

No. 37
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Thursday, April 28, 2005.

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 Richard Zeiger of Real Life Community Church of Three Oaks offered the following invocation:

Heavenly Father, as we seek Your blessings on this session, it is truly amazing that an infinite, holy God would stoop to listen to our humble prayers. The prophet Isaiah tells us that even the angels cover their faces in humility before You. We are so small in this vast universe You have created that it is hard to believe that You would take notice of us at all. How arrogant to think that our very best could somehow impress You. Yet we are significant because You have created us in Your image.

Lord, we confess that we have turned from Your ways to our ways, rejecting Your commands to pursue our own flawed human logic. We have forsaken righteousness and chosen independence from You over reliance on You. Father, we confess these things and ask for forgiveness by Your grace, as we turn to You for help and guidance.

Lord, we thank You for the countless blessings You have given us, and we rely on Your providence now. We thank You for the opportunity to live in this great state, in this great nation. As leaders, we thank You for the trust of the people You have called us to serve. Help us to lead well and govern wisely with a servant's humility. Give us integrity to live lives that honor You. We ask You not for prosperity, Lord, but for godly wisdom to do the things that lead to prosperity.

I pray these things in the name of Your Son Jesus. Amen.

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

Motions and Communications

Senator Schauer moved that Senators Leland and Thomas be temporarily excused from today's session. The motion prevailed.

Senators Thomas and Garcia entered the Senate Chamber.

The following communications were received:

Office of the Auditor General

April 26, 2005

Enclosed is a copy of the following audit report:

Performance audit of the Pupil Membership Reporting and Auditing Process, Michigan Department of Education.

April 27, 2005

Enclosed is a copy of the following audit report:

Performance audit of Selected Medicaid Managed Care and Fee-for-Service Payments, Medical Services Administration, Department of Community Health.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, April 27:
House Bill Nos. 4450 4451 4452 4453 4454

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, April 27, and are available at the legislative website:

Senate Bill Nos. 417 418 419 420 421 422 423 424 425 426 427 428 429 430
431 432
House Bill Nos. 4660 4661 4662 4663 4664 4665 4666 4667 4668 4669 4670 4671 4672 4673
4674 4675 4676
House Joint Resolution H

Senator Leland entered the Senate Chamber.

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 Thomas as Chairperson.

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

Senate Bill No. 341, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8395 (MCL 600.8395). The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 195, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12411 and 12431 (MCL 333.12411 and 333.12431).

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:

Senate Bill No. 342, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 252a.

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

1. Amend page 2, line 6, after "**THAN**" by striking out "**OCTOBER 1, 2005**" and inserting "**DECEMBER 31, 2006**".

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.

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

The motion prevailed.

Senator Garcia's statement is as follows:

I have the privilege of recognizing three of the individuals of Focus: HOPE. One of the individuals we recognized last year. He went overseas and participated in, I believe, it was Iraqi Freedom, and his name is Kevin Green. I'd like him to stand for a moment. I also have two other individuals: One is Staff Sergeant Quinton Hamm and the other is Sergeant First Class Moses Armstead. Both of these two individuals you will notice, again in the east Gallery with their uniforms on, are going to be going to Afghanistan within the next 30 days. We have a certificate for them that recognizes their dedication and their service to the country, which will be presented to them at a later time.

We just wanted to recognize their special service and thank them for what they have done for our country.

By unanimous consent the Senate returned to the order of
Motions and Communications

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

Senate Bill No. 343

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

By unanimous consent the Senate returned 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 Thomas as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 343, entitled

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

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.

Resolutions

Senators Schauer, Basham, Scott and Leland offered the following resolution:

Senate Resolution No. 29.

A resolution to urge President Bush and the United States Congress to reverse proposed budget cuts to federal funding for anti-methamphetamine programs.

