

No. 20
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Thursday, February 26, 2004.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present
Barcia—present
Basham—present
Bernero—excused
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

Emerson—excused
Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—present
Hardiman—present
Jacobs—present
Jelinek—present
Johnson—present
Kuipers—present
Leland—excused
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 Dr. Geoffrey Drutchas of St. Paul United Church of Christ of Taylor offered the following invocation:

O God, in these tough uncertain times, rich in question and quandary about how to use the state's resources best, help this body of public servants to be wise in all of its choices and decisions. Guide its men and women to look beyond all purposes, partisan or personal, so that the common good may be upheld and served. And when the day is over and the job is done, assure them of Your blessing and the people's thanks. Amen.

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

Motions and Communications

Senators Brown, Barcia, Goschka, Stamas and Van Woerkom entered the Senate Chamber.

Senator Hammerstrom moved that Senator Johnson be temporarily excused from today's session.
The motion prevailed.

Senator Schauer moved that Senator Clarke be temporarily excused from today's session.
The motion prevailed.

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

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

Director of the Family Independence Agency

Ms. Marianne Udow of 2280 Gale Road, Ann Arbor, Michigan 48105, county of Washtenaw, succeeding Nannette Bowler, who has resigned, appointed for a term effective January 12, 2004, to serve as Director at the pleasure of the Governor.

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 25:

House Bill Nos. 5174 5175 5176 5177 5178 5386 5427 5428 5429

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, February 25, for her approval the following bills:

Enrolled Senate Bill No. 512 at 12:56 p.m.

Enrolled Senate Bill No. 513 at 12:58 p.m.

Enrolled Senate Bill No. 800 at 1:00 p.m.

Enrolled Senate Bill No. 785 at 1:02 p.m.

The Secretary announced that the following official bills were printed on Wednesday, February 25, and are available at the legislative Web site:

Senate Bill Nos. 1007 1008 1009

House Bill Nos. 5587 5588 5589 5590 5591 5592 5593 5594 5595 5596

Messages from the Governor

Senators Clarke and Johnson entered the Senate Chamber.

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**
- The motion prevailed.

Director of the Family Independence Agency

Ms. Marianne Udow of 2280 Gale Road, Ann Arbor, Michigan 48105, county of Washtenaw, succeeding Nannette Bowler, who has resigned, appointed for a term effective January 12, 2004, to serve as Director at the pleasure of the Governor.

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

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

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

Roll Call No. 75

Yeas—35

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

Nays—0

Excused—3

Bernero	Emerson	Leland
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Not Voting—0

In The Chair: President

Senators Jacobs, Hardiman and Clark-Coleman asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Jacobs' statement is as follows:

I, too, rise today to support the Family and Human Services Committee's recommendation that the Senate consent to Governor Granholm's appointment of Ms. Marianne Udow as Director of the Family Independence Agency.

Ms. Udow has an impressive background and brings a unique set of skills to the public sector. She received her BA from Hamilton-Kirkland Colleges and a Master's of Public Health from the University of Michigan. She has spent her entire career in the private sector, initially with Blue Cross Blue Shield, as the director of Health Policy and

Development. She spent time with Mercy Alternative and Care Choices in senior administrative capacities, and then returned to Blue Cross Blue Shield, where she has been employed continuously since 1988. Her most recent position was as senior vice president for Health Care Products and Provider Services.

It is clear she has an extensive background in the human services field and that she has demonstrated great administrative skill in her leadership positions with Blue Cross Blue Shield. She brings a private sector sensibility to her new job, which will help her to identify and eliminate inefficiencies and waste, while making the most out of the resources at hand.

Ms. Udow is also an excellent advocate for the most vulnerable in our state. She was asked by one of our members of Family and Human Services, "Why do you want to have this job?" because she will be heading a department that is often in the paper with some turmoil and many challenges. Ms. Udow's response was that this is really a "call to her heart." She is deeply committed to human services issues and is tremendously excited about this opportunity.

She is an outstanding choice for this position, and I urge my colleagues' support in consenting to her appointment.

Senator Hardiman's statement is as follows:

I rise today to support the appointment of Marianne Udow as FIA Director and to recommend her confirmation.

Ms. Udow responded thoughtfully to several questions posed to her in writing by the Families and Human Services Committee in a public hearing. The committee unanimously recommended her confirmation. Her responses, her background as a successful administrator, and her willingness to take on a challenging task speak well of her, and justify a vote to confirm her.

We will hopefully vote to confirm Ms. Udow not as FIA's sole savior, but as its chief administrator and partner with the Legislature. No one person can do all that needs to be done at the FIA, and I hope that as we vote to give her the authority as Director, we will also acknowledge our responsibility to help the FIA clients for their long-term good. This means fostering a strong ethic of personal responsibility and movement into the workforce where possible. It also means joining with Ms. Udow in her pledge to concentrate on prevention, and I will stress and continue to stress that this means including strong programs to strengthen marriage and fatherhood. There is much to do.

Along with this vote to hopefully confirm Ms. Udow, I hope that we will also pledge to work with her productively, to develop strong legislative oversight for fiscal and programmatic accountability, to work constructively with private and faith-based partnerships, and to produce good outcomes for the clients FIA and we serve.

I rise for this very pleasant task. Ms. Udow is with us today, and she is in the north Gallery. I want to thank her for her commitment and once again support her confirmation.

Senator Clark-Coleman's statement is as follows:

I also rise to support the appointment of Ms. Marianne Udow to direct the Family Independence Agency. Ms. Udow brings fresh ideas to the department and a wealth of administrative skills. She has indicated a desire to update FIA's technology and simplify policy, so that workers charged with providing services to our state's most vulnerable population can spend less time on paperwork and more time helping those in need. She has also expressed her willingness to work with the Legislature, with the federal government, and with private and community agencies to fulfill Michigan's critical human services needs.

Personally, I must say that I am very impressed with Ms. Udow's background and her passion for these issues, as well as her commitment to collaborate. I know that she will make an excellent appointee, and I certainly urge my colleagues to support the consent of Ms. Udow.

Messages from the House

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

Senate Bill No. 506

Senate Bill No. 557

Senate Bill No. 806

Senate Bill No. 502

Senate Bill No. 57

Senate Bill No. 497

Senate Bill No. 498

Senate Bill No. 499

Senate Bill No. 500

Senate Bill No. 715

Senate Bill No. 824

The motion prevailed.

Senate Bill No. 703, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80205 (MCL 324.80205), as added by 2000 PA 229; and to repeal acts and parts of acts.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 842, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 616a. Substitute (H-2).

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

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

Roll Call No. 76

Yeas—34

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

Nays—1

Scott

Excused—3

Bernero

Emerson

Leland

Not Voting—0

In The Chair: President

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

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

The Senate agreed to the full title.

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

Senate Bill No. 681, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 11a to chapter VI.

Substitute (H-1).

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

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

Roll Call No. 77**Yeas—35**

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

Nays—0**Excused—3**

Bernero	Emerson	Leland
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Not Voting—0

In The Chair: President

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

Senate Bill No. 843, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as added by 2002 PA 34. Substitute (H-1).

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

Roll Call No. 78**Yeas—30**

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

Nays—5

Basham	Clark-Coleman	Clarke	Scott
Brater			

Excused—3

Bernero

Emerson

Leland

Not Voting—0

In The Chair: President

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

Third Reading of Bills

The following bill was read a third time:

Senate Bill No. 581, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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. 79**Yeas—35**

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

Nays—0**Excused—3**

Bernero

Emerson

Leland

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. 582, entitled

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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. 80

Yeas—35

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

Nays—0

Excused—3

Bernero	Emerson	Leland
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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

Resolutions

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

Senate Resolution No. 175

Senate Resolution No. 139

The motion prevailed.

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

Senate Resolution No. 220

The resolution consent calendar was adopted.

Senator Sikkema offered the following resolution:

Senate Resolution No. 220.

A resolution commemorating March 2004 as Red Cross Month in Michigan.

Whereas, The American Red Cross, founded in 1881 and guided by the principles of compassion, courage, character, and civic duty, has continually served the needs of Michigan residents as well as individuals in need worldwide; and

Whereas, The American Red Cross is uniquely chartered by the United States Congress to act in times of need by providing assistance to persons afflicted by local, state, national, or international disasters, as well as to assist American military personnel and their families; and

Whereas, The American Red Cross distributes about 80 percent of the blood and blood products used by Michigan residents during medical procedures and biomedical operations; and

Whereas, Increased demands and declining donors are creating critical needs for citizens to donate blood, to the point where nonessential surgeries may have to be restricted by Michigan hospitals; and

Whereas, In today's new world of terrorism and threats to homeland security, the American Red Cross is urging all Americans to protect themselves through its "Together We Prepare" program, which includes five actions each citizen should take: Make a Plan, Build a Kit, Get Trained, Volunteer, and Give Blood; and

Whereas, Security preparation efforts include training school teachers, coaches, businesses, and individuals to respond to first aid and safety concerns; now, therefore, be it

Resolved by the Senate, That we hereby proclaim March 2004 as American Red Cross Month in Michigan. Accordingly, we support this organization's noble and humanitarian mission by asking each Michigan citizen to participate in blood drives throughout this year; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Chapter of the American Red Cross.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Introduction and Referral of Bills

Senators Van Woerkom, Prusi and McManus introduced

Senate Bill No. 1022, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading to part 525 and section 52501 (MCL 324.52501), as added by 1995 PA 57, and by adding sections 52502, 52503, 52504, 52505, 52506, and 52507.

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

Senators Prusi, Van Woerkom and McManus introduced

Senate Bill No. 1023, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52511.

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

Senators McManus, Van Woerkom and Prusi introduced

Senate Bill No. 1024, entitled

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

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

Senators Bishop, Birkholz, Cassis, Patterson, Garcia, Sikkema, Kuipers, McManus, Gilbert, Allen, Van Woerkom, Brown, Goschka, Hammerstrom, Jelinek, Hardiman, George, Jacobs, Brater, Basham and Olshove introduced

Senate Bill No. 1025, entitled

A bill to create a child protection registry; to prohibit the sending of certain communications to registered contact points; to proscribe the powers and duties of certain state agencies and officials; and to provide for penalties and remedies.

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

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

Senate Bill No. 1026, entitled

A bill to designate the third Friday in September as Michigan manufacturing day in the state of Michigan.

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

House Bill No. 5174, entitled

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

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. 5175, entitled

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

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. 5176, entitled

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

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. 5177, entitled

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

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. 5178, entitled

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

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. 5386, entitled

A bill to authorize the state administrative board to transfer certain parcels of property in Jackson county.

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 Appropriations.

House Bill No. 5427, entitled

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

The 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. 5428, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain

circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 9 (MCL 28.429), as amended by 1996 PA 169.

The 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. 5429, entitled

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

The 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.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 4099, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11505 and 11514 (MCL 324.11505 and 324.11514) and by adding sections 11507b and 11507c.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, 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

House Bill No. 5234, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526a.

With the recommendation that the bill pass.

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

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5235, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11527a.

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

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

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, February 24, 2004, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Finance reported

House Bill No. 5434, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 471 (MCL 206.471), as amended by 2002 PA 486.

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

1. Amend page 2, line 3, after "(2)" by inserting "**For the tax year that begins on or after January 1, 2003 and before January 1, 2004 only, the following apply:**

(a)".

2. Amend page 2, line 4, after "**electronically.**" by inserting:

"(b)".

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia and McManus

Nays: None

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

The Committee on Finance reported

House Bill No. 5440, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 80 (MCL 208.80), as added by 1985 PA 139.

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

1. Amend page 1, line 8, after "(2)" by striking out "**The**" and inserting "**For the tax year that begins on or after January 1, 2003 and before January 1, 2004 only, the**".

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia and McManus

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 Finance submitted the following:

Meeting held on Wednesday, February 25, 2004, at 8:30 a.m., Room 405, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Conference Committee on NPDES Permit Fees (SB 252) submitted the following:

Meeting held on Tuesday, February 10, 2004, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Birkholz and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, February 24, 2004, at 3:00 p.m., Room 100, Farnum Building

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

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, February 24, 2004, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Wednesday, February 25, 2004, at 12:02 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senator McManus (C)

Excused: Senators Goschka and Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, February 25, 2004, at 1:00 p.m., Room 405, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, February 25, 2004, at 3:00 p.m., Room 210, Farnum Building

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

Excused: Senator Leland

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

Community Colleges - Tuesdays, March 2 and March 9, 1:00 p.m., and March 16, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Community Health Department - Thursdays, March 4 and March 18, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7946)

Environmental Quality Department - Wednesdays, March 3, March 10 and March 17, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Higher Education - Fridays, February 27, 10:00 a.m., University of Michigan-Flint, Flint; March 5, 10:00 a.m., Cornerstone University, Grand Rapids; and March 12, 9:00 a.m., Lake Superior State University, Sault Ste. Marie (373-1760)

Judiciary and Corrections - Tuesdays, March 2, March 9 and March 16, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3760)

K-12, School Aid, Education - Wednesday, March 3, 2:00 p.m. or later immediately following the Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Natural Resources Department - Tuesdays, March 2, March 9 and March 16, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Banking and Financial Institutions - Thursday, March 4, 12:00 noon, Room 100, Farnum Building (373-2417)

Commerce and Labor - Tuesday, March 2, 3:00 p.m., Room 100, Farnum Building (373-2413)

Families and Human Services - Tuesday, March 2, 3:00 p.m., Room 210, Farnum Building (373-1801)

Health Policy - Wednesday, March 3, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Judiciary - Tuesday, March 2, 1:00 p.m., Room 210, Farnum Building (373-3760)

Natural Resources and Environmental Affairs - Tuesday, March 2, 3:00 p.m., Room 110, Farnum Building (373-3447)

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

Transportation - Tuesday, March 2, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:39 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, March 2, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate