

No. 20
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2003

Senate Chamber, Lansing, Tuesday, March 4, 2003.

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

Senator Ron Jelinek of the 21st District offered the following invocation:

Dear Father in Heaven, as this legislative body begins its deliberations today, we pray for wisdom and humility for ourselves and for the good and safety for those we represent. May the decisions we make today not only serve Your purpose, but the need of all the people of this state. May those decisions be wise and just and fair to all mankind.

Lord, in the face of the turmoil in this world today, may You guide our President and all world leaders to wise decisions that will lead to the safety and peace of all people everywhere.

We pray these things in the name Your Son Jesus Christ. Amen.

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

Motions and Communications

The Secretary announced that the Majority Leader has made the appointment of the following select committee:

Business Competitiveness (SCR 3) - Senators Sanborn (C), Toy, Cassis, Schauer and Basham.

The select committee appointments were approved, a majority of the members serving voting therefor.

The following communications were received:

Office of the Auditor General

February 26, 2003

Enclosed is a copy of the following audit report and/or report summary:

Performance Audit of the Criminal Justice Information Center, Michigan Department of State Police, February 2003.

February 28, 2003

Enclosed is a copy of the following audit report and/or report summary:

Financial Audit of the Michigan Broadband Development Authority, March 14, 2002 through September 30, 2002.

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 Thursday, February 27:

House Bill Nos. 4087 4097

The Secretary announced the printing and placement in the members' files on Thursday, February 27, of:

House Bill Nos. 4283 4284 4285 4286 4287 4288 4289 4290 4291

The Secretary announced the printing and placement in the members' files on Friday, February 28, of:

Senate Bill Nos. 214 215 216 218 219 220 221 222 223 224 225 226 227 228
229 230 231 232 233 234 235 236 237 238 239 240 241 242
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Senate Joint Resolution B

House Bill Nos. 4292 4293 4294 4295 4296 4297 4298 4299 4300 4301 4302 4303 4304 4305
4306 4307 4308 4309

The Secretary announced the printing and placement in the members' files on Monday, March 3, of:

Senate Bill No. 217

Messages from the Governor

The following message from the Governor was received on March 3, 2003, and read:

EXECUTIVE ORDER
No. 2003-4

Michigan Land Use Leadership Council Michigan Department of Environmental Quality

Whereas, Article V, Section 4 of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

Whereas, the State of Michigan is experiencing the outward migration of population and economic activity from Michigan's urban areas resulting in land use change in rural and urban areas;

Whereas, outward migration and land use change has significantly impacted development patterns; traffic, air, and water resources; historic, cultural, and scenic resources; open space, wetlands, and agriculture; the availability of affordable housing; and the ability of this State and its local governments to finance public facilities and service improvements;

Whereas, Michigan's sprawling low-density growth pattern is projected to consume additional land at a rate that exceeds six to eight times the rate of population growth, creating a strain on the efficient provision of public services;

Whereas, Michigan's land-based industries are important to the economy of this State including agriculture, Michigan's second largest industry, which annually generates nearly \$40 billion in economic activity, tourism, which generates nearly \$12 billion in economic activity annually, and forestry, which annually generates nearly \$9 billion in economic activity;

Whereas, between 1982 and 1997, Michigan lost over 1 million acres of farmland;

Whereas, Michigan's vital natural resources, which are an important economic, environmental, and social aspect of this State, continue to be fragmented and impacted by encroaching development;

Whereas, the unplanned, uncontrolled consumption of open space not only impairs the quality of Michigan's land, water, and ecosystems, but will also threaten Michigan's social and economic well-being if not met with strong leadership and vision;

Whereas, state-initiated land use coordination efforts will result in cost savings; better prioritization of limited state resources spent on public infrastructure; better stewardship of Michigan's agricultural, natural, historic, scenic, and cultural resources; an increased supply of affordable housing; orderly, safe, and well-planned urban and rural communities; preservation of important historic and scenic resources; and an expansion in private economic development activities;

Now, Therefore, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to the powers vested in me by the Michigan Constitution of 1963 and the laws of the State of Michigan, order the following:

I. MICHIGAN LAND USE LEADERSHIP COUNCIL

A. The Michigan Land Use Leadership Council ("Council") is created within the Department of Environmental Quality.

B. The Council shall have 26 members.

C. The Speaker of the House of Representatives, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leader each may designate one member of the Michigan Legislature to participate as members of the Council.

