House Bill No. 5589, entitled

A bill to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 8 (MCL 722.628), as amended by 2002 PA 690.

(For text of amendment, see Senate Journal No. 64, p. 1200.)

The question being on concurring in the House amendment made to the Senate amendments,

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

Roll Call No. 458

Yeas—35

Allen

Barcia

Basham

Bernero

Birkholz

Bishop

Brater

Brown

Cassis

Cherry

Clark-Coleman

Clarke

Cropsey

Emerson

George

Gilbert

Goschka

Hardiman

Jacobs

Jelinek

Johnson

Kuipers

Leland

McManus

Olshove

Patterson

Prusi

Sanborn

Schauer

Sikkema

Stamas

Switalski

Thomas

Toy

Van Woerkom

Nays—0

Excused—3

Garcia

Hammerstrom

Scott

Not Voting—0

In The Chair: President

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

Senator Cropsey 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 with amendments, the following bill:

Senate Bill No. 1114, entitled

A bill to prohibit the payment of money or other consideration as a condition of awarding a prize under certain circumstances; to prescribe the disclosure of certain information to certain persons; to prescribe the powers and duties of certain state and local officials relating to the regulation of certain prizes and sweepstakes; and to prescribe penalties and provide remedies.

The following are the amendments recommended by the Committee of the Whole:

1. Amend page 2, following line 18, by inserting:

“(v) A statement specifying the verifiable retail value of each prize.” and renumbering the remaining subparagraph.

2. Amend page 4, line 5, after “shall” by striking out “contain a” and inserting “include all of the following:

(a) A”.

3. Amend page 4, following line 9, by inserting:

“(b) A method by which a person may remove his or her name from any solicitation lists used by the sweepstakes solicitor or sponsor in conducting sales solicitations, either by a call to a toll-free number or by mail to an address identified in the sales solicitation.

(c) If any prizes in the sweepstakes are awarded by a random drawing, the date of the drawing and a statement that the solicitor or sponsor will notify the winners within 60 days of that date.”.

4. Amend page 6, following line 18, by inserting:

“(d) Establish a different method of entering a sweepstakes for a person who submits an order for a good or service than for a person who does not submit an order for a good or service.

(e) Fail or refuse to remove the name of a person from any solicitation lists used by the solicitor or sponsor in conducting sales solicitations if requested by the person.

(f) If any prizes in a sweepstakes are awarded by a random drawing, fail to include the date of the drawing in the sweepstakes entry material or fail to notify the winners within 60 days of the date of the drawing.”.

5. Amend page 9, following line 14, by inserting:

“(4) The remedies, sanctions, and penalties contained in this act for conduct that violates this act are in addition to and do not affect the availability of any remedies, sanctions, or penalties that are available under the Michigan consumer protection act, 1976 PA 331, MCL 445.901 to 445.922, or any other state law for that conduct.”.

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 1302, 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 (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:
Senate Bill No. 1303, 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 (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:
Senate Bill No. 1304, 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.

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:
Senate Bill No. 1305, 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 (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:
Senate Bill No. 1274, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37f.

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 1274

Senate Bill No. 1302

Senate Bill No. 1303

Senate Bill No. 1304

Senate Bill No. 1305

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

The following bill was announced:

House Bill No. 5742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 205.

(This bill was read a third time on June 23, substitute offered and consideration postponed. See Senate Journal No. 64, p. 1239.)

The question being on the adoption of the following committee substitute:
Substitute (S-1).

The substitute was adopted, a majority of the members serving voting therefor.

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. 459**Yeas—34**

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

Nays—0**Excused—3**

Garcia	Hammerstrom	Scott
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Not Voting—1

Emerson

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.

Senator Schauer moved that Senator Emerson be temporarily excused from the balance of today’s session.

The motion prevailed.

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

The motion prevailed.

Senator Birkholz’s statement is as follows:

Colleagues, House Bill No. 5742 is the bill about which I spoke earlier this morning. We had a bill, which you all adopted unanimously under my name. It was Senate Bill No. 1133. When the bill went over to the House, the House

split the bill into two bills and gave them to House members. This is the first bill which creates the voluntary lab data quality recognition program within the DEQ. The amendment which created the substitute allowed for commercial labs only. We wanted to clarify the fact that this is for commercial labs only.

These bills will mean an immediate benefit to approximately 90 commercial labs in Michigan who do environmental testing, but right now are not allowed to bid and not allowed to produce any kind of work for the Department of Environmental Quality. So with the passage of this bill and the bill following it, we will be creating a new voluntary quality data lab program which will mean an increase of jobs in Michigan and a potential increase of over \$2 million to the lab industry. So it is good for our department, it is good for our state, and it is good for job growth. I urge your adoption of House Bill No. 5742.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5743, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 20513.

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. 460

Yeas—35

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

Nays—0

Excused—3

Garcia	Hammerstrom	Scott
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Not Voting—0

In The Chair: President

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

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

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

“An act to 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.

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

Senate Bill No. 1302

Senate Bill No. 1303

Senate Bill No. 1304

Senate Bill No. 1305

Senate Bill No. 1274

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1302, 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.

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. 461

Yeas—35

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

Nays—0

Excused—3

Garcia	Hammerstrom	Scott
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1303, 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.

The question being on the passage of the bill,

Senator Sanborn offered the following amendment:

1. Amend page 3, following line 22, by inserting:

"(6) A qualified start-up business shall not receive the exemption under subsection (3) for more than a total of 5 tax years. A qualified start-up business may receive the exemption under subsection (3) in nonconsecutive tax years." and renumbering the remaining subsection.

The amendment was adopted, a majority of the members serving voting therefor.

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. 462**Yeas—35**

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

Nays—0**Excused—3**

Garcia	Hammerstrom	Scott
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1304, 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 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. 463**Yeas—35**

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

Nays—0

Excused—3

Garcia

Hammerstrom

Scott

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. 1305, 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.

The question being on the passage of the bill,

Senator Bernero offered the following amendment:

1. Amend page 1, line 1, after “**Sec.**” by striking out “**7hh**” and inserting “**1a**”.

The amendment was adopted, a majority of the members serving voting therefor.

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. 464**Yeas—35**

Allen

Cherry

Jacobs

Sanborn

Barcia

Clark-Coleman

Jelinek

Schauer

Basham

Clarke

Johnson

Sikkema

Bernero

Cropsey

Kuipers

Stamas

Birkholz

Emerson

Leland

Switalski

Bishop

George

McManus

Thomas

Brater

Gilbert

Olshove

Toy

Brown

Goschka

Patterson

Van Woerkom

Cassis

Hardiman

Prusi

Nays—0**Excused—3**

Garcia

Hammerstrom

Scott

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. 1274, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37f.

The question being on the passage of the bill,

Senator Brown offered the following amendment:

1. Amend page 2, following line 20, by inserting:

"(5) The capital investment threshold for purposes of subsection (1) must be met at the principal place of employment of any employee of the taxpayer that performs a created job." and renumbering the remaining subsection.

The amendment was adopted, a majority of the members serving voting therefor.

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. 465

Yeas—35

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

Nays—0

Excused—3

Garcia	Hammerstrom	Scott
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

By unanimous consent the Senate proceeded to the order of
Statements

Senators Schauer, Cherry, Switalski, Cropsey and Toy asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal. The motion prevailed.

Senator Schauer's statement is as follows:

Colleagues, history was made yesterday here at the State Capitol, according to Capitol historian Kerry Chartkoff. That history was the first Senate Coney Challenge, and according to historian Chartkoff, it merits repeating. From the long lines at the west entrance of the Capitol and the mustard-stained shirts, I can tell that many of you enjoyed the contest which celebrated the Coney Island's place in Michigan's culinary and cultural heritage.

Before I talk about the results, I must recognize and thank the five restaurants who, at their own expense, served hundreds of coney dogs to their hungry, admiring fans. The entrants were local entrepreneurs, business people committed to their communities they serve. They were: Jackson Coney Island established in 1913, Jaxson Pizza Factory, Ted's Firehouse Pub and Grill of Jackson, Tom Z's from Flint, and Senate Coney Island of Livonia. I would also like to thank the judges who participated, even though their novice taste buds tainted the results.

I congratulate Senate Coney Island—maybe their name had something to do with their selection—on being picked Best Coney by the judges. I think my Flint colleagues would agree that this selection is tainted by confusion over the difference between a chili dog and a coney dog. As stated by Judge Kyle Melinn—he is here in this very chamber—in his article in the morning's MIRS, "It's possible the judges may have been drawn to the Livonia dog because its more liquid sauce resembled the more familiar chili dog. A true coney dog," according to Mr. Melinn, "is topped with pure meat sauce."

An asterisk will be placed by Livonia's win. Runny, sloppy sauce on a hot dog is not a coney. My compliments to Flint for also serving an authentic coney dog, although I'm not sure what foreign ingredient makes the meat red.

