

**No. 41**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**92nd Legislature**  
**REGULAR SESSION OF 2004**

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Senate Chamber, Lansing, Thursday, April 29, 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

Reverend Oscar R. Carter of Inkster Springhill Missionary Baptist Church of Inkster offered the following invocation:

Eternal God, our Heavenly Father, we thank You for allowing us to be present this morning in the Michigan State Senate Chamber. As each State Senator represents the men and the women, the boys and the girls, the rich and the poor, and the homeless and the hopeless of their own community, we know that You are the God who is the God of all the people. Regardless of where they live, what conditions they might live in, how good or bad their situation might be, You are the God who loves and cares for everyone.

Dear Lord, we ask that You would be present in this meeting today, as Senators present ideas and write recommendations that might become law. As committees meet to discuss and even debate the different views of issues; as individuals take their stand based on their views, we ask that You will be a part of the discussion and the debates.

Dear Lord, as we begin this day in the Michigan State Senate, there might be disagreements on views, but let these Senators not be disagreeable in doing what is best for all the people of the state of Michigan.

Dear Lord, all of us realize that the day will come when each of these Senators will have to retire from their seat of service as an elected official. The day will come when each of these Senators will debate their last debate and cast their last vote. The day will come when each of them will stand before Your presence and review the years of serving the people of the state of Michigan. We pray that You will find what they have said and done to be worthy in hearing You say to them: "Well done, thou good and faithful servant."

In this chamber, they might not get every law passed. In this chamber, they might not win everyone's favor. In this chamber, they might lose some arguments along the way, but I believe that everyone who serves in this honorable place wants to do their best to receive the greatest of all rewards, hearing the Eternal God say to them: "Well done, thou good and faithful servant."

We pray for each one of these leaders of our state legislative body. Dear Lord, it is our prayer that Your will will be done in and through the gathering of these leaders today.

We pray this prayer in the precious name of Jesus Christ, our Lord and our Savior. Amen.

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

### Motions and Communications

Senator Garcia entered the Senate Chamber.

Senator Hammerstrom moved that the Committee on Government Operations be discharged from further consideration of the following appointment:

#### **Michigan Technological University Board of Control**

Russell A. Gronevelt, Jr., of 11648 Paciocco Court, Plymouth, Michigan 48170, county of Wayne, succeeding A. Douglas Rothwell, who has resigned, for a term commencing March 4, 2004 and expiring December 31, 2010.

The motion prevailed, a majority of the members serving voting therefor, and the appointment was placed on the order of Messages from the Governor.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 28:

**House Bill Nos. 5232 5589 5673**

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, April 28, and are available at the legislative Web site:

**Senate Bill Nos. 1167 1168 1169 1170 1171**

**House Bill Nos. 5822 5823 5824**

**House Joint Resolution X**

By unanimous consent the Senate proceeded to the order of

### **General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop as Chairperson.

### Recess

Senator Hammerstrom moved that the Committee of the Whole recess subject to the call of the Chairperson. The motion prevailed, the time being 11:45 a.m.

11:56 a.m.

The Committee of the Whole was called to order by the Chairperson, Senator Bishop.

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 a substitute therefor, the following bill:

#### House Bill No. 4610, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 3, 11, 12, 23, and 32 (MCL 432.3, 432.11, 432.12, 432.23, and 432.32), the title as amended by 1996 PA 95, sections 3, 11, and 23 as amended by 1996 PA 167, section 12 as amended by 2002 PA 471, and section 32 as amended by 1996 PA 13, and by adding a heading for article 1 and adding article 2.

Substitute (S-2).

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

1. Amend page 4, line 15, after "**be**" by inserting "**owned and**".
2. Amend page 12, line 20, after "**shareholders**" by inserting "**who own more than a 1% interest in the applicant**".
3. Amend page 13, line 9, after "**owned**" by inserting a comma and "**operated,**".
4. Amend page 13, line 13, after "**169.203**" by inserting a comma and "**or any committee described in the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282**".
5. Amend page 15, line 27, after "**shareholder**" by inserting "**who owns more than a 1% interest in the applicant or holder**".
6. Amend page 16, line 4, after "**shareholder**" by inserting "**who owns more than a 1% interest in the person**".
7. Amend page 16, line 4, after "**individual,**" by inserting "**then**".
8. Amend page 16, following line 8, by inserting:  
 "(v) **The spouse, parent, child, or spouse of a child of an individual described in subparagraphs (i) to (iii).**"
9. Amend page 18, line 18, after "**owned**" by inserting a comma and "**operated,**".
10. Amend page 21, line 11, after "**The**" by inserting "**individual, the**".
11. Amend page 24, following line 2, by inserting:  
 "**Sec. 52a. The bureau shall encourage video lottery to be conducted with a video lottery machine that was assembled in the state of Michigan.**"
12. Amend page 32, line 22, after the second "**or**" by inserting "**for**".
13. Amend page 34, following line 27, by inserting:  
 "**(I) Suspend and, if the board determines necessary, revoke a video lottery license if the license holder fails to conduct the number of live race days as allocated to the license holder under the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336, unless excused from doing so by the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.**"
14. Amend page 37, line 20, after "**committee**" by striking out the balance of the line through "**169.203**" on line 21.
15. Amend page 39, line 16, after "**holder**" by inserting "**or permit holder**".
16. Amend page 40, line 9, after "**this**" by striking out "**act**" and inserting "**article**".
17. Amend page 40, line 11, after "**this**" by striking out "**act**" and inserting "**article**".
18. Amend page 41, line 19, after "**lottery**" by striking out "**licensees**" and inserting "**license holders**".
19. Amend page 42, line 6, by striking out all of subparagraph (iv).
20. Amend page 43, line 10, after "**equipment.**" by striking out the balance of the line through "**models.**" on line 19 and inserting "**The board may contract with an independent laboratory to test video lottery machines and related equipment on a periodic basis to ensure that the machines and equipment comply with the board's standards and any other applicable standards and regulations. The manufacturer, vendor, or lessor of the machines and equipment shall pay all costs associated with the testing.**"
21. Amend page 43, line 26, by striking out all of line 26 through "**compatibility.**" on line 2 of page 44.
22. Amend page 44, line 6, by striking out all of line 6 through "**article.**" on line 11.
23. Amend page 44, line 16, by striking out "**(5)**" and inserting "**(2)**".
24. Amend page 44, line 25, by striking out "**(6)**" and inserting "**(3)**".
25. Amend page 45, line 10, after "**shall**" by striking out the balance of the line through all of line 12 on page 47 and inserting "**be approved by the board and comply with all federal, state, and local laws and ordinances and those rules promulgated by the board pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.**"