D. From a list of candidates recommended by the Speaker of the House of Representatives and the Senate Majority Leader, the Governor shall appoint 11 members of the Council.

E. After consultation with the House Minority Leader and the Senate Minority Leader, the Governor shall appoint 11 additional members of the Council.

F. The Directors of the Departments of Agriculture, Consumer and Industry Services, Environmental Quality, History, Arts, and Libraries, Natural Resources, and Transportation, or their designees, shall serve as ex officio, non-voting participants at meetings of the Council.

G. Members of the Council appointed by the Governor shall serve at the pleasure of the Governor.

H. A vacancy on the Council shall be filled in the same manner as the original appointment.

II. CHARGE TO THE COUNCIL

A. The Council is advisory in nature and shall:

1. Identify the trends, causes, and consequences of unmanaged growth and development.

2. Provide recommendations to the Governor and the Legislature designed to minimize the negative economic, environmental, and social impacts of current land use trends; promote urban revitalization and reinvestment; foster intergovernmental and public-private land use partnerships; identify new growth and development opportunities; and protect Michigan's natural resources, including farmland and open space, and better manage the cost of public investments in infrastructure to support growth.

B. In exercising its duties the Council may:

1. Evaluate the effectiveness of current state, regional, and local land use laws, including but not limited to zoning and planning laws, housing laws, building codes, and annexation laws.

2. Survey developers, builders, contractors, farmers, planners, engineers, surveyors, environmentalists, historic preservationists, attorneys, academics, citizen groups, others in the private sector, state agencies, and local governmental agencies about problems associated with current land use trends and current policies and suggested policy changes.

3. Stimulate statewide discussion on problems related to current land use trends, identifying best development practices and alternative land use and capital investment solutions.

4. Review model legislation and studies on land use techniques and collect information on states that have developed innovative solutions to similar land use challenges.

5. Identify any state programs or regulations that directly or indirectly encourage or subsidize low-density development and outward migration from urban areas.

6. Identify public information, training, and technical assistance related to land use needed by state, regional, and local agencies.

7. Identify incentives or techniques for sharing the benefits of economic growth and eliminating or reducing fiscal competition among local units of government and for fostering intergovernmental cooperation.

8. Propose innovative and cooperative land use approaches that will accommodate and guide growth and development through cooperation and partnerships on a local and regional basis; ensure the construction of adequate supporting services and infrastructure, including utilities, storm water management systems, and transportation; provide opportunities for or eliminate barriers to affordable housing; protect the environment and historic and scenic resources; enhance community livability; preserve farmland; and minimize negative impacts on natural resources.

C. The Council shall complete its work and issue a final report and recommendations, including any proposed legislation, to the Governor, the Clerk of the Michigan House of Representatives, and the Secretary of the Michigan Senate by August 15, 2003.

III. OPERATIONS OF THE COUNCIL

A. The Governor shall designate two members of the Council appointed by the Governor as Co-Chairpersons who shall share equally the powers of directing the Council. The Co-Chairpersons shall serve as Co-Chairpersons at the pleasure of the Governor.

B. The Council shall be staffed by personnel within the Department of Environmental Quality, as designated by the Director. The Directors of the Departments of Agriculture, Consumer and Industry Services, History, Arts, and Libraries, Natural Resources, and Transportation shall provide personnel assistance to the Council at the request of the Director of the Department of Environmental Quality.

C. The Co-chairpersons shall appoint an executive coordinator for the Council.

D. The Council may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations. The Council may establish subcommittees as it deems advisable.

E. The Council shall meet at the call of the Co-chairpersons and as may be provided in procedures adopted by the Council.

F. A majority of the serving members constitutes a quorum for the transaction of business of the Council at a meeting, notwithstanding the existence of one or more vacancies. The Council shall act by a majority vote of its serving members.

G. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may consult with outside experts in order to perform its duties.

H. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

I. The Council may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department of Environmental Quality deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Council appointed by the Governor shall refer all legal, legislative, and media contacts to the Department of Environmental Quality.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this State or of any political subdivision of this State shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Council

B. The invalidity of any portion of this Order shall not affect the validity of the remainder the Order

This Executive Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of
Michigan this 27th day of February, 2003.

Jennifer Granholm
Governor

By the Governor:
Terri Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on March 3, 2003, and read:

EXECUTIVE ORDER
No. 2003-5

**Governor's Chronic Wasting Disease Task Force
Executive Office of the Governor**

Whereas, Article V, Section 4 of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

Whereas, Section 1 of 1931 PA 195, MCL 10.51, authorizes and empowers the Governor, at such times and for such purposes as the Governor deems necessary or advisable, to create special commissions consisting of as many members as the Governor deems appropriate;

Whereas, chronic wasting disease is a neurological disease of deer and elk, a transmissible spongiform encephalopathy similar to mad cow disease in cattle and scrapie in sheep, characterized by loss of body condition, behavioral abnormalities, and death;

Whereas, chronic wasting disease can reduce the growth and size of deer and elk populations in areas where the prevalence of the disease is high, and is of increasing concern for wildlife managers across North America;

Whereas, there is no reliable live animal testing available for diagnosing chronic wasting disease, nor a treatment available, and information about the spread and long term implications of the disease is incomplete;

Whereas, once a disease thought to be limited in the wild to a relatively small endemic area in northeastern Colorado, southeastern Wyoming and southwestern Nebraska, chronic wasting disease has recently been found in new areas of Colorado and Nebraska, among wild deer in Illinois, New Mexico, South Dakota, Wisconsin and Saskatchewan, and among captive herds in Colorado, Nebraska, South Dakota, Minnesota, Montana, Oklahoma, Kansas, Wisconsin, Saskatchewan and Alberta;

Whereas, the spread of chronic wasting disease beyond its historic range threatens more than elk and deer in Michigan. If allowed to spread into Michigan, the disease has the potential to negatively impact other wildlife populations, limit interest in recreational and commercial use of deer and elk, and negatively impact rural economies;

Whereas, the increased occurrence of chronic wasting disease in regionally diverse locations necessitates a coordinated state response and an escalation in research, surveillance, monitoring, and management activities focused on containing and managing this lethal deer and elk disease and establishing preventative measures to keep the disease out of Michigan;

Whereas, the Natural Resources Commission, the Agriculture Commission, the Department of Natural Resources, and the Department of Agriculture have worked well to date to institute policies and procedures for the Departments of Natural Resources and Agriculture to limit the threat posed by the disease; and

Whereas, greater partnership among the Michigan Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, as well as other state, federal, and provincial, and local agencies in the Great Lakes region and beyond is necessary to prevent and control the spread of chronic wasting disease.

Now, Therefore, I, Jennifer M. Granholm, Governor of the state of Michigan, pursuant of the powers vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. GOVERNOR'S CHRONIC WASTING DISEASE TASK FORCE

A. The Governor's Chronic Wasting Disease Task Force ("Task Force") is created within the Executive Office of the Governor.

B. The members of the Task Force shall include five members of the public appointed by the Governor.

C. The Directors of the Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, or their designates, shall serve as ex officio, non-voting members of the Task Force.

D. The members of the Task Force shall serve at the pleasure of the Governor.

E. A vacancy on the Task Force shall be filled in the same manner as the original appointment.

II. CHARGE TO THE TASK FORCE

A. The Task Force shall act in an advisory capacity to the Executive Office of the Governor and shall:

1. Review existing state efforts regarding the prevention of chronic wasting disease.

2. Develop and make recommendations to implement a comprehensive and coordinated state chronic wasting disease prevention plan.

3. Make recommendations on the clarification of enforcement authority to prevent the spread of chronic wasting disease into Michigan, and if ever detected in Michigan, to prevent its spread within this state.