By the lines formed and the number of Jackson coneys consumed, compared to their competing communities, Jackson definitely deserves special recognition for their quality, standards, and adherence to Coney Island purity and tradition.

So it was a great, history-making day at the Capitol yesterday. Michigan is Coney Island Capital of the United States. I'm sure you'd all agree.

Senator Cherry's statement is as follows:

Not often do I agree with the Minority Floor Leader on the issue of Coney Island. I do want to say that he is right about the fact that the judges from Lansing don't know what a coney dog is. I was shocked when I heard the results of the contest yesterday. I know, Mr. President, that you will agree with me that Flint has the best Coney Islands in this state and that Koegel's makes the best hot dogs that we have seen across this state.

I just want to put out an official protest to the results of the contest that occurred yesterday.

Senator Switalski's statement is as follows:

I rise today to defend my good colleague from Livonia and her fine coney dogs. I ask for the chamber's understanding for the Minority Floor Leader as he chokes down his crow dog.

Senator Cropsy's statement is as follows:

A few years back we had a State Senator here, Senator Bouchard, who ran for a vacancy in Oakland County for the office of sheriff. The local officials there, who were duly constituted to do so, appointed Senator Bouchard as sheriff of Oakland County, and he resigned. He was appointed by local officials to that office.

In the past, we have had Senator Coleman Young run for mayor of Detroit and left this body in the middle of his term in order to become the mayor of Detroit. We have had the director of DLEG, who used to be Representative David Hollister, in the middle of his term as State Representative, ran for mayor of Lansing and was elected and resigned from the State Legislature to take the position of mayor of Lansing. We also had, I believe, it was the gentleman who became mayor of Pontiac, Charlie Harrison, who was a State Representative who ran for mayor in the middle of his term and went and became mayor of Pontiac. He resigned from the State Legislature. We had a Senator here in our area in the city of Lansing, who is sitting here in the Senate and is doing a very fine job as a Senator, who ran for an office as mayor of Lansing and did not have any problem getting on the ballot and running for that office. I just want to remark also that the Senator from the 22nd District was elected from the State House to the State Senate in a special election, leaving the State House in the middle of his term to come to the State Senate. The Senator from the 11th District ran in a special election to come to the State Senate and left the State House early.

Article 1, Section 1 of the Michigan Constitution says "All political power is inherent in the people." The people chose. We have people who go on the ballot, they run, and the people choose. Unfortunately, last week, we had a partisan judge from the county of Saginaw take one of our members in this body, who represents the 32nd District, and said that that member could not run for register of deeds. In spite of the fact that Coleman Young had run for mayor, Dave Hollister had run for mayor, Charlie Harrison had run for mayor, our good Senator from the Lansing area had run for mayor, Senator Bouchard had been appointed sheriff, but yet this judge took upon herself to say that the Senator from the 32nd District could not qualify for register of deeds because of Article 4, Section 9. I'd like to read that article to this body. Article 4, Section 9 states that "No person elected to the legislature shall receive any civil appointment within this state from the governor, except notaries public, from the legislature, or from any other state authority, during the term for which he is elected."

No election that I know of is considered to be a civil appointment. This judge has taken upon herself, in a very partisan move, in a very partisan county to make sure that one of our members from the opposite party cannot run for one of the local offices there. If this judge's position stands, it would mean that anyone in the State House of Representatives running for a special election to the State Senate could not run. That would have affected several members of this body. It would have meant that Senator Bouchard could not have been appointed as sheriff, and there you are looking at an appointment, but it was a local appointment. Certainly, when you are looking at the voters, you are looking at an election and not an appointment.

This morning the Board of Canvassers in Saginaw County met and basically said that they were not going to put this Senator on the ballot because of the judge's decision. They could have waited a while. They could have waited for emergency appeals to have run out before they did this, but in a very partisan move did not do so.

I think we all ought to be ashamed of the Democrat Party in Saginaw County for what they have done and for what they are doing. Democrat is supposed to mean "of the people," but yet they are doing everything they can to make sure that the people in that county do not have a choice for register of deeds. They slapped at the Constitution, they have stifled the voters, and they are socking it to the taxpayers. Lady Liberty hangs her head today and weeps because of the Democrat Party.

Senator Toy's statement is as follows:

I rise because I am hearing some dissent among the ranks here. We are very proud, I have to say, in the 6th District of which Livonia is a part of, and my good Senator friend from the 8th District also has Senate Coney Island down in his district as well.