26. Amend page 47, line 13, by striking out “(I)” and inserting “(2)”.
27. Amend page 47, line 19, by striking out “(m)” and inserting “(3)”.
28. Amend page 48, line 3, by striking out “(n) The” and inserting “(4) A”.
29. Amend page 48, line 9, by striking out “(o) The” and inserting “(5) A”.
30. Amend page 48, line 12, by striking out “(2)” and inserting “(6)”.
31. Amend page 48, line 14, after “game.” by striking out the balance of the line through all of line 21 on page 50.
32. Amend page 54, line 10, after “committee” by striking out the balance of the line through “169.203,” on line 12.
33. Amend page 55, line 15, after the first “the” by striking out “municipality” and inserting “local unit of government”.
34. Amend page 56, line 2, after the second “a” by striking out “licensee” and inserting “license holder”.
35. Amend page 56, line 27, after “(1)” by striking out “The” and inserting “Subject to section 59c, the”.
36. Amend page 57, line 7, after “before” by striking out the balance of the subparagraph and inserting “January 1, 2003.”.
37. Amend page 57, line 11, after “licensed” by striking out the balance of the sub-subparagraph and inserting “after January 1, 2003 and before April 30, 2004.”.
38. Amend page 57, line 18, after “fee” by striking out “of \$15,000.00”.
39. Amend page 57, line 20, after “operate.” by inserting “The amount of the application fee shall be determined by the board after conducting a market analysis of fees, but in no case shall it be less than \$15,000.00 per terminal.”.
40. Amend page 58, following line 4, by inserting:
 

“(f) If the application is not an application to renew a license, the racetrack where the applicant conducts its race meetings is not located within the following distance of a casino where gaming is conducted by a federally recognized Indian tribe:

  - (i) If at the time of the application the tribe is making payments to this state of 8% of the total amount wagered on electronic games of chance at the casino minus the amount paid for winning wagers at the machines, 25 miles.
  - (ii) If for the 3 years before the application the tribe has made payments to this state of 8% of the total amount wagered on electronic games of chance at the casino minus the amount paid for winning wagers at the machines, 50 miles.”.
41. Amend page 59, line 25, after “conduct” by inserting “or support financially”.
42. Amend page 62, line 20, by striking out all of section 59a and inserting:
 

“Sec. 59a. (1) The board shall not place video lottery terminals or grant a license to a person that conducts its race meetings at a racetrack located in a city that has a population of more than 6,000 and less than 15,000 unless a majority of the electors of the city voting on the question have approved the operation of video lottery terminals at the racetrack. The question of operation of video lottery terminals at the racetrack shall be submitted to the electors of the city at the next regular election held after the person applies for the license or at a special election held before the next regular election and called for that purpose by the city council.”.
43. Amend page 63, following line 19, by inserting:
 

“(2) A person shall not construct, as part of changes or improvements under this section, a building or structure to be used as a meeting, conference, convention, or exposition space that has a total floor area of more than 30,000 square feet.”.
44. Amend page 64, following line 25, by inserting:
 

“Sec. 59c. The board shall not place video lottery terminals or grant a license to operate video lottery unless a majority of the electors of the county where the racetrack where video lottery is proposed to be operated is located voting on the question have approved the operation of video lottery terminals at the racetrack. The question of operation of video lottery terminals at the racetrack shall be submitted to the electors of the county at the next regular election held after the person applies for the license or at a special election held before the next regular election and called for that purpose.”.
45. Amend page 64, line 26, after “permit” by inserting “to a manufacturer or supplier”.
46. Amend page 68, line 1, after “litigation” by inserting “including, but not limited to, litigation involving the business practices of the applicant”.
47. Amend page 73, line 3, after “A” by striking out “licensee” and inserting “license holder”.
48. Amend page 77, following line 23, by inserting:
 

“(f) Move the location of its video lottery operation from the initial location that was approved by the board.”.
49. Amend page 79, line 16, after “(ii)” by striking out “Twenty” and inserting “Nineteen”.
50. Amend page 79, line 22, after “this” by striking out “subdivision” and inserting “subparagraph”.
51. Amend page 79, line 25, after “pay” by striking out “1/2 of a percent” and inserting “4%”.
52. Amend page 79, line 26, by striking out “subdivision” and inserting “subparagraph”.

53. Amend page 79, line 26, by striking out “**subdivision, but not more than \$1,000,000.00 per year**” and inserting “**subparagraph, quarterly**”.

54. Amend page 80, following line 12, by inserting:

“(v) **One percent to the compulsive gaming prevention fund created in section 3 of the compulsive gaming prevention act, 1997 PA 70, MCL 432.253.**”.

55. Amend page 82, following line 1, by inserting:

“**Sec. 63a. A local unit of government that receives money under section 63(3)(b)(ii) shall distribute up to 1/4 of the money received to the local community mental health entity to provide grants to local community health organizations that provide treatment and counseling for compulsive gambling for treatment and counseling of compulsive gambling. Any funds not distributed in grants shall be returned to the local unit of government.**”.

56. Amend page 83, line 4, by striking out “**of \$15,000.00**” and inserting “**equal to the initial application fee in section 59(1)(b)**”.

57. Amend page 83, line 5, after “**replaced**” by inserting a comma and “**of which \$10,000.00 for each machine shall be deposited by the board into the state school aid fund**”.

58. Amend page 83, line 10, after “**add**” by inserting a comma and “**of which \$10,000.00 for each machine shall be deposited by the board into the state school aid fund**”.

59. Amend page 83, line 14, after the first “**the**” by striking out “**local unit of government**” and inserting “**community**”.

60. Amend page 93, line 17, after “**holder**” by inserting a comma and “**permit holder,**”.

61. Amend page 96, line 18, after “**may**” by inserting “**cause to be forfeited,**”.

62. Amend page 97, line 2, after “**holder**” by striking out “**or of the board**”.

63. Amend page 102, line 12, after “**committee**” by striking out the balance of the subsection and inserting a period.

64. Amend page 102, line 16, after “**(1)**” by striking out the balance of the line.

65. Amend page 102, line 19, after “**(1)**” by striking out the balance of the line through “**committee,**” on line 20.

66. Amend page 102, line 25, after “**a**” by striking out “**misdemeanor**” and inserting “**felony**”.

67. Amend page 102, line 25, after “**than**” by striking out “**1 year**” and inserting “**5 years**”.

68. Amend page 102, line 26, after “**of**” by striking out “**\$10,000.00**” and inserting “**not more than \$25,000.00**”.