4. Recommend a process for the development of a widely-accessible reference database of available and current information concerning chronic wasting disease.

5. Identify mechanisms to promote effective communications and coordination of efforts between state, federal, provincial, and local officials regarding chronic wasting disease.

B. The Task Force shall complete its work and issue a final report and recommendations, including any proposed legislation, to the Governor by September 19, 2003.

III. OPERATIONS OF THE TASK FORCE

A. The Governor shall designate one member of the Task Force as Chairperson to serve at the pleasure of the Governor.

B. The Chairperson shall select from among the members of the Task Force a Vice-Chairperson and a Secretary. Task Force staff shall assist the Secretary with recordkeeping responsibilities.

C. The Task Force shall be staffed by personnel from and assisted by the Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, as requested by the Executive Office of the Governor.

D. The Task Force may adopt procedures, not inconsistent with Michigan law and this executive order, governing its organization and operations. The Task Force may establish subcommittees as it deems advisable.

E. The Task Force shall meet at the call of the Chairperson, or the Vice-Chairperson or other designee of the Chairperson, and as may be provided in procedures adopted by the Task Force.

F. The Task Force shall act by a majority vote of its serving members. A majority of the members present and voting constitutes a quorum for the transaction of business of the Task Force at a meeting.

G. In developing recommendations, the Task Force may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Task Force may consult with outside experts in order to perform its duties, including but not limited to experts at state universities, state agencies, and federal agencies such as the United States Department of Agriculture and the United States Fish and Wildlife Service.

H. Members of the Task Force shall serve without compensation. Members of the Task Force may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

I. The Task Force may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties as the Executive Office of the Governor deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Task Force shall refer all legal, legislative, and media contacts to the Executive Office of the Governor.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Task Force.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder the order.
This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of
Michigan this 28th day of February, 2003.

Jennifer Granholm
Governor

By the Governor:
Terri Land
Secretary of State

The Executive Order was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 19

The resolution consent calendar was adopted.

Senators Bernero, Switalski, Hardiman, Clarke, George, Allen, Stamas, Gilbert, Prusi, Clark-Coleman, Brown, Van Woerkom, Jacobs, Scott, Thomas and Goschka offered the following resolution:

Senate Resolution No. 19.

A resolution honoring Mayflower Congregational Church on its 100th Anniversary.

Whereas, In the year 1891, a band of congregationalists known as Plymouth Church and Society saw fit to establish a Bible school, which met in Byrd's Hall at the corner of Division and West Main Streets in south Lansing; and

Whereas, This Bible school thrived, and the need to expand was imminent. So in the year 1897, land and a chapel building were provided by Plymouth Church at the northeast corner of Logan and St. Joseph Streets, where the fellowship became known as the Mayflower Branch of Plymouth Church with thirty-nine members; and

Whereas, On March 12 in the year 1903, this fellowship saw fit to charter itself as a new and independent church known as Mayflower Congregational Church; and

Whereas, Like most early churches of the time, its congregation continued to grow and increase. So in the year 1910, a new building was commenced at the northwest corner of then Logan and St. Joseph Streets; and

Whereas, In the year 1957, a new building was commenced at the current location of 2901 West Mount Hope Avenue in the city of Lansing; and

Whereas, This congregation over the last 100 years has survived good times and bad times. It always remained true to its congregational roots while honoring its Creator, administering to its parishioners, and serving the needs of its followers and the Lansing community in general with worship and outreach services, education, music, and social programs with a congregation of 115 members; now, therefore, be it

Resolved by the Senate, That we honor and commemorate the 100th Anniversary of Mayflower Congregational Church. May this celebration serve to inspire anew the faith and inspiration that have built this community; and be it further

Resolved, That a copy of this resolution be transmitted to Mayflower Congregational Church as a symbol of our esteem.

Senators Cassis, Brater, Toy, Jelinek and Birkholz were named co-sponsors of the resolution.

Senators Brown, Patterson, Jelinek, Garcia, Cassis, Birkholz, Kuipers, Johnson, Bishop and Allen offered the following resolution:

Senate Resolution No. 20.

