

No. 103
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Tuesday, November 30, 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 not 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—excused
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—present
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Senator Deborah Cherry of the 26th District offered the following invocation:

“Blessed are the poor in spirit, for theirs is the kingdom of heaven. Blessed are those who mourn, for they shall be comforted. Blessed are the meek, for they shall inherit the earth. Blessed are those who hunger and thirst for righteousness, for they shall be satisfied. Blessed are the merciful, for they shall obtain mercy. Blessed are the pure in heart, for they shall see God. Blessed are the peacemakers, for they shall be called sons of God. Blessed are those who are persecuted for righteousness’ sake, for theirs is the kingdom of God.”

Let us be mindful of this as we do our work here in the Senate today and every day. Amen.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:03 a.m.

11:13 a.m.

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

During the recess, Senators Birkholz, Brown, Stamas, Gilbert, Sanborn, Hardiman, Allen, George, Johnson, Patterson, McManus, Toy, Kuipers, Sikkema, Garcia, Goschka, Van Woerkom, Cropsey, Cassis, Bishop and Jelinek entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Schauer moved that Senator Olshove be excused from today’s session.
The motion prevailed.

Senator Hammerstrom moved that Senator George be temporarily excused from today’s session.
The motion prevailed.

Senator Hammerstrom 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. 1267

House Bill No. 5550

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

The following communication was received:
Department of State

Administrative Rules Notice of Filing

November 8, 2004

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:56 a.m. this date, administrative rule (04-11-01) for the Department of Labor and Economic Growth, Director’s Office entitled “*Part 8. Handling and Storage of Materials,*” effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The following communication was received:
Department of State Police

November 16, 2004

I am pleased to submit the 2003-2004 Concealed Pistol License Annual Report as required by MCL 28.425e. This report details the concealed pistol license activity between July 1, 2003 and June 30, 2004.

Sincerely,
Tadarial J. Sturdivant
Director

The communication was referred to the Secretary for the record.

The following communications were received:
Office of the Auditor General

November 16, 2004

Enclosed is a copy of the following audit report:

Performance and financial audit of the Michigan Justice Training Fund, Michigan Commission on Law Enforcement Standards, Michigan Department of State Police. The financial portion of our audit covered the period October 1, 2001 through September 30, 2003.

November 18, 2004

Enclosed is a copy of the following audit report:

Performance audit of Fixed Asset and Inventory Controls, Michigan Department of Transportation.

November 19, 2004

Enclosed is a copy of the following audit report:

Performance audit of the Process of Ordering, Collection, and Applying Fees From Criminal Proceedings.

November 23, 2004

Enclosed is a copy of the following audit report:

Performance audit of Computer Equipment Surplus and Salvage, Department of Information Technology and Department of Management and Budget.

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

The communications were referred to the Secretary for the record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 10:

House Bill Nos. 4325 5205 6102 6103 6104 6242 6243 6245 6284 6310 6314 6315

The Secretary announced that the following House bills were received in the Senate and filed on Monday, November 15:

House Bill Nos. 4406 5966 6235 6295

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, November 10, for her approval the following bill:

Enrolled Senate Bill No. 1149 at 2:20 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, November 15, for her approval the following bills:

Enrolled Senate Bill No. 928 at 1:50 p.m.

Enrolled Senate Bill No. 955 at 2:02 p.m.

The Secretary announced that the following official bills were printed on Wednesday, November 10, and are available at the legislative Web site:

Senate Bill Nos. 1477 1478 1479 1480 1481 1482 1483

House Bill Nos. 6326 6327 6328 6329 6330 6331 6332

The Secretary announced that the following official bills were printed on Monday, November 15, and are available at the legislative Web site:

Senate Bill Nos. 1484 1485

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
Senate Bill No. 1093
Senate Bill No. 863
Senate Bill No. 865
Senate Bill No. 867
Senate Bill No. 869
Senate Bill No. 872
Senate Bill No. 875
Senate Bill No. 647
Senate Bill No. 320
Senate Bill No. 267
Senate Bill No. 1063
Senate Bill No. 1066
Senate Bill No. 145
Senate Bill No. 1279

The motion prevailed.

The following messages from the Governor were received:

Date: November 12, 2004

Time: 4:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1149 (Public Act No. 402), being

An act to commemorate the anniversary of the founding of the branches of the United States armed forces; and to prescribe the duties of certain state agencies and officials.

(Filed with the Secretary of State on November 15, 2004, at 9:48 a.m.)

Date: November 29, 2004

Time: 9:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 928 (Public Act No. 406), being

An act to amend 1947 PA 359, entitled “An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,” by amending section 8 (MCL 42.8).

(Filed with the Secretary of State on November 29, 2004, at 10:07 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received:

November 12, 2004

As provided under Section 33 of Article IV of the Michigan Constitution of 1963, today I have approved and filed Enrolled Senate Bill 1149. The bill creates a new Armed Forces Commemoration Act to annually recognize the date of founding the United States Army, the United States Coast Guard, the United States Air Force, the United States Navy, and the United States Marine Corps.

While Enrolled Senate Bill 1149 recognizes August 14th as the date on which the United States Coast Guard and was founded, according to the United States Coast Guard, the correct date is August 4th. Also, the United States Department of Defense recognizes August 4th as "Coast Guard Day."

The United States Coast Guard is the oldest continuous seagoing service of the United States was formed on August 4, 1790. Originally organized as a fleet of 10 vessels to enforce tariff and trade laws, prevent smuggling, and protect the collection of federal revenue, this branch of our Armed Forces was known variously as the Revenue Marine and the Revenue Cutter Service until 1915 when it was combined with the Life Saving Service and assumed the name, "United States Coast Guard."

While I have approved this bill commemorating our Armed Forces, I urge the Legislature to amend this new act to accurately reflect the founding of the United States Coast Guard on August 4, 1790.

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on November 10, 2004, and read:

EXECUTIVE ORDER
No. 2004-34

Recognizing Veterans' Day

WHEREAS, the United States of America were founded upon the principles of life, liberty, and the pursuit of happiness—values defended throughout our Nation's history by the men and women of our Armed Forces;

WHEREAS, under Section 6103 of Title 5 of the United States Code and Section 1 of 1865 PA 124, MCL 435.101, November 11th is set aside as a legal public holiday in recognition of the contributions of our servicemen and servicewomen;

WHEREAS, on Veterans' Day we recognize all those who have honorably worn the uniforms of our Armed Forces in service to this great nation;

WHEREAS, Veterans' Day is particularly poignant this year as we honor not just those who have served in the past, but also those servicemen and servicewomen putting their lives on the line in Iraq, Afghanistan, and other countries around the world;

WHEREAS, members of our Armed Forces voluntarily forego comfort and wealth to face hardships and deployments away from family and loved ones while defending the Nation's security;

WHEREAS, while we recognize the duty, honor, and selfless service of all veterans, we also remember those who have given the ultimate sacrifice by laying down their lives to defend the freedoms our Nation holds so dear;

WHEREAS, under Section 7 of Chapter 1 of Title 4 of the United States Code, in the event of the death of a present or former official of the government of any state, territory, or possession of the United States, the governor of that state, territory, or possession may proclaim that the flag of the United States of America be flown at half-staff;

WHEREAS, it is appropriate that the flag of the United States of America be flown at half-staff throughout the State of Michigan as a mark of respect for the memory and in honor of the service of all members of our Armed Forces killed in the line of duty;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963, the laws of the State of Michigan, and the laws of the United States of America, order and proclaim that on Veterans' Day, Thursday, November 11, 2004, the flag of the United States of America shall be flown at half-staff throughout the State of Michigan, including at or on all state-owned or state-controlled buildings and military facilities.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 10th day of November, in the year of our Lord, two thousand and four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on November 12, 2004, and read:

EXECUTIVE ORDER
No. 2004-35

**Family Independence Agency
Department of Human Services**

Executive Reorganization

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, the Department of Social Services was created as a principal department of state government by Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550;

WHEREAS, the Department of Social Services was renamed the Family Independence Agency by 1995 PA 223, MCL 400.1;

WHEREAS, the Family Independence Agency is the state's public assistance, child, and family welfare agency focused on protecting children and vulnerable adults, delivering juvenile justice services, and providing support to strengthen families and individuals;

WHEREAS, renaming the Family Independence Agency will more effectively communicate its status as a principal department and its mission focused on the provision of social services for families, children, and other Michigan residents in need;

WHEREAS, it is necessary in the interests of efficient administration and effective government to make changes in the organization of the Executive Branch of state government;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order:

A. The Family Independence Agency is renamed the Department of Human Services.

B. Any and all statutory references to the Family Independence Agency or the Department of Social Services shall be deemed references to the Department of Human Services.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order is effective January 30, 2005.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th day of November in the year of our Lord, two thousand and four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

November 23, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 3b of the Fire Prevention Code, 1941 PA 207, MCL 29.3b and Executive Order 2003-18, MCL 445.2011:

State Fire Safety Board

Mr. Harold L. Berry of 16834 Ilene, Detroit, Michigan 48221, county of Wayne, reappointed to represent organized fire departments in the Lower Peninsula, for a term expiring July 15, 2007.

Mr. Ronald R. Farr of 1226 107th Avenue, Otsego, Michigan 49078, county of Allegan, reappointed to represent organized fire departments in the Lower Peninsula, for a term expiring July 15, 2007.

Sincerely,
John D. Cherry, Jr.
Lieutenant Governor
Acting Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

STATE FUNDS; LOANS TO CERTAIN FARMERS
FOR QUALIFIED AGRICULTURAL ENERGY PRODUCTION

PROPERTY TAX EXEMPTIONS; METHANE DIGESTER
AND METHANE DIGESTER ELECTRIC GENERATING SYSTEM

November 19, 2004

Today I have vetoed and return with my objections Enrolled Senate Bills 953 and 955, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. These bills are not fiscally sound and do not address important environmental concerns.

Senate Bill 953 would authorize a new government loan program for the construction and operation of certain agriculture-related energy production systems. The program would divert for up to 15 years money that the state uses daily to pay bills and issue refunds to Michigan taxpayers. That is not fiscally sound. The state currently has no surplus funds to invest, nor, according to the Department of Treasury, will surplus funds be available for loan investments in the foreseeable future. Enactment of this legislation would do nothing more than create false expectations of government intervention in the marketplace.

Senate Bill 955 would exempt from property taxes some types of methane digesters and other systems that use heat to decompose agricultural waste. While proponents have argued that this would offer a new source of alternative energy, I am concerned that this exemption would provide financial rewards for generators of high volumes of manure, such as factory farms, including violators of environmental protection laws, while failing to address the threat to our groundwater posed by the nitrates and other pollutants that are the byproducts of high concentrations of manure. The proponents of this legislation have not made a compelling case that tax giveaways for owners of operations that produce high concentrations of manure or those who violate environmental protection laws are in the best interests of Michigan taxpayers.

While I return Enrolled Senate Bills 953 and 955 without signature, I look forward to working with the 93rd Michigan Legislature in developing effective tools to encourage the expanded use of alternative energy technology in Michigan.

Respectfully,
Jennifer M. Granholm
Governor

These bills were returned from the Governor on November 22, 2004, at 3:03 p.m.

The question being on the passage of the bills, the objections of the Governor to the contrary notwithstanding, Senator Hammerstrom moved that further consideration of the bills be postponed for today.

The motion prevailed.

Messages from the House

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

House Bill No. 4206

Senate Bill No. 797

The motion prevailed.

Senate Bill No. 1105, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2153 and 2154 (MCL 324.2153 and 324.2154), as added by 1995 PA 60.

The House of Representatives has appointed Rep. Brown to replace Rep. Whitmer as conferee.

The message was referred to the Secretary for record.

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 Scott as Chairperson.

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

House Bill No. 5832, entitled

A bill to amend 1881 PA 187, entitled "An act in relation to the form of deeds and mortgages of real estate and to the form of the acknowledgments of the same," by amending section 4 (MCL 565.154).

House Bill No. 5971, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2000 PA 318.

House Bill No. 4450, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803b (MCL 257.803b), as amended by 2003 PA 152.

House Bill No. 5544, 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 bills were 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. 1266, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30903 and 30927 (MCL 324.30903 and 324.30927), as added by 1995 PA 59, and by adding section 30929.

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 amendment, the following bill:

House Bill No. 6172, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 3, line 10, after "MCL" by striking out the balance of the line and inserting "445.65 and 445.67."

The Senate agreed to the amendment 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. 1409, entitled

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

Substitute (S-2).

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

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

House Bill No. 5657, entitled

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5550, entitled

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

Substitute (S-2).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 4, line 3, after "**disc**" by inserting "**or magnetic**".

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.

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

Senate Bill No. 72, entitled

A bill to create the pregnant and parenting student services fund; to provide grants to encourage certain institutions of higher education to establish and operate a pregnant and parenting student services office for pregnant and parenting students attending the institution; to prescribe the powers and duties of a pregnant and parenting student services office; and to prescribe the powers and duties of certain state departments.

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

1. Amend page 2, line 8, after "of" by striking out "appropriations;"

2. Amend page 2, line 9, after "source" by striking out the semicolon.

3. Amend page 2, line 15, after "fund" by striking out "may be appropriated" and inserting "shall be disbursed".

4. Amend page 2, line 16, after "department" by inserting "and the department of treasury".

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. 823, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 504, 517, 518, 542, 549g, 803, 810a, 8117, 8142, 8162, and 8163 (MCL 600.504, 600.517, 600.518, 600.542, 600.549g, 600.803, 600.810a, 600.8117, 600.8142, 600.8162, and 600.8163), sections 504, 517, 803, and 810a as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, section 542 as amended by 1984 PA 95, section 549g as added by 1981 PA 182, and section 8117 as amended by 1997 PA 161.

Substitute (S-5).

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

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

Senate Bill No. 1267, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 317 (MCL 484.1317) and by adding section 317a.

Substitute (S-2).

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

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

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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 1266

Senate Bill No. 1409

Senate Bill No. 1267

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

The following bill was read a third time:

Senate Bill No. 517, entitled

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," by amending sections 2a, 2b, and 36 (MCL 38.1502a, 38.1502b, and 38.1536), as amended by 1996 PA 220; and to repeal acts and parts of acts.

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. 815

Yeas—37

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

Nays—0

Excused—1

Olshove

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

Senate Bill No. 1266

Senate Bill No. 1409

Senate Bill No. 1267

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1266, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30903 and 30927 (MCL 324.30903 and 324.30927), as added by 1995 PA 59, and by adding section 30929.

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. 816

Yeas—37

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer

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

Nays—0

Excused—1

Olshove

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. 1409, entitled

A bill to amend 1992 PA 116, entitled "Records media act," by amending section 3 (MCL 24.403) and by adding section 6.

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. 817

Yeas—37

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

Nays—0

Excused—1

Olshove

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. 1267, entitled

A bill to amend 1986 PA 32, entitled “Emergency telephone service enabling act,” by amending section 317 (MCL 484.1317) and by adding section 317a.

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. 818**Yeas—37**

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

Nays—0**Excused—1**

Olshove

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills**House Bill No. 4325, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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. 4406, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to MCL 90106) by adding part 146.

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

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

House Bill No. 5205, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16322 and part 165.

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. 5966, entitled

A bill to amend 1972 PA 251, entitled "An act to provide for the reciprocal exchange of educational services between this state and other states; to provide for reduced or waived tuition, and to designate the state agency for negotiating agreements," by amending sections 1, 3, and 4 (MCL 390.501, 390.503, and 390.504).

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. 6102, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20910 (MCL 333.20910), as amended by 2004 PA 200.

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. 6103, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20908 (MCL 333.20908), 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. 6104, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20917a.

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. 6235, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901 and 16908 (MCL 324.16901 and 324.16908), as amended by 2002 PA 496.

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

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

House Bill No. 6242, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 41 (MCL 389.41), as amended by 2000 PA 488.

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. 6243, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 632.

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

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

House Bill No. 6245, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21571.

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. 6284, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," by amending sections 102, 104, 201, 203, 212, 214, 217, 234, 301, 302, 304, 307, 331, 341, 342, 345, 352, 357, 371, 373, 374, 382, 386, 401, 402, 407, and 423 (MCL 490.102, 490.104, 490.201, 490.203, 490.203, 490.212, 490.214, 490.217, 490.234, 490.301, 490.302, 490.304, 490.307, 490.331, 490.341, 490.342, 490.345, 490.352, 490.357, 490.371, 490.373, 490.374, 490.382, 490.386, 490.401, 490.402, 490.407, and 490.423).

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 Banking and Financial Institutions.

House Bill No. 6295, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 222 (MCL 560.222) and by adding section 222a.

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

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

House Bill No. 6310, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2000 PA 46.

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. 6314, entitled

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act," by amending section 13 (MCL 247.183), as amended by 2002 PA 151.

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. 6315, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 305 and 509 (MCL 38.2305 and 38.2509), section 305 as amended by 2002 PA 95.

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.

Statements

Senators Cassis, Patterson, Schauer, Clark-Coleman, Garcia, Switalski and Scott asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cassis' statement is as follows:

I'm being joined by my good colleague from the Canton area, Senator Bruce Patterson. We both rise for a very special introduction and accommodation. There is a young woman who resides here in Michigan, most recently in my hometown of Novi, but she grew up in the Upper Peninsula in a place called Rock, Michigan, on a farm, and that area is served by Senator Prusi. She, on her 20th birthday, was crowned Miss Michigan USA 2005. This inspiring young woman's name is Crystal Hayes, and she will be competing in the Miss USA Pageant in early April.

We can be very proud of Crystal for so many reasons, but first and foremost, because she is a person who is a model for and who sets a high example of values important to young women, and, in fact, all young people, excellent work ethic, honesty, and integrity. Also, very significantly, she is close to me because of her cousin. Her cousin is my most capable legislative director Jennifer Hayes. We have an all-important Michigan tribute signed by myself, Senator Patterson, and the Honorable Governor Jennifer Granholm in honor of this wonderful award and opportunity that has come to Crystal. We are very proud of her indeed.

Senator Patterson's statement is as follows:

I'm delighted to join Senator Cassis in asking all of us to recognize Crystal Hayes for her accomplishment and to wish her well. When you see this young lady, you will know even more why I am so proud to represent the Northville community.

Senator Schauer's statement is as follows:

Colleagues, it was with great pride, along with some sense of loss for my hometown of Battle Creek and its corporate citizen, the Kellogg Company, that I learned yesterday of Carlos Gutierrez's pick by President Bush to become the next Secretary of Commerce. This is huge, a Michigander and resident of the Cereal City as a cabinet secretary. The name Carlos Gutierrez might be new to you, but to Battle Creek he is known as the man who restored the luster to Kellogg.

I know Carlos Gutierrez, his wife Edi, and their three children. As you probably now know, Carlos was born in Cuba, and in 1960 at the age of 6, as a political refugee fled with his family to the United States. The rest, as they say, is history. I'm sure you know by now from the papers or the press coverage that he started with the Kellogg Company in 1975, selling cereal out of a truck in Mexico.

The President was very praiseworthy yesterday in his remarks introducing Carlos Gutierrez as one of America's most respected business leaders and as a great American success story. According to the President, "As CEO of the Kellogg Company, he has been an effective, visionary executive. He understands the world of business from the first rung on the ladder to the very top."

I am proud to know Carlos and to consider him a friend. I was surprised and honored this morning to be able to speak with him by telephone. He is intelligent, caring, humble, and down to earth, yet charismatic and extremely engaging. The President was right to call him an experienced manager and innovative leader, and he is intensely loyal to his family, his community, and the company he has so successfully led.

Yesterday's appointment of my constituent and Michigan's adopted native son, Carlos Gutierrez, as the nation's chief business advocate will undoubtedly create opportunities for our state. And I have no doubt that Carlos Gutierrez's sacrifice will undoubtedly also, by making this sacrifice to leave a stellar career in the private sector for the call to service, benefit our nation as well.

I appreciate you allowing me to reflect with you and share my mixed emotions on what is big news in Battle Creek. Mostly I feel proud and excited for a new adventure for a very good and deserving person.

Senator Clark-Coleman's statement is as follows:

I rise this morning to express my appreciation for the leadership shown by Governor Granholm and Lieutenant Governor Cherry this week. There is no question that the Detroit Public Schools are facing a serious situation. The looming financial crisis requires immediate action by school officials and by elected leaders. But we must not let our concern for the financial health of our schools be an excuse to, once again, take away the rights of Detroiters. Rushing in with another state takeover is unacceptable.

The Legislature cannot solve this problem by acting alone. That would only create more hard feelings, more resentment, and further erode the trust our city has for the people who serve here in Lansing. The Governor and Lieutenant Governor recognize this. They know that any real solution requires everyone's involvement.

Yesterday, community leaders came together in Detroit to discuss this situation. This broad-based group, representing all parts of our community, will continue to meet in search of the right solution. I was proud to be part of that meeting and several of my Detroit colleagues, and I will continue to serve on this transition team.

I was pleased to see in this morning's papers that legislative leaders, including Majority Leader Sikkema, support community involvement in this process too. I am hopeful that we will give this new community group time to work and that when the time comes to make difficult decisions, we will be respectful of everyone involved. I look forward to working with this community group and with my colleagues on both sides of the aisle to do what is best for the children of Detroit.

Senator Garcia's statement is as follows:

I rise to pay tribute to a United States Marine who gave his life on behalf of his country. Lance Corporal Michael Wayne Hanks, of Gregory in Livingston County, died Wednesday, November 17, 2004, at the age of 22. He was killed in action in the Al Anbar Province where Fallujah is located. I have a memorial tribute here that I would like to read on behalf of the Senate.

"LET IT BE KNOWN, It is with deep respect that we offer the highest tribute as a memorial for the life of Lance Corporal Michael Wayne Hanks. He made the ultimate sacrifice on our behalf, and this loss has saddened all who had the good fortune of knowing him. On behalf of the Michigan Legislature, the citizens of Michigan, and the United States of America, we extend our deepest condolences and respect to the family and many friends of Lance Corporal Hanks. This brave Marine, dedicated son, and brother answered his country's call and gave his life for the freedom and liberty we enjoy today. He will be genuinely missed and fondly remembered.

A resident of Livingston County, Michael Hanks attended Fowlerville High School and Parkers Corners Alternative High School before enlisting in the Marines at the age of 18. Always upbeat and outgoing, Michael's family and friends recall how he had a reputation for making everyone laugh and was 'the friendliest person you'd ever meet.'

In 2000, Michael Hanks fulfilled his lifelong dream of joining the Marines. Immediately after signing up, he attended boot camp at Camp Pendleton and later deployed to Iraq in February of 2003 as part of the 1st Battalion, 3rd Marine Division, in support of 'Operation Iraqi Freedom.' It is significant to note that in May of 2003, Lance Corporal Michael Hanks received a formal commendation from the Marines for saving an Iraqi civilian's life. After returning home from his initial tour of duty, Hanks' sense of honor and responsibility to his country once again led him to sign up for his second tour. Lance Corporal Michael Hanks was respected and loved by his fellow soldiers, the sergeants, and the officers of his company, and he had a reputation for keeping up morale in his unit with his sense of humor.

Those who are familiar with history know that it is not the generals who win battles, but it is the privates, the sergeants, and the junior officers who are at the point of the spear. They are the ones who supply the blood, sweat, and tears that ultimately bring victory. While no words, flags, or tributes can erase the pain felt by such a tremendous loss, we know that heroes come from all walks of life. And it is young men like Lance Corporal Michael Hanks, who value liberty more than life itself, who have made this country strong and prosperous.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated in remembrance of Lance Corporal Michael Wayne Hanks. May his family accept this tribute as a symbol of the high regard in which his memory is held by the people of the State of Michigan and of the United States of America."

Michael Hanks was buried on November 24. His service was held at Brighton Church of Nazarene, and he was buried that same day.

A moment of silence was observed in memory of Lance Corporal Michael Wayne Hanks.

Senator Switalski's statement is as follows:

Let me add my condolences to the family of Michael Hanks.

Mr. President, I rise on a different subject this morning. Mr. President, the long drought is over. I'm happy to announce that the St. Angela of Roseville 6th grade basketball team has ended a two-year season, 13-game losing streak with a thrilling 18-16 victory over St. Mary's of Mt. Clemens—thanks to big free throws and a bomb from the corner from guard Billy Kuhr. The Cougars are led by top-scoring, rebounding and shot-blocking center, and point guard Liam Heaney Switalski. Mr. President, such a combination has not been seen in Michigan since Earvin Johnson worked his magic at Jenison Field House.

Congratulations to Paul Schultz and all the victorious Cougars on their brilliant achievement.

Senator Scott's statement is as follows:

I rise with a heavier heart today because of the death of a seven-year-old girl on the eastside of Detroit and a colleague for the city of Detroit, City Councilwoman Kay Everett. I wear my hat today to honor her, and I give condolences to both those families.

Many of you may have read yesterday's editorial in the *Detroit Free Press* on the subject—none other than—costly urban insurance rates. Every day we read about skyrocketing insurance costs, as they continue to be the focus of many newspaper and magazine reports. I am hopeful that this will help to reaffirm that this is not just an issue of importance to me, but one that is certainly at the forefront of many, many concerned citizens in the state of Michigan.