Whereas, The proposed Fiscal Year 2006 drug control budget diminishes most federal support for state and local law enforcement. The proposed budget reduces the Community Oriented Policing Services (COPS) "Meth Hot Spots" program by more than 60 percent, completely eliminates the Byrne Grants to state and local law enforcement, and cuts the High Intensity Drug Trafficking Areas (HIDTA) program by more than 50 percent. This is a drastic and severe overall reduction in federal funding to state and local law enforcement; and

Whereas, Methamphetamine is an insidious drug. It is strongly addictive, destroys health, and causes violent behavior. A large portion of violent crimes, including domestic abuse and child endangerment, is linked to methamphetamine use. Methamphetamine affects the health and well-being of communities and families. It is a grave threat impacting the entire nation; and

Whereas, The scourge of methamphetamine is spreading rapidly across the country, ravaging communities from California to New York. Clandestine methamphetamine labs are overwhelming local law enforcement agencies in every Midwest state. Over the past few years the number of methamphetamine labs seized in Michigan has increased almost 900 percent from 6 in 1996 to 209 in 2004, creating a growing workload for law enforcement; and

Whereas, State and local law enforcement personnel are fighting on the front lines in the war against methamphetamine. They make more than 90 percent of all drug-related arrests and seizures. When clandestine labs are discovered, special teams must clean up the toxic waste used to manufacture the drug. Methamphetamine abuse puts severe strains on state and local law enforcement agencies forced to find clandestine drug labs, clean up the environmental damage they create, and arrest the drug traffickers and meth cooks that operate them; and

Whereas, The proposed budget cuts would create massive shortfalls in the already overstrapped and strained budgets of state and local law enforcement agencies in Michigan and across the country. The severity of the economic crisis in Michigan is already affecting the ability of the criminal justice system to respond to methamphetamine abuse. Federal funding is vital to state and local law enforcement agencies' fight against methamphetamine. Cuts in programs could be dangerous to the public; now, therefore, be it

Resolved by the Senate, That we urge President Bush and the United States Congress to reverse proposed budget cuts to federal funding for anti-methamphetamine programs; and be it further

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

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

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke, Jacobs, Prusi and Switalski were named co-sponsors of the resolution.

Senators Emerson, Johnson, Clarke, Cherry, Schauer, Scott, Prusi, Bernero, Thomas, Barcia, Switalski, Basham, Brater, Olshove, Jacobs, Clark-Coleman and Leland offered the following resolution:

Senate Resolution No. 30.

A resolution to memorialize the Congress of the United States to refrain from making cuts to the Medicaid budget and to address the issue of the increasing number of uninsured in America.

Whereas, The President's budget proposal cuts Medicaid \$60 billion over the next ten years. These extreme cuts in Medicaid will have dire consequences for Michigan's health care system as well as our economy; and

Whereas, Medicaid provides necessary health care for Michigan's most vulnerable citizens, including families with children, persons with disabilities, and many elderly people. In Michigan, Medicaid provides essential health services to nearly 1.5 million Michigan residents. Of these, more than 700,000 are children, just over 250,000 are people with disabilities, and more than 125,000 are elderly. Medicaid is also the safety net for a large proportion of the elderly needing long-term care, allowing them to live out their lives in safety and dignity. Ensuring that Michigan's most vulnerable have access to health care is the right thing to do; and

Whereas, Medicaid is also essential to the security of Michigan and the United States, and cuts would endanger us. Medicaid provides much-needed money to respond to catastrophic events, such as a terrorist attack. In the days following September 11, 2001, Disaster Relief Medicaid came to the aid of nearly 350,000 New Yorkers; and

Whereas, Medicaid plays a vital role in Michigan's health care infrastructure. A substantial portion of Michigan's health care industry relies on Medicaid spending. Hospitals, nursing homes, and community health centers all depend on Medicaid funds to keep their doors open. For example, in 2002, Medicaid pumped \$1.3 billion into our state's hospital system. Any cut in Medicaid funding will have a profound effect on the economic viability of Michigan's health care system; and

Whereas, Medicaid plays a critical role in access and quality within our state's health care system. Any cuts in Medicaid may cause hospitals and nursing homes to cut critical health care services, and/or staff, thus limiting overall access to much-needed health care services and further exacerbating the shortage of nurses, nursing home workers, home care aides, and other essential caregivers; and

Whereas, Cuts in Medicaid will not save money, but rather shift costs to the counties, cities, hospitals, nursing homes, and doctors. The uninsured will continue to need health services, and they will turn to doctors' offices, clinics, and hospital emergency rooms. Providers then must "write off" the uncompensated care. This uncompensated care is reflected in higher costs for health insurance premiums for Michigan's working families with private insurance; and

Whereas, Higher health care insurance premiums will negatively impact small businesses, forcing them to reduce or drop health care coverage for their employees and further increasing the number of uninsured Americans, putting even more pressure on states, providers, and employers; and

Whereas, Medicaid investment provides an economic stimulus. For every dollar invested in Medicaid, it spurs economic activity, job creation, and wages—in and out of the health care sector. In 2005, every \$1 million Michigan invested in Medicaid will spur \$2.6 million in new business activity and create new jobs; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to refrain from making cuts to the Medicaid budget, to address the underlying problems of the growing ranks of the uninsured and skyrocketing health care costs, and to seek other efficiencies without compromising this vital program; and be it further

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

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

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Schauer, Basham, Scott and Leland offered the following concurrent resolution:

Senate Concurrent Resolution No. 19.

A concurrent resolution to urge President Bush and the United States Congress to reverse proposed budget cuts to federal funding for anti-methamphetamine programs.

Whereas, The proposed Fiscal Year 2006 drug control budget diminishes most federal support for state and local law enforcement. The proposed budget reduces the Community Oriented Policing Services (COPS) "Meth Hot Spots" program by more than 60 percent, completely eliminates the Byrne Grants to state and local law enforcement, and cuts the High Intensity Drug Trafficking Areas (HIDTA) program by more than 50 percent. This is a drastic and severe overall reduction in federal funding to state and local law enforcement; and

Whereas, Methamphetamine is an insidious drug. It is strongly addictive, destroys health, and causes violent behavior. A large portion of violent crimes, including domestic abuse and child endangerment, is linked to methamphetamine

use. Methamphetamine affects the health and well-being of communities and families. It is a grave threat impacting the entire nation; and

Whereas, The scourge of methamphetamine is spreading rapidly across the country, ravaging communities from California to New York. Clandestine methamphetamine labs are overwhelming local law enforcement agencies in every Midwest state. Over the past few years the number of methamphetamine labs seized in Michigan has increased almost 900 percent from 6 in 1996 to 209 in 2004, creating a growing workload for law enforcement; and

Whereas, State and local law enforcement personnel are fighting on the front lines in the war against methamphetamine. They make more than 90 percent of all drug-related arrests and seizures. When clandestine labs are discovered, special teams must clean up the toxic waste used to manufacture the drug. Methamphetamine abuse puts severe strains on state and local law enforcement agencies forced to find clandestine drug labs, clean up the environmental damage they create, and arrest the drug traffickers and meth cooks that operate them; and

Whereas, The proposed budget cuts would create massive shortfalls in the already overstrapped and strained budgets of state and local law enforcement agencies in Michigan and across the country. The severity of the economic crisis in Michigan is already affecting the ability of the criminal justice system to respond to methamphetamine abuse. Federal funding is vital to state and local law enforcement agencies' fight against methamphetamine. Cuts in programs could be dangerous to the public; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge President Bush and the United States Congress to reverse proposed budget cuts to federal funding for anti-methamphetamine programs; and be it further

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

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Cherry, Clarke, Jacobs, Prusi and Switalski were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Prusi introduced

Senate Bill No. 438, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 353c (MCL 18.1353c), as amended by 2002 PA 504.

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

Senators Schauer, Basham, Scott, Leland and Goschka introduced

Senate Bill No. 439, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 2 (MCL 722.622), as amended by 2004 PA 563.

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

Senators Schauer, Basham, Scott and Leland introduced

Senate Bill No. 440, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17766b. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Schauer introduced

Senate Bill No. 441, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2004 PA 215.

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

Senators Switalski, Scott, Prusi, Clark-Coleman, Basham, Thomas, Jacobs, Clarke, Cherry, Olshove, Bernero, Leland and Schauer introduced

Senate Bill No. 442, entitled

A bill to create the new Michigan merit scholarship trust fund; to provide for the administration of the new Michigan merit scholarship program; to provide for the powers and duties of certain state officers and entities; and to repeal acts and parts of acts.

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

Senators Olshove, Leland, Scott, Cherry and Brater introduced

Senate Bill No. 443, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531g.

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

Senators McManus, Van Woerkom, Birkholz, Toy, Johnson, Goschka, Allen, Jacobs, Basham, Cassis and Bishop introduced

Senate Bill No. 444, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 216 and 216a (MCL 750.216 and 750.216a), section 216 as amended and section 216a as added by 1985 PA 78.

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

Senators Allen, Kuipers, Jelinek, Gilbert, Van Woerkom, McManus, Goschka, Birkholz and Garcia introduced

Senate Bill No. 445, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 5, and 13 (MCL 252.302, 252.305, and 252.313), as amended by 1998 PA 533.

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

Senators Jacobs and Emerson introduced

Senate Bill No. 446, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

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

Senators Jacobs and Emerson introduced

Senate Bill No. 447, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

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

Senator Cropsey introduced

Senate Bill No. 448, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507, and 8611 (MCL 600.226, 600.303d, 600.410, 600.810, 600.859, 600.871, 600.1105, 600.1701, 600.8322, 600.8344, 600.8507, and 600.8611), section 226 as amended by 1990 PA 185, section 303d as amended by 2004 PA 448, section 410 as added by 2002 PA 678, sections 859, 1105, and 8611 as amended by 1986 PA 308, section 1701 as amended by 1987 PA 99, section 8322 as amended by 1996 PA 388, section 8344 as amended by 1992 PA 192, and section 8507 as amended by 1994 PA 5, and by adding sections 411 and 8808; and to repeal acts and parts of acts.

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

House Bill No. 4450, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217 (MCL 257.217), as amended by 2002 PA 652.

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. 4451, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80320 (MCL 324.80320), as added by 1995 PA 58.

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. 4452, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 30d (MCL 125.2330d).

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. 4453, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81108 (MCL 324.81108), as added by 1995 PA 58.

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. 4454, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9311 (MCL 440.9311), as amended by 2001 PA 145.

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.

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Today, I have a couple more stories I would like to share with you from Michigan residents who logged onto my insurance website. A woman from Detroit writes, "At present, I am paying over \$1,600 per year for auto insurance. I have been driving for over 30 years and have an excellent driving record. I am appalled at knowing that people who live across 8 Mile are not paying even 50 percent of what I am paying. What that says to me is that my choice to live in the city comes with consequences, not benefits. My homeowners insurance, without having filed any claims, is over \$1,700 per year. It would appear that this type of cost differential is specifically designed to instigate a migration from the city of Detroit to other areas. I want to stay in the city, but if insurance costs continue to rise while city services decrease, I'll be forced to follow others out of the city."

Here's one from Brighton, "Two cars, one motorcycle, and a home—rates are way too high."

A constituent from Harper Woods writes, "I had a house fire in November of 2001. I was never fully compensated for the contents of my home by the insurance company. There is a common practice of insurance companies in the city of Detroit, which, at the time, I lived in Detroit."

This is just another sampling of the comments that I continue to receive from ratepayers in this state. These stories reinforce and strengthen my desire to keep fighting for lower insurance rates, and I will continue to do so until something is done.

Committee Reports

The Committee on Commerce and Labor reported

Senate Bill No. 343, entitled

A bill to provide for the establishment of a neighborhood improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the

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

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Toy, Schauer and Olshove

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 73, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5505 (MCL 324.5505).

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Resolution No. 25.

A resolution to urge the United States Coast Guard to immediately eliminate the "No Ballast on Board" (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law.

(For text of resolution, see Senate Journal No. 33, p. 440.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

Senate Concurrent Resolution No. 17.

A concurrent resolution to urge the United States Coast Guard to immediately eliminate the "No Ballast on Board" (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law.

(For text of concurrent resolution, see Senate Journal No. 33, p. 441.)

With the recommendation that the concurrent resolution be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:
 Meeting held on Tuesday, April 26, 2005, at 3:00 p.m., Room 110, Farnum Building
 Present: Senators Birkholz (C), Van Woerkom, Brater and Basham
 Excused: Senator Patterson

The Committee on Transportation reported

House Bill No. 4470, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 307, and 812 (MCL 257.303, 257.307, and 257.812), sections 303 and 812 as amended by 2004 PA 362 and section 307 as amended by 2004 PA 502.

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.

Judson S. Gilbert II
 Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

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

The Committee on Transportation reported

House Bill No. 4469, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10104 (MCL 333.10104), as amended by 2003 PA 62.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
 Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, April 26, 2005, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kuipers, Goschka, Leland and Basham

The Committee on Finance reported

House Bill No. 4065, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2000 PA 260.

With the recommendation that the bill pass.

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

Nancy Cassis
 Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 347, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers

and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 21a.

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus and Thomas

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 348, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 51 (MCL 211.51), as amended by 1992 PA 97.

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.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas 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. 4188, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 51 (MCL 211.51), as amended by 1992 PA 97.

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.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas 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. 4482, entitled

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

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

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, April 27, 2005, at 1:10 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, April 26, 2005, at 1:00 p.m., Room 810, Farnum Building

Present: Senators Garcia (C), McManus and Switalski

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, April 27, 2005, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hammerstrom (C), Patterson, George, Bernero and Jacobs

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, April 27, 2005, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Brown (C), Stamas and Clarke

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, April 27, 2005, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Kuipers, Birkholz, Brown, Cassis, Olshove and Leland

Excused: Senator Bernero

Scheduled Meetings

Appropriations - Wednesday, May 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittees -

Agriculture - Thursday, May 5, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

Community Colleges - Wednesday, May 11, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Community Health Department - Thursdays, May 5, 1:00 p.m., Room 810, Farnum Building; May 12, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; May 19, 2:30 p.m., Rooms 402 and 403, Capitol Building; and June 2, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7946)

Environmental Quality Department - Tuesdays, May 10, May 17, May 24 and May 31, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Family Independence Agency - Wednesday, May 4, 8:30 a.m., Room 210, Farnum Building (373-1801)

Higher Education - Fridays, April 29, 10:00 a.m., University of Michigan-Dearborn, Henry Ford Estate, Music Room, 4901 Evergreen Road, Dearborn; May 6, 10:00 a.m., Grand Valley State University, Kirkhof Center, 2nd Floor, Pere Marquette Room, 1 Campus Drive, Allendale; May 13, 10:00 a.m., Northwood University, NADA Education Center, 4000 Whiting Drive, Midland; and May 20, 10:00 a.m., Eastern Michigan University, Welch Hall, Room 201, 900 W. Cross Street at Summit Street, Ypsilanti (373-1760)

Judiciary and Corrections - Tuesday, May 3, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3760)

Natural Resources Department - Wednesdays, May 4, May 11, May 18, May 25 and June 1, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

State Police and Military Affairs - Wednesday, May 4, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

Judiciary - Tuesday, May 3, 1:00 p.m., Room 210, Farnum Building (373-3760)

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

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:35 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, May 3, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