A resolution to urge the Department of Treasury to conduct a comprehensive audit of homestead exemption claims across the state.

Whereas, Every system of taxation must be applied fairly and enforced uniformly in order to gain the support of the people. Situations in which some people evade taxes are damaging to the state not only financially, but also because they erode faith in government; and

Whereas, A recent review of claims for homestead property tax exemption in St. Joseph County has uncovered a significant rate of properties being claimed for exemption that do not qualify. Some of the claims should be invalid because the owners of the parcels are out-of-state residents, while others are second homes for owners with property elsewhere in Michigan. The review uncovered a surprisingly high rate of properties with unqualified exemptions, even though the review itself was a simple audit designed to identify the more obvious situations; and

Whereas, Applying similar or even lower rates of unqualified homestead exemptions across the entire state indicates that the state, more specifically the local school financing component, is losing an enormous sum of tax dollars each year. The cumulative loss to the state from this situation threatens virtually every element of public service, especially as our state faces such critical budget problems; and

Whereas, The establishment of an effective and ongoing audit process to ensure full compliance with the state's system of homestead property exemptions is long overdue; now, therefore, be it

Resolved by the Senate, That we urge the Department of Treasury to conduct a comprehensive audit of homestead exemption claims across the state; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Treasury.

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 Finance.

The motion prevailed.

Senators Van Woerkom, Goschka and Toy were named co-sponsors of the resolution.

Senator Gilbert offered the following resolution:

Senate Resolution No. 21.

A resolution to memorialize the Congress of the United States to enact legislation to direct the United States Coast Guard to transfer ownership of the Coast Guard Cutter *Bramble* to the Port Huron Museum of Arts and History upon its decommissioning.

Whereas, Since its launch in 1943, the United States Coast Guard Cutter *Bramble* has served our nation in a variety of capacities. Following its six decades of service, the 180-foot buoy tender is scheduled for decommissioning in the spring of 2003; and

Whereas, The people of Port Huron, the home port of the *Bramble* since 1975, feel a strong sense of identity with the vessel. As a result, local citizens are working hard to make the cutter a permanent educational and historical resource for Port Huron by securing title and ownership for the Port Huron Museum of Arts and History. Members of the community have expressed a commitment to renovating the *Bramble* for its new role and maintaining it for the future; and

Whereas, The history of the missions undertaken by the *Bramble* will serve as a visible reminder of the many ways the Coast Guard serves our nation. The cutter's work during World War II, its journey through Arctic waters and the Bering Straits to the Atlantic in 1957, and its long years working to secure navigation and safety along the Great Lakes will provide invaluable lessons for visitors, especially children; and

Whereas, Legislation has been introduced in Congress to provide for the Coast Guard to convey the *Bramble* to the Port Huron Museum of Arts and History after its decommissioning; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to provide for the United States Coast Guard to transfer ownership of the decommissioned Coast Guard Cutter *Bramble* to the Port Huron Museum of Arts and History; 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 resolution was adopted.

Senators Cassis, Van Woerkom, Goschka, Toy, Jelinek, Basham and Birkholz were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Schauer, Jelinek, Scott and Garcia asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Schauer's statement is as follows:

In 1928, 33 high school students met in Kansas City to establish an organization designed to train the future leaders of the industry that feeds this country and much of the world. They call their organization the Future Farmers of America.

In that same year, the first FFA chapter in Michigan was chartered in Ypsilanti. For 75 years, the FFA has continually expanded and changed to meet the needs of the agriculture and natural resources industries. It has more than 455,000 members nationwide. Today, they are in the Capitol—and I believe they are on the House floor now—and they will be coming to the Gallery.

On behalf of more than 5,000 FFA members in Michigan, we have two delegates from each of Michigan's 110 FFA programs. They are taking part in their 75th state FFA convention at Michigan State University, where more than 2,500 FFA members and guests will be attending.

Colleagues, when you have an opportunity, please welcome these young leaders, who will become the next generation to continue FFA's legacy of agriculture and leadership right here in the great state of Michigan.