Yesterday's editorial discussed a new policy change being implemented by the Detroit Police Department that will require a person to report an auto theft in person to a police officer, rather than the old process of taking auto theft reports over the phone. Requiring an individual to come into a police station to report a theft in person will help to decrease the number of deceptive reports, which on an annual basis, half are estimated to be fake or fraudulent claims.

I applaud the Detroit police chief for her leadership and vision in helping to combat rising auto insurance costs, which, as the article alluded to, can amount to \$4,000 a year or more for some drivers in the city of Detroit. I am encouraged each time that I read or hear about the efforts of others, as I know that it will take the commitment and work of many to really resolve this problem and help to bring reasonable insurance rates to the citizens of Detroit and this state. So I will continue to fight here in Lansing and will continue to ask my colleagues for their support in my quest for fairness and equity.

Committee Reports

The Committee on Appropriations reported

House Bill No. 6101, entitled

A bill to authorize the state administrative board to convey certain state owned property in Branch county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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.

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

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

House Bill No. 5656, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 237c.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

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

House Bill No. 5415, 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 4 (MCL 207.554), as amended by 1999 PA 140.

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

1. Amend page 4, line 2, after "**district**" by inserting "**as determined by the tax records in the office of the assessor or the treasurer of the local tax collecting unit in which the property is located**".

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 amendment 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, November 10, 2004, at 3:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 5645, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 91 (MCL 53.91).

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.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka and Bernero

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 Local, Urban and State Affairs submitted the following:

Meeting held on Wednesday, November 10, 2004, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Birkholz, Goschka and Bernero

Excused: Senator Basham

The Committee on Finance reported

Senate Bill No. 486, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending the title and sections 35, 41, 42, and 43 (MCL 125.1035, 125.1041, 125.1042, and 125.1043), section 42 as amended by 1994 PA 365.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia and McManus

Nays: Senator Thomas

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

The Committee on Finance reported

Senate Bill No. 478, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2a and 34c (MCL 211.2a and 211.34c), section 2a as amended by 1982 PA 539 and section 34c as amended by 2002 PA 620; and to repeal acts and parts of acts.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus and Brater

Nays: None

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

The Committee on Finance reported

House Bill No. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5844, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

With the recommendation that the bill pass.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, November 10, 2004, at 2:07 p.m., Room 110, Farnum Building

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

The Committee on Technology and Energy reported

Senate Bill No. 1267, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 317 (MCL 484.1317) and by adding section 317a.

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

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown, Leland and Bernero

Nays: None

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

The Committee on Technology and Energy reported

House Bill No. 5550, entitled

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

With the recommendation that the bill pass.

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Toy, Birkholz, Brown, Leland and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, November 10, 2004, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Toy, Birkholz, Brown, Leland and Bernero

Excused: Senators Cassis and Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:
Meeting held on Tuesday, November 9, 2004, at 3:00 p.m., Room 210, Farnum Building
Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:
Meeting held on Tuesday, November 9, 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 Capital Outlay submitted the following:
Meeting held on Tuesday, November 9, 2004, at 4:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building
Present: Senators George, Cropsey, Goschka, Hardiman, Prusi, Clarke and Cherry
Excused: Senator Johnson (C)

Scheduled Meetings

Appropriations -

Subcommittees -

Capital Outlay - Thursday, December 2, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Family Independence Agency, Joint - Thursday, December 2, 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-1801)

Banking and Financial Institutions - Thursday, December 2, 12:00 noon, Room 100, Farnum Building (373-2417)

Commerce and Labor - Wednesday, December 1, 1:00 p.m., and Thursday, December 2, 12:00 noon, Room 210, Farnum Building (373-2413)

Conference Committee -

Purchased Land Payments in Lieu of Taxes (SB 1105) - Wednesday, December 1, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

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

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

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

Legislative Retirement Board of Trustees - Wednesday, December 1, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Local, Urban and State Affairs - Wednesday, December 1, 1:00 p.m., Rooms 402 and 403, Capitol Building, and Thursday, December 2, 1:00 p.m., Room 110, Farnum Building (373-1707)

Technology and Energy - Wednesday, December 1, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:19 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, December 1, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