69. Amend page 106, line 8, after “**A**” by striking out “**licensee**” and inserting “**license holder**”.

70. Amend page 106, line 12, after “**The**” by striking out “**licensee**” and inserting “**license holder**”.

71. Amend page 106, line 14, after “**a**” by striking out “**licensee**” and inserting “**license holder**”.

72. Amend page 106, line 15, after the second “**the**” by striking out “**licensee**” and inserting “**license holder**”.

73. Amend page 106, line 18, after the second “**the**” by striking out “**licensee**” and inserting “**license holder**”.

74. Amend page 106, line 20, by striking out “**licensee**” and inserting “**license holder**”.

75. Amend page 107, line 17, after “**percent**” by inserting “**of the money deposited with the depository under section 63**”.

76. Amend page 108, line 18, after “**percent**” by inserting “**of the money designated under section 63 to be distributed to breeders’ awards**”.

The Senate agreed to the substitute, as amended, 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 Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

#### House Bill No. 4610

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

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

#### House Bill No. 4610

#### Senate Bill No. 1009

#### House Bill No. 5026

#### House Bill No. 5182

#### House Bill No. 5197

#### House Bill No. 5427

#### House Bill No. 5428

**House Bill No. 5429**

**House Bill No. 5648**

**House Bill No. 5545**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4610, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 3, 11, 12, 23, and 32 (MCL 432.3, 432.11, 432.12, 432.23, and 432.32), the title as amended by 1996 PA 95, sections 3, 11, and 23 as amended by 1996 PA 167, section 12 as amended by 2002 PA 471, and section 32 as amended by 1996 PA 13, and by adding a heading for article 1 and by adding section 2 and article 2.

The question being on the passage of the bill,

Senator Cherry offered the following amendments:

1. Amend page 79, line 14, after "**percent**" by inserting a comma and "**less the amounts distributed under subparagraphs (C) and (D),**".

2. Amend page 79, following line 15 by inserting:

**"(C) Five percent, not to exceed \$5,000,000.00, in equal portions to the treasurers of counties in this state with populations of more than 1,000,000 in which racetracks where video lottery operations are conducted are located, not less than 15% of which shall be expended by the county receiving it for the operation of the county fair in that county.**

**(D) Two percent, not to exceed \$2,000,000.00, in equal portions to the treasurers of counties in this state with populations of less than 1,000,000 in which racetracks where video lottery operations are conducted are located, not less than 15% of which shall be expended by the county receiving it for the operation of the county fair in that county."**

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Scott offered the following amendments:

1. Amend page 78, line 25, after "**(3)**" by striking out "**Net**" and inserting "**Subject to section 63b, net**".

2. Amend page 82, following line 1, by inserting:

**"Sec. 63b. If a race meeting licensee conducts its race meetings at a racetrack located at the state fairgrounds in Wayne county and if the bureau has issued a video lottery license to that race meeting licensee, the net terminal income from that license holder shall not be combined with the net terminal income from other license holders under section 63. The net terminal income from the license holder that conducts its race meetings at the state fairgrounds in Wayne county shall be distributed according to section 63 with the following exceptions:**

**(a) Only 4% of the money distributed under section 63(3)(b) shall be distributed to the agricultural enhancement purse pool described in section 77.**

**(b) Only 1% of the money distributed under section 63(3)(b) shall be distributed to pay breeders' awards described in section 77.**

**(c) Five percent of the money distributed under section 63(3)(b) shall be distributed to a city with a population of at least 15,000 but less than 17,000 located in a county with a population in excess of 2,000,000."**

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Thomas offered the following amendments:

1. Amend page 61, line 26, after "**property**" by inserting "**other than the state fairgrounds in Wayne county**".

2. Amend page 79, line 14, after "**percent**" by inserting a comma and "**less any amount distributed under subparagraph (C) or (D),**".

3. Amend page 79, following line 15, by inserting:

**"(C) For the first year that the board receives net terminal income, 20%, not to exceed \$20,000,000.00, for capital improvements to the state fairgrounds located in Wayne county.**

**(D) For each year after the first year that the board receives net terminal income and if the state fairgrounds located in Wayne county remains where it is located on the effective date of the amendatory act that added this article, 5%, not to exceed \$5,000,000.00 for the state fair or other park and recreation purposes."**

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Thomas offered the following amendments:

1. Amend page 78, following line 27, by inserting:

**"(a) The first \$30,000,000.00 of the gross terminal income received, to a city in this state with a population of 750,000 or more."** and relettering the remaining subdivisions.

2. Amend page 79, line 7, after “shall” by striking out “first” and inserting a comma and “after making the payment under subdivision (a),”.

3. Amend page 79, line 9, after “under” by striking out “subdivision (a)” and inserting “subdivisions (a) and (b)”. The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Thomas offered the following amendment:

1. Amend page 62, line 1, after “location.” by inserting “The board shall not issue a license to conduct video lottery at a location within 10 miles of the location of a racetrack that is located in a city with a population of more than 10,000 and less than 22,000 in a county with a population of more than 1,000,000.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Patterson offered the following amendments:

1. Amend page 78, following line 27, by inserting:

“(a) The first \$20,000,000.00 received into the state school aid fund.

(b) The second \$20,000,000.00 received to school districts described in section 20j of the state school aid act of 1979, 1979 PA 94, MCL 388.1620j.

(c) Of the remainder, 1% to the local public safety fund created in section 78.” and relettering the remaining subdivisions.

2. Amend page 79, line 1, after “(a)” by striking out “If” and inserting “After making the distributions under subdivisions (a) to (c), if”.

3. Amend page 79, line 7, after “shall” by striking out “first” and inserting “next”.

4. Amend page 79, line 9, after “making” by striking out “a deposit” and inserting “the distributions”.

5. Amend page 79, line 9, after “under” by striking out “subdivision (a)” and inserting “subdivisions (a) to (d).”.

6. Amend page 111, following line 4, by inserting:

“Sec. 78. (1) The local public safety fund is created in the department of treasury to provide funds to local police and fire departments throughout this state.

(2) The state treasurer shall credit to the local public safety fund money distributed to the fund pursuant to section 63, any interest and earnings accruing from the saving and investment of that money, and other appropriations, money, or other things of value received by the local public safety fund.

(3) The state treasurer shall direct the investment of the local public safety fund.

(4) Money in the local public safety fund at the close of the year shall remain in the local public safety fund and shall not lapse to the general fund.

(5) The money, interest, and earnings of the local public safety fund shall be expended solely to fund local police and fire departments in this state.

(6) The money in the local public safety fund that is available for distribution shall be appropriated each year.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Patterson requested the yeas and nays.

The yeas and nays were not ordered, 1/5 of the members present not voting therefor.

Senator Birkholz offered the following amendments:

1. Amend page 79, line 14, after “percent” by inserting a comma and “less the amount paid under subparagraph (C),”.

2. Amend page 79, following line 15, by inserting:

“(C) Twenty percent, but not more than \$50,000,000.00 per year, to the agricultural preservation fund created in section 36202 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36202.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Thomas offered the following amendment:

1. Amend page 58, following line 4, by inserting:

“(f) If the application is not an application to renew a license, the racetrack where the applicant conducts its race meetings is not located within 100 miles of a casino where gaming is conducted at the time of the application that makes payments to this state based on the total amount wagered on electronic games of chance at the casino.”.

The amendment was not adopted, a majority of the members serving not 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. 244****Yeas—20**

|         |             |           |           |
|---------|-------------|-----------|-----------|
| Barcia  | Emerson     | Johnson   | Prusi     |
| Basham  | Gilbert     | Leland    | Schauer   |
| Bernero | Goschka     | McManus   | Scott     |
| Brater  | Hammerstrom | Olshove   | Switalski |
| Cherry  | Jacobs      | Patterson | Toy       |

**Nays—18**

|          |               |          |             |
|----------|---------------|----------|-------------|
| Allen    | Clark-Coleman | Hardiman | Sikkema     |
| Birkholz | Clarke        | Jelinek  | Stamas      |
| Bishop   | Cropsey       | Kuipers  | Thomas      |
| Brown    | Garcia        | Sanborn  | Van Woerkom |
| Cassis   | George        |          |             |

**Excused—0****Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

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

“An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties.”

The Senate agreed to the full title.

**Protests**

Senators Clark-Coleman, Kuipers, George, Cassis, Jelinek and Cropsey, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4610.

Senators Clark-Coleman, Kuipers, George and Jelinek moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Clark-Coleman’s statement, in which Senator Cropsey concurred, is as follows:

I toyed with the idea of whether or not I needed to get up here and speak, and for that reason, I did not prepare any remarks. I’m going to speak from my heart. The people of my district sent me up here to work on their behalf. Their behalf means to work for the children, which is my passion, and to work for families in strengthening those families. They did not send me up here to create a mechanism to destroy families and to destroy children. There is no way that I can sit still and watch this state become a Las Vegas. That is not why I moved to Michigan. My parents moved to Michigan because they thought it was a great environment to raise families. I still believe that.

I did not support the casinos when they opened in the city of Detroit. I don’t support the racinos as they spread throughout our entire state. Where does it end? When does it end? When will we finally say that enough is enough? Who do you think will be using these racinos and casinos? It won’t be the wealthy. It will be the poor people who are looking for a miracle. They are looking for someone to pull them out of where they are. And guess what? They will be spending the money that will take care of their food and their homes and their house and all of those things.

There are not many times that I stand up here and agree with the other side of the aisle, but guess what? Several of the members are right on target with this one; certainly, the Senator from the 29th District. This is destruction of our families, and I know that the ones who will suffer the most are the children. Those children whose mothers or fathers go to the casinos, to the racinos, and spend rent money and food money, they will spend that money at the sacrifice of those children. Now we can sit here and say this will create jobs or this will be good for my district or this will help my district to survive. A poor district will be a poor district, regardless of whether you have casinos and racinos, because guess what? That district is going to get poorer because the people who are supporting that district can't afford to support those racinos and those casinos.

It boggles my mind how people can justify in their minds that this is the right thing to do. It is the wrong thing to do. I am embarrassed to be a Senator at this time and to stand here and hear Senators say it's the right thing to do. It is not. It is not. It is a disgrace. It is a disgrace to the people in the state of Michigan who have entrusted us to speak on their behalf. This is not speaking on their behalf, and I'm here to tell you that we will all live to regret this. I won't because I'm going to be voting "no" on it. Guess what? I'm encouraging those who have the guts to stand up and do the right thing and represent your districts, the people who have sent you here. Stand up against all the interests out there who are encouraging you to do this. Stand up and do the right thing, and do the right thing to create and strengthen families and children.

I know you're going to vote the way you came in here prepared to vote, but I'm saying to you to give it another thought, and vote on behalf of our families and our children.

Senator Kuiper's statement is as follows:

I want my colleagues to know that in my short tenure here in the Legislature, there have been few times I have been as disgusted with the process as I am today.

Early Tuesday morning, I got up for a run, and that was about quarter to six in the morning. I was getting ready, doing some stretching, and I like to watch the news at that time in the morning. On that particular morning, they were running an ad that was being paid for by the community of mental health here in Michigan. The ad was about a young woman who had just about lost everything she had because of her addiction to gambling. She was unable to buy her small daughter presents for Christmas, and then on the bottom, it scrolled these words: "Have trouble with gambling? Need help? Call our hotline." It struck me as odd that here we are having a debate here in Michigan about expanding gambling options when, at the same time, we recognize very clearly that this behavior can wreck lives and wreck families. So while we continue to pay to run these ads on television, we continue to expand gaming options for people—no doubt, people who are really struggling with an addiction to gambling—and we do it under the guise that it is going to help our state budget, or in this case, that it's going to help the agriculture industry keep from going under.

I would just like to remind people in this chamber that we've expanded gambling a number of times in this state not only with the creation of the lottery, but with the three casinos in Detroit, and 19, 20, or 21 Indian casinos, with Kenos and now with racinos. None of those things have had the impact we are looking for in getting us out of a budget crisis. For us to think that the expansion of gambling through racinos is going to be the cure that we need, I don't think that is going to happen. I would hope that later this morning or this afternoon as we vote on this that there will be the votes to kill it. I'm not hopeful of that, but miracles do happen. In the event that racinos are passed in Michigan, I only wish that I had put an amendment on the bill that said we really do need to change our signs at the border from what they currently state: "Welcome to Michigan" to "Welcome to Michigan—the Las Vegas of the Midwest." Unfortunately, that's what we're becoming.

Senator George's statement is as follows:

I intend to vote "no" on this legislation, and it's simply because I think it's a bad bet for our state. The cost will just outweigh the benefits. You've heard some of the previous speakers mention the cost of gambling addiction. Gambling addiction has many symptoms. It can lead to crime, to suicide, divorce, depression, hopelessness and homelessness, and drug addiction. It's an inevitable consequence of the expansion of gambling. From 3 to 5 percent of all adults who gamble become addicted to gambling. It's a progressive illness that takes time to develop.

The first phase usually has the individual having a winning event. They go to a casino innocently enough, and they have a good time. It's a positive experience for them, but after that, they seek to recapture that experience, and they enter a losing phase. And, of course, over time all slot machines pay out less than the customer puts in, and the longer you play, the more you will lose. So the losing phase is the main proactive phase of the illness, and as the losing progresses, it leads to a desperation phase where these individuals will begin pouring more and more of their hard-earned money into the slot machines. It leads to, as you've heard, broken homes and loss of families, divorce, suicide, and depression. It is a serious consequence, and I believe the cost outweighs the benefits.

We've heard that we need to rescue or help the horse racing industry. If this is the answer, why not use that logic for all our woes? Our hospitals complain about Medicaid reimbursement, so why not put slot machines in the hospital cafeterias? We've cut university funding, so why not put them in the student centers? Why just the logic for the racetracks; why limit it there? I think our forefathers—who are in the portraits around us—who started this state 167 years ago

would be disappointed to see that we're in such a state of desperation that we need to expand gambling to base our future on random chance and random events, and that's the way we are going to propose to balancing our state budget. I think they would be very disappointed with the way the direction of the state has turned. I believe that our desire to fill the treasury has outweighed our common sense and that this will be a bad bet because the cost will outweigh the benefit.

Senator Cassis' statement is as follows:

As an almost eight-year legislator, I, in good conscience, have consistently been opposed to and voted against the proliferation of gaming and gambling in Michigan. The ever-increasing propensity to expand gaming and gambling most certainly is not the answer to improving Michigan's economy or to producing more jobs. Nor does gaming contribute to our quality of life, the health and psychological, emotional, social well-being of our people, our communities, and our state.

Senator Jelinek's statement is as follows:

This gaming package was borne out of a frustration of the second-largest industry in Michigan, an honorable industry, a good industry, and an industry that is crying for help. We are stooping to the level of preying on our citizens' livelihood to help this industry survive. We should be finding honorable methods to maintain an honorable industry. We do it for many other industries, but for agriculture we offer this, one of the very smallest state budgets for support, for a very important industry.

This bill is the wrong method to maintain agriculture. I urge a "no" vote and a better way to support our second-largest industry, not gaming and peril to our citizenry. I hope that we have a "no" vote.

Senators Hardiman, Birkholz, McManus and Patterson asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise to speak in opposition to House Bill No. 4610. We've all heard many things about this bill. There have been a lot of developments recently and many changes, but none of these are sufficient to cause me to support this legislation.

House Bill No. 4610 strains to have us consider this new gambling activity as just a modest extension of the existing lottery. In Article 1, the Legislature supposedly determines these gains are part of the lottery and not under the gaming control and revenue act. There is also supposedly not an amendment to the initiated law which provided for the three Detroit casinos.

House Bill No. 4610 says that it is not the Legislature's intent to amend these statutes, but I don't see the difference. On page 82 of the substitute, we see that these racetrack facilities can have 500 video lottery machines with the possibility to apply for more. I don't know about other districts, but when I observe the lottery establishments in Grand Rapids, I surely don't see 500 machines. These are casinos, not the lottery.

There is more to say about the specific language of House Bill No. 4610, but even these miss the main point. I oppose House Bill No. 4610 because I oppose the expansion of gambling in our state. Just because there are existing casinos or the State Lottery does not mean we must continue to allow more and more outlets for serious gambling. Make no mistake about it, House Bill 4610 sets a goal of aggressive new escalation of gambling in Michigan.

Section 62 of the bill states that all licensees under the act shall assist the board in maximizing video lottery revenues. They will be required to do so as a condition of licensure. Where do we think these maximum revenues will come from?

A little over a month ago, this Senate adopted Senate Resolution No. 226. This established April as Financial Literacy for Youth Month. A few of its provisions are worth repeating: "Financial literacy encourages greater economic self-sufficiency, higher level of homeownership, and enhanced retirement security, particularly among low- and moderate-income citizens." That resolution said financial literacy was a serious matter, and parents, schools, businesses, and community organizations should observe the month—this month of April—with appropriate programs and activities.

How can we ask others to teach our young people financial literacy and the message of personal responsibility when we pass a bill with the message that more gambling is better? How can we stand before our constituents and say we are fulfilling our fiscal responsibility for the state budget when we place our trust in a scheme of gambling and easy payoffs that won't even be realized for this fiscal year or perhaps the next? Most of all, how can we stand before the voters and say it is good to have more gambling when we know the downside in financial ruin, family strife, and personal tragedy that will afflict many?

Page 34 of the bill says the lottery gaming control board shall take actions necessary to implement and conduct video lottery in accordance with this act and the welfare of the people of this state. We can make a far better contribution to the welfare of the people of Michigan by rejecting House Bill No. 4610. I urge members to cast a "nay" vote on this legislation.

Senator Birkholz's statement is as follows:

Is it a casino? Is it a racino? A horse by another name, whatever you call it, it is a casino, and it is more gambling in this state. It's a whole lot more gambling in this state if this legislation becomes law. The problems are documented. Many of you have read the studies, and you know that the problems associated with gambling in communities are not positive. What happens to families who get involved in this is not a positive influence. Many of them do become addicted gamblers. In the past several years, as I've gone throughout my district discussing this issue with people—and, believe me, it's not my first choice of issues to discuss—I've learned of many families who have had problems with addicted gamblers in their family membership. You know what? They hide it. They're embarrassed. They're ashamed, and they work within their family confines to pay off those debts and try to help that person recuperate because they are truly sick. They don't tell anybody. They don't share it. They are so ashamed. I think the numbers truly do not reflect the people who are in our communities.

Just last week at church, a neighbor came up to me, some good friends for many years. Our children went to school together. One of the couple members is already retired, took early retirement, and the other one was going to retire within two years—very good jobs, a quality life. I just learned Sunday their house is being repossessed because they'd started gambling. It's sickening, and this is not going to help it.

We have a wonderful state with a lot of natural resources that we all try and steward. Part of our natural resources in this state is the quality of the people in it and the quality of our communities. If you truly believe in quality communities and you truly want to help raise helpful, intact quality families that do their best, this is not the way to do it. Towns littered with casinos, or whatever we call them, it's not a quality lifestyle, and it's certainly not a quality place to bring up a family.

I hope you will vote "no."

Senator McManus' statement is as follows:

I rise today in support of House Bill No. 4610. I wish that the chamber would ask themselves two questions. Does this bill create jobs? Can I vote for this bill in good conscience? Now I believe that the answer to those questions is a resounding "yes." The legislation that opponents call the racino package is actually the agriculture enhancement package. It's properly called that because of its original design. This bill's principal purpose was to enhance agriculture in the state of Michigan. Agriculture is the second-largest industry in Michigan, and I certainly hope that the changes to eliminate agriculture interests in this legislation will be addressed in the conference committee.

The horse racing industry and its trickle down effects employ an estimated 26,000 people here in Michigan. This number is down from 50,000 before casinos. A primary focus of this legislation was to save farm jobs when almost daily we receive news of additional layoffs here in the state of Michigan.

Ladies and gentlemen, we may disagree on whether gambling and gaming is immoral, but let it be clear that it is not illegal in recognized establishments. It's a simple fact that the two largest gaming entities in Michigan are the state itself and Native American tribes. If any of you truly think gaming revenue isn't worth its moral costs, where's the bill to eliminate Keno and the State Lottery? You cannot pick and choose which gaming is moral and which is not. Back in July of last year, 33 members of the Senate voted to expand gaming; only one voted against Senate Bill No. 270, which put Pull Tabs and Keno in numerous bars and restaurants throughout Michigan. That, ladies and gentlemen, is real expansion in gaming. Gaming has taken place legally at Michigan racetracks for more than 50 years. This is not an expansion of locations. This proposal would simply equip tracks with some modern-day tools of gaming that have been legally used both by the state and Native American casinos.

The last time I checked, I was a conservative. I still consider myself a conservative. In fact, I think I was ranked fairly high in that particular group, yet I plan to vote for this legislation because I believe that there is room in the conservative tent for different viewpoints on this very issue. This is not about gambling. This is about revenue to the state. This is about jobs. This is about the horse racing industry. And though the bills may have changed, this legislation is about agriculture enhancement. So ask yourself, "Can I truly turn away agriculture jobs and much needed revenue?" I cannot do that in good conscience. We need job growth, and we need revenue. I will be supporting this package, and I would ask that you deeply support this.

Senator Patterson's statement is as follows:

I don't support gambling. I'm not satisfied with this bill—House Bill No. 4610. This is not, however, a vote on the elimination of gaming or gambling. If it was, it would be an easier vote for most of us in this body. But as this substitute has been amended, there is the possibility that we could really make a considerable improvement in the current state of gaming and gambling addiction that is the status quo. As a lawyer who is an optimist, I am looking to improve the status quo, not complain about the current condition.

One of my colleagues, the Senator from the 30th District, properly cast this in terms of part of a process. I deeply respect not only my colleagues and their opinions, but the process. The process, the legislative process, calls upon us to consider, sincerely contemplate, deliberate, and take definitive action, always with the goal to improving the condition of our citizens and our state. The action we are taking now, at this moment, is one of process. It is not a final

decision. This bill was acted upon by our colleagues in the House. It came to this chamber approximately one year ago. It was sent to committee, as is part of our process, but finally it had to be discharged from that committee, which is part of our process.

So today, I hope to continue the process in pursuit of my goal to improve the condition of our state and our citizenry. We could have left this bill to die a lingering death of inaction in a committee, with a majority of the body never having had an opportunity to participate in the deliberative process. I'm glad that we've had the good fortune of being able to reason together, to deliberate, and to act on this substitute with a series of amendments coming from across the entire breadth and width of this chamber. It is my responsibility to be part of this process, to do my due diligence. I'm not voting on the substance today, but I'm voting on the legislative process and hoping it will continue.

The following bill was read a third time:

**Senate Bill No. 1009, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 218 (MCL 750.218), as amended by 1998 PA 312.

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. 245**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5026, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 2002 PA 672.

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. 246**

**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.

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5182, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 5714, 5735, and 5744 (MCL 600.5714, 600.5735, and 600.5744), section 5714 as amended by 1990 PA 310 and section 5735 as amended by 2001 PA 162.

The question being on the passage of the bill,

Senator Brater offered the following amendment:

1. Amend page 5, line 20, by striking out all of subsection (7).

The amendment was not adopted, a majority of the members serving not 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. 247**

**Yeas—31**

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

**Nays—6**

|               |         |        |       |
|---------------|---------|--------|-------|
| Brater        | Clarke  | Leland | Scott |
| Clark-Coleman | Emerson |        |       |

**Excused—0**

**Not Voting—1**

Johnson

In The Chair: President

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

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

### **Protests**

Senators Leland and Brater, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5182 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Leland’s first statement is as follows:

I can’t support this bill, and I’m going to take just a moment to explain to my colleagues what the problem is and why I can’t support this legislation.

For those of you who aren’t familiar with my part of Detroit, on the west side is an area called Brightmoor. Brightmoor is a part of Detroit on the far west side of the Detroit part of my district. We have thousands of homes in the Brightmoor community. Over the years, this community has become home to a lot of drug houses. We have, I believe, according to some newspaper articles I have read recently, more drug-related houses in the Brightmoor area of Detroit than anywhere else in the city of Detroit. This is well known.

The problem with this legislation, as I think I understand it, is that it would expedite the removal of people in these houses. Some of the people who live in these drug houses aren’t related to drugs. Some of these homes have squatters. In some of these homes there may be someone connected to drugs, but not everybody in the house is connected to drugs. It’s my understanding that what this will do—I’m not making a case to keep drug houses around—but I’m just saying that there are some people who live in these houses who clearly have absolutely no connection to what is going on with the drugs in the house. I know this to be factual because I’ve been through these neighborhoods. I was just in the Brightmoor community a couple of days ago dealing with some constituent problems over on Stout Street. I know that there are many homes on that street that are drug-related, but not everybody in that house is connected, and we’re going to put those people out who have nothing to do with what’s going on in that house, who are just there because it’s a place to live, if you will. They’re squatters, some of them. Some of them may be paying some rent. Some of them may be squatting, but it’s a shelter—a roof over their head—and frankly and unfortunately, it is what it is. That’s why they’re there.

Now to take these people, who already are on the lowest end of the economic scale and have nowhere else to go other than to live in what could very well be a drug-related house, and now put them on the street, we are making a miserable situation more miserable for people. I understand what we’re trying to do. Nobody wants a drug house in their community. It’s not a good deal. Believe me, we know this, but we don’t want to take the wrong people who aren’t connected, and put them on the street.

For these reasons, I cannot vote for this legislation, and I would hope that my colleagues understand why I can’t vote for this legislation and support me on this one.

Senator Leland’s second statement is as follows:

Reference has been made to these landlords and the rights that these landlords have. I can tell you that in my area, and particularly in this area of Detroit called Brightmoor, these landlords—and I want to be clear on this—are not good people. These are landlords who prey on folks who live in these houses. These are slumlords in the truest sense.

There are two issues here. One issue is closing down the drug houses, and there’s no question that this is ultimately what we want to accomplish. All I’m saying is that people who have no connection with what is going on in that house—you could have many people living in that house who are all ages, people having no connection with the bad people, whether it’s the slumlord or whether it’s the tenant who has the lease. There are folks who are connected because I said it is what it is; they are connected in that house. We need to give those folks at that point more than one day to be put out on the street. That’s why I can’t support this legislation.

Senator Brater’s statement is as follows:

I just want to clarify that existing law does allow a person in these circumstances to be evicted within seven days. What this bill does is reduce those seven days to 24 hours. I am not in any way advocating to allow drug activity to continue on premises. I support the idea that people should be able to live in a drug-free environment, but to say that with 24 hours notice you have to get out of your home, whether or not you are the person directly engaging in this activity or whether or not you have been falsely accused and have no way to get your act together or your defense together to argue in your own defense, I think is unreasonable. To say that the procedural safeguards are still there is simply not true. This is exactly what this bill is doing is removing a lot of those procedural safeguards.

I would also like to point out that some of the people who live with people involved with drugs are not in control of the situation. It could be a woman involved with an abusive situation. Many times this is the case. She is not in control of the partner. She and possibly children are going to be thrown on the street within 24 hours with no ability to arrange for a place to go, arrange a place for rudimentary food and shelter and clothing to be moved and whatever else, such as the children’s school supplies so that they can continue with their education the next day.

So there are human beings involved in this. This is a very inhumane approach. Seven days to evict a person is a short time already, and I don’t really see the need to reduce it to 24 hours.

I urge a “no” vote on this legislation.

The following bill was read a third time:

**House Bill No. 5197, entitled**

A bill to amend 1846 RS 66, entitled “Of estates in dower, by the curtesy, and general provisions concerning real estate,” by amending section 34 (MCL 554.134), as amended by 1990 PA 311.

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. 248**

**Yeas—31**

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

**Nays—6**

|               |         |        |       |
|---------------|---------|--------|-------|
| Brater        | Clarke  | Leland | Scott |
| Clark-Coleman | Emerson |        |       |

**Excused—0**

**Not Voting—1**

Johnson

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 title of the bill.

The following bill was read a third time:

**House Bill No. 5427, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 12 (MCL 28.432), as amended by 2000 PA 381.

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. 249****Yeas—36**

|          |             |           |             |
|----------|-------------|-----------|-------------|
| Allen    | Cherry      | 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 |

**Nays—0****Excused—0****Not Voting—2**

Clark-Coleman

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. The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5428, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 9 (MCL 28.429), as amended by 1996 PA 169.

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. 250**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—1**

Clark-Coleman

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 title of the bill.

The following bill was read a third time:

**House Bill No. 5429, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 2 (MCL 28.422), as amended by 1994 PA 338.

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. 251****Yeas—36**

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

**Nays—0****Excused—0****Not Voting—2**

Bernero

Clark-Coleman

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 title of the bill.

The following bill was read a third time:

**House Bill No. 5648, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 18 and 18m of chapter XIIA (MCL 712A.18 and 712A.18m), section 18 as amended and section 18m as added by 2003 PA 71.

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. 252****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.

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

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5545, entitled**

A bill to amend 1993 PA 331, entitled “State education tax act,” by amending section 5b (MCL 211.905b), as added by 2002 PA 244.

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. 253**

**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.

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

“An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**Messages from the Governor**

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

**Senate Bill No. 195**  
**Senate Bill No. 364**  
**Senate Bill No. 293**  
**Senate Bill No. 265**  
**Senate Bill No. 288**  
**Senate Bill No. 540**  
**Senate Bill No. 283**  
**Senate Bill No. 464**  
**Senate Bill No. 466**  
**Senate Bill No. 395**  
**Senate Bill No. 474**  
**Senate Bill No. 840**  
**Senate Bill No. 785**  
**Senate Bill No. 788**  
**Senate Bill No. 829**  
**Senate Bill No. 841**

The motion prevailed.

**Michigan Technological University Board of Control**

Russell A. Gronevelt, Jr., of 11648 Paciocco Court, Plymouth, Michigan 48170, county of Wayne, succeeding A. Douglas Rothwell, who has resigned, for a term commencing March 4, 2004 and expiring December 31, 2010.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the said appointment to office, a majority of the members serving voting therefor, as follows:

**Roll Call No. 254**

**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

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

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

**Senate Resolution No. 175**

**Senate Resolution No. 139**

The motion prevailed.

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

**Senate Resolution No. 246**

**Senate Resolution No. 247**

The resolution consent calendar was adopted.

Senators Emerson and Cherry offered the following resolution:

**Senate Resolution No. 246.**

A resolution commemorating May 1, 2004, as Law Day in the state of Michigan.

Whereas, It is with deep appreciation for all the hard work, dedication, and commitment from the attorneys of the State Bar of Michigan and the Genesee County Bar Association that we offer the highest accolades in honoring Law Day on May 1, 2004; and

Whereas, Law Day is a celebration of our great heritage of liberty, justice, and equality under the law, serving to educate the community about the rule of law and its role in preserving our freedoms; and

Whereas, This is best represented by the Supreme Court case of *Brown v. Board of Education*, whose 50th anniversary takes place on May 17, 2004. This landmark decision propelled the nation's march towards equality. It inspired and gave heart to the Civil Rights Movement. This case ushered in an unprecedented era of progress that is a testament to the legal system's ability to establish and protect our rights. The hard work and devotion provided by attorneys was instrumental in ending legally-imposed segregation in the schools, parks, libraries, and other public institutions; and

Whereas, The perseverance of the dedicated attorneys in such cases as *Brown v. Board of Education*, and in hundreds of other milestone cases, demonstrates the highest standards of advocacy in the service of a great cause; and

Whereas, Bar Association members across the state of Michigan and Genesee County celebrate Law Day every May 1 in order to educate the community about the rule of law and its role in safeguarding our liberty, as well as helping to raise visibility of Law Day and all that it celebrates; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate May 1, 2004, as Law Day in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the State Bar of Michigan and the Genesee County Bar Association as a token of our esteem.

Senators Emerson, Cherry, Clark-Coleman, Thomas and Scott offered the following resolution:

**Senate Resolution No. 247.**

A resolution offered to commemorate the 50th Anniversary of the Flint Alumnae Chapter of the Delta Sigma Theta Sorority, Incorporated.

Whereas, It is a pleasure and a distinct privilege to join in commemorating the 50th Anniversary of the Flint Alumnae Chapter of the Delta Sigma Theta Sorority, Inc. Chartered in 1954 on May 16, and originally known as the Epsilon Epsilon Sigma Chapter of Delta Sigma Sorority, Inc., there were nine original members along with two initiates; and

Whereas, The academic, cultural, social, and financial development of young people was the focus of the organization. A talent show was organized in June of 1955 as the first public effort to develop community support, public interest, and understanding. From that first extravaganza grew a tradition of events held primarily to raise money for college scholarships; and

Whereas, Mae Brown Green was the first scholarship recipient in 1958. Subsequently, the stipend was renamed to honor Soror Rebecca Louise Robinson after her passing. Over the years, more than \$250,000 in scholarship money has been awarded to Flint area students based on need and a total assessment of the achievements and aspirations of the applicants; and

Whereas, Evolving from Talent Shows, to the Jabberwock, to the Ebony Fashion Fair, and to the Miss Jabberwock Competition and Program, the Flint Alumnae Chapter held public events to raise scholarship money until 1999. A new focus was born in that year—Dr. Betty Shabazz Delta Academy for girls, which serves young women ages 11-14 with a focus on science, math, and nontraditional careers. This effort received national acclaim in 2000 as an exemplary program among Delta chapters across the country; and

Whereas, Today's members can point to a proud tradition and a legacy of volunteerism and active involvement in charitable and community service endeavors built upon the solid underpinnings established by the founders fifty years ago; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of the highest tribute is hereby offered to commemorate the 50-year anniversary of the establishment of the Flint Alumnae Chapter of the Delta Sigma Theta Sorority, Inc.; and be it further

Resolved, That a copy of this resolution be transmitted to the Flint Alumnae Chapter as evidence of the esteem held for their organization by the members of the Michigan Senate and the people of Michigan.

Senators Gilbert offered the following concurrent resolution:

**Senate Concurrent Resolution No. 44.**

A concurrent resolution to disapprove Executive Order No. 2004-3, setting forth changes in the organization of the executive branch.

Whereas, Article 5, Section 2 of the Constitution of the State of Michigan provides that the governor may make changes in the organization of the executive branch or in the assignment of functions within the executive units. Where these changes require the force of law, they must be set forth in executive orders that are submitted to the legislature. The legislature shall have 60 calendar days of a regular session to disapprove each executive order by a resolution concurred in by a majority of the members elected and serving in each house of the legislature; and

Whereas, Governor Granholm has issued an executive order proposing the reorganization of the executive branch relative to the regulation of privately owned cervidae livestock facilities and operations. Executive Order No. 2004-3 was signed on April 15, 2004. This reorganization order includes the transfer of regulatory authority for cervidae livestock facilities and operations from the Department of Agriculture to the Department of Natural Resources; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we hereby disapprove Executive Order No. 2004-3, issued April 15, 2004, and proposing the reorganization of the executive branch of government relative to transferring the regulation of privately owned cervidae livestock facilities and operations from the Department of Agriculture to the Department of Natural Resources; and be it further

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

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Cassis, Garcia, Goschka and Jelinek were named co-sponsors of the concurrent resolution.

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

Senator Stamas introduced

**Senate Bill No. 1177, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as added by 1995 PA 57.

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

Senators Stamas, Jelinek, Toy, Bishop, Allen, Van Woerkom, Kuipers, Basham, Cherry, Garcia, Birkholz and Patterson introduced

**Senate Bill No. 1178, entitled**

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

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

Senators Kuipers, Goschka, Van Woerkom, Gilbert and Birkholz introduced

**Senate Bill No. 1179, entitled**

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

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

Senators Van Woerkom, Cherry, Hammerstrom, Kuipers, Johnson, Toy, Allen, Basham, Goschka, Brown and Birkholz introduced

**Senate Bill No. 1180, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811 (MCL 257.811), as amended by 2003 PA 152.

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

**House Bill No. 5232, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20920, 20921, and 20923 (MCL 333.20920, 333.20921, and 333.20923), as amended by 2000 PA 375.

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. 5589, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2002 PA 690.

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. 5673, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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

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

### Statements

Senator Garcia stated that had he been present on April 28 when the votes were taken on the passage of the following bills, he would have voted "yea":

**Senate Bill No. 599**

**Senate Bill No. 145**

**House Bill No. 4172**

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:

Unfortunately, yesterday I was outside of the chambers; one of my constituents called me out, and I missed the opportunity to speak on insurance reform. But today I'm back.

I continue to receive encouraging words of support from constituents, as well as citizens outside of my Senate district. As I fight for fair, equitable, and meaningful insurance reform, I have been pleased with progress made in certain areas of our insurance practices. As you are aware, members of my caucus have been pushing for debate on pending legislation that would increase public awareness and involvement in the MCCA process, and I congratulate the chair of the Committee on Banking and Financial Institutions for his willingness to debate this critical issue. As well, our Governor and our state insurance commissioner have recently proposed a rule to completely ban the use of credit-based insurance scoring in the underwriting and rating of auto and homeowners insurance policies.

These are, no doubt, great first steps in addressing the issue of the rising cost of insurance in this state. However, I'm determined now more than ever to address the issue of redlining, and I am seeking relief for the thousands of citizens who are forced to pay excessive insurance premiums simply based on their zip codes. This is not only wrong, but an injustice.

I thank my colleagues for their thoughtful consideration and attention to this critical issue. I'm asking for your support in my efforts in bringing true, meaningful insurance reform for all citizens.

### Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 927, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43705 (MCL 324.43705), as added by 2001 PA 50.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, April 27, 2004, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Patterson

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, April 27, 2004, at 1:30 p.m., Room 210, Farnum Building

Present: Senator Cropsey (C), Garcia, Switalski and Prusi

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, April 27, 2004, at 3:00 p.m., Room 405, Capitol Building

Present: Senators Brown (C), Stamas and Clarke

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Wednesday, April 28, 2004, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Goschka (C), Cherry and Prusi

Excused: Senators Johnson and Hardiman

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Commerce, Labor and Economic Development submitted the following:

Meeting held on Wednesday, April 28, 2004, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Garcia (C), Hardiman, George, Prusi, and Scott

## COMMITTEE ATTENDANCE REPORT

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

Joint meeting held on Thursday, April 29, 2004, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Brown (C) and Clarke

Excused: Senator Stamas

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

**Agriculture** - Thursdays, May 6, May 13 and May 20, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

**Capital Outlay** - Thursday, May 6, 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Commerce, Labor and Economic Development** - Wednesdays, May 5, May 12 and May 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

**General Government** - Tuesdays, May 4, May 11 and May 18, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

**History, Arts, and Libraries** - Thursdays, May 6 and May 13, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

**Judiciary and Corrections** - Tuesday, May 4, 3:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3760)

**State Police and Military Affairs** - Tuesdays, May 4 and May 11, 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 13, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

**Transportation Department** - Tuesdays, May 4, May 11 and May 18, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Commerce and Labor** - Tuesday, May 4, 3:00 p.m., Room 100, Farnum Building (373-2413)

**Judiciary** - Tuesday, May 4, 1:00 p.m., Room 210, Farnum Building (373-3760)

**Transportation** - Tuesdays, May 4 and May 11, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 2:09 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, May 4, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