Senator Jelinek's statement is as follows:

I didn't know my colleague was going to talk about the FFA organization, and I am prepared to do the same. So I would like to mention to you who the blue coats are that are here, and I do, of course, refer to the agri-science students who belong to this organization called the FFA.

Their purpose is to study and to learn about the business of agriculture and related careers in agriculture. They are a premier organization that serves young men and women of high school age. It teaches them to be our future leaders. In the FFA, they not only learn about agriculture, but they learn skills of cooperation and leadership; they do public speaking, and they learn parliamentary skills. They truly develop and teach good citizenship.

It was my privilege to be an advisor of one of their chapters for 30 years. They meet this week at MSU for their annual state convention to conduct business and compete in various state contests. I urge all members of this body to make contact with them and to attend their convention to see our future leaders in action. I guarantee that you will be impressed.

Senator Scott's statement is as follows:

As Senator Olshove said, today is Paczki Day! I represent the great city of Hamtramck where we just have wonderful bakeries, and I would like to invite all of you down to Hamtramck. There are plenty of bars, and there are just good parties going on all day.

We started with a parade at 7:30 this morning, so just come on down to Hamtramck and have a great time. I brought some authentic Martha Washington Bakery paczki here today.

Senator Garcia's statement is as follows:

I just want to let the body know that Friday night and Saturday afternoon the 144th Military Police Company arrived back in Owosso—Shiawassee County—from duty protecting the Pentagon.

Last year, this body passed a resolution honoring the service of the 144th Military Police Company. It was my pleasure to present it to them on behalf of the State Senate, and I want to thank you for passing that resolution and helping me welcome troops back from doing their duty to protect our country.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Barcia, Goschka, Prusi, Thomas, Clarke, Patterson, Jacobs, Kuipers, Cropsey, Stamas, Scott, Garcia, Allen and Hammerstrom introduced

Senate Bill No. 244, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30301, 30305, 32501, 32511, and 32512 (MCL 324.30301, 324.30305, 324.32501, 324.32511, and 324.32512), sections 30301, 32501, 32511, and 32512 as added by 1995 PA 59 and section 30305 as amended by 1996 PA 550.

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

Senator Switalski introduced

Senate Bill No. 245, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2543 (MCL 600.2543), as amended by 1986 PA 308.

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

Senators Gilbert, Patterson, Garcia, Goschka and Birkholz introduced

Senate Bill No. 246, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 11 (MCL 257.11), as amended by 2002 PA 652.

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

Senators Prusi, Johnson, Sikkema and Emerson introduced

Senate Bill No. 247, entitled

A bill to make and supplement appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and various other state departments and agencies for certain state purposes related to the fiscal years ending September 30, 2003 and September 30, 2004; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senators Brown, Patterson and Allen introduced

Senate Bill No. 248, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 283 (MCL 18.1283). The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senators Brown, Gilbert, Cropsey, Patterson, McManus, Jelinek, Hardiman, Basham, Garcia, Van Woerkom, Cassis, Birkholz, Goschka, Kuipers, Stamas, George, Bishop, Allen and Sanborn introduced

Senate Bill No. 249, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2685 and 2688 (MCL 333.2685 and 333.2688).

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

Senators Schauer, Jacobs, Goschka, Cherry, Barcia, Olshove, Clark-Coleman, Bernero, Brater, Scott, Clarke and Basham introduced

Senate Bill No. 250, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2001 PA 114, and by adding section 3113c.

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

Senators Basham, Jacobs, Goschka, Cherry, Olshove, Clark-Coleman, Schauer, Bernero, Brater, Scott and Clarke introduced

Senate Bill No. 251, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3111 and 3113 (MCL 324.3111 and 324.3113).

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

Senators Brater, Jacobs, Cherry, Barcia, Olshove, Clark-Coleman, Schauer, Bernero, Scott, Clarke and Basham introduced

Senate Bill No. 252, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112) and by adding section 3113b.

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

Senators Scott, Jacobs, Cherry, Olshove, Clark-Coleman, Schauer, Bernero, Brater, Clarke and Basham introduced

Senate Bill No. 253, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3113a.