It's a good bipartisan effort, which we would like to stay around the Lansing area these days. When you talk about how sausage is made and politics, certainly, we have seen what a good Coney Island can be made of. I invite you all down to either the good Senator from the 8th District, or particularly, from Livonia to visit their establishment. They are great entrepreneurs, they are hard workers, and they also own Harry and Dave's, for those of you who live in the Dearborn area. George is a good Greek who runs Senate Coney Island and he owns it. They have a great jazz band that performs there weekly and wonderful food there, but no Coney Island there, unfortunately.

I think this is a big win for the Senate, as the good Senator who helped sponsor this had said, that it is called Senate Coney Island, and it has been around for a long time. I appreciate the efforts and the opportunity of the good judges and their good judgment on making such a wonderful decision for this great state.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Switalski introduced

Senate Bill No. 1320, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9123 (MCL 324.9123), as amended by 2000 PA 504.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Allen, McManus, Olshove, Sanborn, Jacobs, Prusi and Bishop introduced

Senate Bill No. 1321, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 2 (MCL 492.102), as amended by 1995 PA 166.

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 Brown, Kuipers, Garcia, Birkholz, McManus, Hardiman and Stamas introduced

Senate Bill No. 1322, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 12 and 41 (MCL 432.12 and 432.41), section 12 as amended by 2002 PA 471 and section 41 as amended by 1997 PA 72.

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

House Bill No. 4213, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 626 (MCL 380.626).

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. 5471, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 4 and 7a (MCL 722.24 and 722.27a), section 4 as amended by 1998 PA 482 and section 7a as amended by 1996 PA 19.

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 Judiciary.

House Bill No. 5888, 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 House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5969, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 15, 17, 19, and 55 (MCL 257.1815, 257.1817, 257.1819, and 257.1855), sections 17, 19, and 55 as amended by 2000 PA 49.

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

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

House Bill No. 5974, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45 (MCL 24.245), as amended by 2004 PA 23.

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 Government Operations.

House Bill No. 6004, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 21 (MCL 78.21), as amended by 2003 PA 304.

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 Government Operations.

Committee Reports

The Committee on Commerce and Labor reported

House Bill No. 5598, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 43 (MCL 421.43), as amended by 2000 PA 490.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, McManus, Schauer and Olshove

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 Commerce and Labor submitted the following:

Meeting held on Tuesday, June 22, 2004, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5021, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1615.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom 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. 5174, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 16 and 18 (MCL 750.16 and 750.18), section 16 as amended by 2002 PA 672.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

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.

The Committee on Judiciary reported

House Bill No. 5175, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 17763, and 17764 (MCL 333.16221, 333.16226, 333.17763, and 333.17764), sections 16221 and 16226 as amended by 2003 PA 234 and section 17763 as amended by 1997 PA 153.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

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.

The Committee on Judiciary reported

House Bill No. 5176, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2003 PA 309.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

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.

The Committee on Judiciary reported

House Bill No. 5177, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2000 PA 279.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

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.

The Committee on Judiciary reported

House Bill No. 5178, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2002 PA 670.

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, June 22, 2004, at 1:00 p.m., Room 210, Farnum Building

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

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

Senate Bill No. 1302, 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.

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 Sanborn
Chairperson

To Report Out:

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

Nays: None

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

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

Senate Bill No. 1303, 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.

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 Sanborn
Chairperson

To Report Out:

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

Nays: None

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

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

Senate Bill No. 1304, 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.

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 Sanborn
Chairperson

To Report Out:

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

Nays: None

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

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

Senate Bill No. 1305, 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.

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 Sanborn

Chairperson

To Report Out:

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

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 Economic Development, Small Business and Regulatory Reform submitted the following:

Meeting held on Wednesday, June 23, 2004, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

Scheduled Meetings

Commerce and Labor - Tuesday, June 29, 3:00 p.m., Room 100, Farnum Building (373-2413)

Families and Human Services - Wednesday, June 30, 3:00 p.m., Room 110, Farnum Building (373-1801)

Judiciary - Tuesday, June 29, 1:00 p.m., Room 210, Farnum Building (373-3760)

Natural Resources and Environmental Affairs - Tuesday, June 29, 3:00 p.m., Room 110, Farnum Building (373-3447)

Transportation - Tuesday, June 29, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsy moved that the Senate adjourn.

The motion prevailed, the time being 11:40 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, June 29, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI

Secretary of the Senate