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

Senators Schauer, Brater, Cherry, Emerson and Bernero introduced

Senate Bill No. 254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112) and by adding section 3113b.

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

Senators Bishop, Kuipers, Jelinek, Hammerstrom, Cassis, Barcia, Patterson, McManus, Toy, Thomas and Clark-Coleman introduced

Senate Bill No. 255, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45a (MCL 24.245a), as added by 1999 PA 262.

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

Senators Van Woerkom, Thomas, Birkholz, Goschka, Basham, Garcia and Kuipers introduced
Senate Bill No. 256, entitled

A bill to establish the state home heating credit fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the home heating credit fund.

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

Senators Van Woerkom, Thomas, Birkholz, Goschka, Garcia and Kuipers introduced

Senate Bill No. 257, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 437.

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

House Bill No. 4087, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 317.

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. 4097, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32714 (MCL 324.32714), as added by 1996 PA 434.

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.

Committee Reports

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

Senate Bill No. 81, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2229.

With the recommendation that the bill be referred to the Committee on Banking and Financial Institutions.

Alan Sanborn

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Banking and Financial Institutions.

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

Senate Bill No. 116, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

With the recommendation that the bill be referred to the Committee on Banking and Financial Institutions.

Alan Sanborn

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Banking and Financial Institutions.

The Committee on Economic Development, Small Business and Regulatory Reform reported
Senate Bill No. 89, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401i.

With the recommendation that the bill be referred to the Committee on Health Policy.

Alan Sanborn
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee on Health Policy.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, February 26, 2003, at 3:00 pm, Rooms 402 and 403, Capitol Building

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 195, entitled

A bill to provide for the incorporation of a regional water supply and sewerage authority; to provide for a regional assembly and regional authority board; to transfer certain ownership rights in water supply and sewerage facilities; to provide for payment for water supply and sewerage services and facilities through fees, charges, taxes, special assessments, and other means; to provide for the issuance and payment of bonds; and to provide for the powers and duties of certain governmental officials and entities.

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.

Laura Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz and Goschka

Nays: Senators Basham and Bernero

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 4206, entitled

A bill to provide for the approval of certain contracts involving the operation of city and village water and sewer systems; to create an authority; and to provide for the powers and duties of certain governmental officials and entities.

With the recommendation that the bill pass.

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

Laura Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz and Goschka

Nays: Senators Basham and Bernero

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 180, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 224.

With the recommendation that the bill pass.

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

Laura Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Thursday, February 27, 2003, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Health Policy reported

Senate Bill No. 6, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17757 (MCL 333.17757), as amended by 1986 PA 304.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Bernero and Jacobs

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 Health Policy submitted the following:

Meeting held on Wednesday, February 26, 2003, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, February 26, 2003, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Meeting held on Thursday, February 27, 2003, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Brown (C), Jelinek and Barcia

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, March 6, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Commerce, Labor and Economic Development - Wednesday, March 5, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

Judiciary and Corrections - Tuesdays, March 18, March 25, April 1, and April 22, 3:00 p.m., Room 210, Farnum Building (373-3760)

State Police and Military Affairs - Tuesdays, March 18, March 25, April 1, and April 22, 1:00 p.m., Room 405, Capitol Building (373-5932)

Appropriations, Joint Senate/House - Thursday, March 6, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Business Competitiveness Joint Select Committee (SCR 3) - Monday, March 10, 3:00 p.m., Novi Expo Center, Stiller Room, 43700 Expo Center Drive, Novi (373-7670)

Education - Thursday, March 6, 2:00 p.m., Room 210, Farnum Building (373-6920)

Families and Human Services - Thursday, March 6, 8:30 a.m., Room 210, Farnum Building (373-1801)

Finance - Wednesday, March 5, 1:00 p.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesdays, March 5 and March 12, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Senior Citizens and Veterans Affairs - Wednesday, March 5, 1:00 p.m., Room 100, Farnum Building (373-1707)

Technology and Energy - Wednesday, March 5, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:22 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 5, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate