

No. 43
STATE OF MICHIGAN
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Senate Chamber, Lansing, Thursday, May 8, 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 not present.

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

Emerson—present
Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—present
Hardiman—present
Jacobs—present
Jelinek—present
Johnson—present
Kuipers—present
Leland—present
McManus—present

Olshove—present
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—present
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Imam Mohamad Mardini of the American Muslim Bekaa Center of Dearborn Heights offered the following invocation:

May the peace and blessings of God almighty, the Lord of the universe, be bestowed upon the Senate—this body who cares for the public of the state of Michigan and who works to help and assist the people with a good heart.

We pray to God to bless the Senate, to bless the state of Michigan, and to help our Governor, Jennifer Granholm, and bless America.

God bid peace to you.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:11 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

The following communication was received:
Office of the Senate Majority Leader

May 6, 2003

I have appointed Senator Valde Garcia to serve as the Legislative Liaison to the Southeast Michigan Council of Governments Executive Committee.

If you have any questions, please don't hesitate to contact my office.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:
Office of Senator Sikkema

May 7, 2003

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Agriculture, Forestry, and Tourism Committee hold a hearing on the appointment of John Hertel to the State Exposition and Fairgrounds Office Manager and make a written recommendation to the Government Operations Committee on this appointment.

May 7, 2003

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Gaming and Casino Oversight Committee hold a hearing on the appointment of Gary Peters to the Bureau of State Lottery Commissioner and make a written recommendation to the Government Operations Committee on this appointment.

Sincerely,
Senator Ken Sikkema
Chairman, Senate Government Operations Committee

The communications were referred to the Secretary for record.

Brown
Cassis
Cropsey

Goschka
Hammerstrom
Hardiman

McManus
Patterson

Toy
Van Woerkom

Excused—0

Not Voting—0

In The Chair: President

Senator Brater offered the following amendments:

1. Amend page 7, line 4, after “**plan.**” by inserting “**The department of agriculture shall forward copies of all conservation plans that it receives to the department.**”.

2. Amend page 7, following line 15, by inserting:

“(g) **The location of the well or wells in latitude and longitude as digitized from a United States geological survey quadrangle map with a scale of 1:24,000 or collected using a global positioning system having a wide area augmentation system capable receiver, with the accuracy of either method of reported location data to within 15 feet.**”.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 95

Yeas—16

Barcia
Basham
Bernero
Brater

Cherry
Clark-Coleman
Clarke
Emerson

Jacobs
Leland
Olshove
Prusi

Schauer
Scott
Switalski
Thomas

Nays—22

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jelinek
Johnson
Kuipers
McManus
Patterson

Sanborn
Sikkema
Stamas
Toy
Van Woerkom

Excused—0

Not Voting—0

In The Chair: President

Senator Brater offered the following amendments:

1. Amend page 6, line 22, after “32714.” by striking out the balance of the subsection.

2. Amend page 7, following line 15, by inserting:

“(2) **The owner of a farm who submits a water use conservation plan under subsection (1) shall submit along with the water use conservation plan a water use reporting fee of \$100.00. The department of agriculture**

shall forward all water use reporting fees received under this subsection to the state treasurer for deposit into the water use protection fund created in section 32714.” and renumbering the remaining subsections.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 96

Yeas—15

Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas
Cherry	Jacobs	Schauer	

Nays—22

Allen	Cropsey	Hardiman	Sanborn
Barcia	Garcia	Jelinek	Sikkema
Birkholz	George	Johnson	Stamas
Bishop	Gilbert	McManus	Toy
Brown	Goschka	Patterson	Van Woerkom
Cassis	Hammerstrom		

Excused—0

Not Voting—1

Kuipers

In The Chair: President

Senator Brater offered the following amendment:

1. Amend page 13, following line 4, by inserting:

“Sec. 32803. The department through an administrative rule shall promulgate a map based on available information that depicts the location of natural resources that may be impacted by large water withdrawals. This map will include the natural features and all areas within 500 feet of the border of the natural feature. Once the map has been promulgated, a person who plans to construct or expand a public water supply system, irrigation facility, or an industrial or processing facility within the designated area that has the capacity to withdraw or will increase a current withdrawal of groundwater by over 100,000 gallons per day from the waters of the designated area shall give notice to the department, along with hydrological assessment of the impact on the natural feature, if requested by the department. Within 45 days of receiving such a notice, the department shall determine if the withdrawal is reasonably expected to have a significant impact on the waters of the Great Lakes basin or its water-dependent natural resources. If the department makes such a finding, it may place restrictions on the withdrawal necessary to protect the impacted natural resources. This provision shall not impair or restrict the ability of the department to protect resources pursuant to other laws.”.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 97**Yeas—15**

Barcia
Basham
Bernero
Brater

Cherry
Clark-Coleman
Clarke
Jacobs

Leland
Olshove
Prusi
Schauer

Scott
Switalski
Thomas

Nays—22

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jelinek
Johnson
Kuipers
McManus
Patterson

Sanborn
Sikkema
Stamas
Toy
Van Woerkom

Excused—0**Not Voting—1**

Emerson

In The Chair: President

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. 98**Yeas—38**

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0**Excused—0****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
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 Kuipers 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. 285, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Substitute (S-1).

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

- 1. Amend page 5, line 15, by striking out “3,400,000” and inserting “3,150,000”.
- 2. Amend page 5, line 18, by striking out “5,900,000” and inserting “6,150,000”.

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 285

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

The following bill was read a third time:

Senate Bill No. 285, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

The question being on the passage of the bill,

Senator Scott offered the following amendment:

- 1. Amend page 28, line 17, by striking out all of section 330.

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

Senators Cherry and Scott offered the following amendments:

- 1. Amend page 5, line 18, by striking out “5,900,000” and inserting “6,680,100”.
- 2. Amend page 7, line 1, by striking out “12,196,500” and inserting “12,976,600” and adjusting the subtotals, totals, and section 201 accordingly.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 99

Yeas—18

Barcia
Basham

Clark-Coleman
Clarke

Leland
Olshove

Scott
Switalski

Bernero
Brater
Cherry

Emerson
Goschka
Jacobs

Prusi
Schauer

Thomas
Toy

Nays—20

Allen
Birkholz
Bishop
Brown
Cassis

Cropsey
Garcia
George
Gilbert
Hammerstrom

Hardiman
Jelinek
Johnson
Kuipers
McManus

Patterson
Sanborn
Sikkema
Stamas
Van Woerkom

Excused—0

Not Voting—0

In The Chair: President

Senator Prusi offered the following amendments:

1. Amend page 8, line 17, by striking out “17,693,000” and inserting “19,693,000”.
2. Amend page 8, line 19, by striking out “8,048,000” and inserting “10,048,000”.
3. Amend page 9, line 11, by striking out “31,388,400” and inserting “35,388,400” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Hammerstrom moved that further consideration of the amendments be postponed temporarily.

The motion prevailed.

Senator Scott offered the following amendment:

1. Amend page 5, line 15, by striking out “3,150,000” and inserting “3,400,000”.

The question being on the adoption of the amendments,

Senator Hammerstrom moved that further consideration of the amendment be postponed temporarily.

The motion prevailed.

Senator Schauer offered the following amendments:

1. Amend page 5, line 18, by striking out “6,150,000” and inserting “6,680,100”.
2. Amend page 7, line 1, by striking out “12,196,500” and inserting “12,726,600” and adjusting the subtotals, totals, and section 201 accordingly.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 100

Yeas—18

Barcia
Basham
Bernero
Brater
Cherry

Clark-Coleman
Clarke
Emerson
Jacobs
Leland

Olshove
Prusi
Schauer
Scott

Stamas
Switalski
Thomas
Toy

Nays—20

Allen	Cropsey	Hammerstrom	McManus
Birkholz	Garcia	Hardiman	Patterson
Bishop	George	Jelinek	Sanborn
Brown	Gilbert	Johnson	Sikkema
Cassis	Goschka	Kuipers	Van Woerkom

Excused—0**Not Voting—0**

In The Chair: President

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 11:49 a.m.

11:56 a.m.

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

Senator Sikkema offered the following amendments:

1. Amend page 8, line 16, by striking out “4,054,700” and inserting “54,700”.
2. Amend page 8, line 17, by striking out “17,693,000” and inserting “19,693,000”.
3. Amend page 8, line 19, by striking out “8,048,000” and inserting “10,048,000”.

The question being on the adoption of the amendments,

Senator Sikkema requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 101**Yeas—22**

Allen	Garcia	Jelinek	Sanborn
Birkholz	George	Johnson	Sikkema
Bishop	Gilbert	Kuipers	Stamas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cropsey	Hardiman		

Nays—16

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas

Excused—0

Not Voting—0

In The Chair: President

Senator Sikkema offered the following amendments:

1. Amend page 3, line 2, by striking out “6,489,600” and inserting “5,779,400”.
2. Amend page 3, line 7, by striking out “7,799,000” and inserting “7,088,800”.
3. Amend page 3, line 20, by striking out “1,899,200” and inserting “1,189,000”.
4. Amend page 5, line 15, by striking out “3,150,000” and inserting “3,860,200”.
5. Amend page 6, line 1, by striking out “301,668,200” and inserting “302,378,400”.
6. Amend page 7, line 1, by striking out “12,196,500” and inserting “12,906,700”.

The question being on the adoption of the amendments,

Senator Sikkema requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 102

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Prusi

In The Chair: President

By unanimous consent the Senate returned to consideration of the amendments offered by Senator Prusi.

The question being on the adoption of the amendments,

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 103**Yeas—16**

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas

Nays—22

Allen	Garcia	Jelinek	Sanborn
Birkholz	George	Johnson	Sikkema
Bishop	Gilbert	Kuipers	Stamas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cropsey	Hardiman		

Excused—0**Not Voting—0**

In The Chair: President

By unanimous consent the Senate returned to consideration of the amendment offered by Senator Scott. The question being on the adoption of the amendment, Senator Scott withdrew the amendment. 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. 104**Yeas—32**

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

Nays—6

Basham	Cherry	Prusi	Schauer
Brater	Emerson		

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Schauer, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 285 and moved that the statements he made during the discussion of the amendments offered by Senators Prusi and Sikkema be printed as his reasons for voting “no.”

The motion prevailed.

Senator Schauer’s first statement is as follows:

This amendment is ultimately rearranging the deck chairs on the *Titanic*. There is still a \$4 million hole in this budget. To try to make a sincere argument that we are funding job creation services and economic development job training grants that I wholeheartedly support, gutting the ability for the MEDC is a joke. I think we should have serious discussion about how we can have a viable economic development mechanism and strategy in this state. We ought to do that. This still is unilateral disarmament, and I certainly cannot support an amendment that on the surface appears to suggest that we are supporting economic development, while in reality, we are gutting the department that we rely upon.

Senator Schauer’s second statement is as follows:

The previous speaker is right. Tough times do require tough decisions, but we also have to be clear about our priorities. I rise in strong support of the Prusi amendment, and I don’t want you to take my word for it necessarily. I want to cite an April 17th article from *Business Direct Weekly*, and I am sure some of my colleagues—in particular those from west Michigan reads. They state that given the current economic climate, now is absolutely not the time to rearrange how Michigan does business. They are citing directly the proposed Republican cuts to the Michigan Economic Development Corporation.

Also some of my colleagues were with me in Battle Creek on Monday at a hearing of the Joint Select Committee on Business Competitiveness. The testimony there was clear, and I want to cite some of that testimony. I know, again, some of my colleagues—particularly from west Michigan—are familiar with the W.E. Upjohn Institute for employment research. Two of their economists spoke to us about Michigan’s business climate. They stated that their remarks were based on research conducted with Michigan State University, the University of Michigan, and Wayne State University for a book they are publishing. They say our research suggest that this state has fundamentally sound economic development policies that need modest reforms and enhancements, not repeals and cuts. They further state Michigan’s tax structure for business is surprisingly competitive. Michigan’s Michigan economic development agency, the Michigan Economic Development Corporation, does an excellent job of providing needed economic development services to existing businesses.

Another person who testified is one of the leading economic developers in this state, James F. Hettinger, president and CEO of Battle Creek Unlimited. He said, “We believe that it would be a serious mistake to eliminate or even reduce funding for the Michigan Economic Development Corporation. Incapacitation of this organization at this time could harbor grim economic consequences as employers like Pfizer are mulling over their deployments in Michigan.” Several other world-class automotive manufacturers are considering Michigan among other states and provinces for additional production capacity. Unilateral disarmament is never a good idea in the competitive Midwest.

Finally, colleagues, the *Battle Creek Inquirer*, a Gannett newspaper, stated in coverage of the hearing on Monday of the Joint Select Committee on Business Competitiveness their headline was “Businesses Don’t Eliminate MEDC.” They stated that the message from businesses was clear. Don’t get rid of or diminish the Michigan Economic Development Corporation. These proposed cuts, which this amendment fixes, would be pennywise and pound foolish. I urge a “yes” vote on the amendment.

Senators Scott and Leland asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott’s first statement is as follows:

I have this amendment because what it does is it says that Focus: HOPE cannot be funded next year. This is a training program that retrains people. It is an organization that started after the riots to help all people, no matter what race, nationality, or origin you are. Focus: HOPE is an outstanding program. They have had this program now for 35 years.

The late Father Cunningham and Eleanor Josaitis had a vision, and we are going to tell people a year ahead of time that we are not going to fund them. I think that it's ludicrous to do this to such a great organization. I ask my colleagues to support this amendment.

Senator Scott's second statement is as follows:

As I said in committee, if you have them on notice, you have said this to them verbally. In fact, the heads of that organization were at the meeting. However, they were not allowed to speak at that particular meeting. So if you have them on notice, why do we have to put this in the budget? I don't think this is necessary.

Senator Scott's third statement is as follows:

What this amendment does is restores \$250,000 to Focus: HOPE. Let me tell you about Focus: HOPE. I would like to have both my colleagues on both sides of the aisle—I'd love to have your attention on this. This is a very important issue, and I am very proud to have Focus: HOPE in my district. Let me just read to you their mission statement.

This organization started 35 years ago, and their mission statement says "Recognizing the dignity and beauty of every person, we pledge intelligent and practical action to overcome racism, poverty and injustice. And to build a metropolitan community where all people may live in freedom, harmony, trust and affection. Black and white, yellow, brown and red from Detroit and its suburbs of every economic status, national origin and religious persuasion we join in his convent," and this was adopted March 8, 1968. They also say, together, we will make his work live on. That was regarding Father Cunningham who had the vision along with Ms. Josaitis.

While the nation was divided over civil rights, courageous people stood up for what was right. Father Cunningham, Eleanor Josaitis, and a small band of determined people started a movement. They pledged, as I stated, intelligence, practical action to fight for racism, poverty, and justice, and Focus: HOPE was born. They started a food program that gives infants a nutritious start in life and helps build senior citizen survival. Each month, more than 43,000 mothers, children under the age of 6, and senior citizens living on a meager income get help through Focus: HOPE, the supplemental program that they have.

They established an education and training program that gives people access to the financial mainstream. More than 3,000 individuals have graduated from Focus: HOPE center of opportunity, obtaining jobs in manufacturing, engineering, and information technology fields. It's foisted understanding of different cultures through community arts programs, through exhibits, music, dance, photography, and more than 11,000 people have gained new insight on different cultures. There is so much that Focus: HOPE does. We need to reinstate the dollars. I wish we could reinstate the whole \$4 million because it is certainly needed. They have the greatest training programs. They allow people to have marketable skills, providing use and other job skills. These job skills are in demand. These programs have especially been proven successful in providing opportunities for minorities and economically disadvantaged individuals to move from poverty to the economic mainstream. Since first opening its Machinist Training Institute in 1981, the programs have been industry-focused and developed in partnership with many of the corporations.

Today, the programs have evolved to include the Center for Advanced Technologies, where students can earn degrees through Michigan universities in manufacturing engineering and technology, the information technologies centers offering industries certificates, and a pioneering high school program accelerating career development options through dual enrollment. Another key element is the availability of the FAST TRACK program. The FAST TRACK program was started back in the late '80s when I was mayor of Highland Park. We were the pass-through for the FAST TRACK program. It helped so many young people. There is a First Step program for many entering students. These provide a model for Michigan's FAST TRACK and their Step Up program. Throughout the history of training and education programs at Focus: HOPE, the state of Michigan has been an indispensable partner. Since 1997, the state of Michigan funding has leveraged other sources of support. The CAT alone has drawn a federal investment in Michigan of over \$150 million.

So I ask my colleagues to support this amendment; it is so vitally needed. They have outstanding people on their advisory board. Let me just say that manufacturing is an important and enduring component in Michigan's economy. There are close to 1 million—978,000—workers employed in manufacturing. This is 21 percent of all employment in the state. Looking to the future, manufacturing industries are projected to generate more than 200,000 jobs over the next decade in order to replace workers retiring from the manufacturing labor force.

An analysis of the skilled production occupations suggests that labor supply is lagging demand. The largest supply/demand gap appears in the high growth machinist and related occupations. This is divesting that machinist programs that we need so dearly in this state. I am sure that we all want to lift people up to change their status from poverty to having a good productive life. I am sure we all want that for everyone. So I ask you to please vote for this amendment.

This is a great amendment.

Senator Leland's statement is as follows:

I just want to let you know that although the previous speaker covered most of it, this institution has been around for 35 years, and as you know, it started after the riots in 1967. It has been a premiere civil rights institution that has done wonderful things that the previous speaker mentioned. This institution has been tracked and followed by every United States President since it began back in 1968. Every President has walked through Focus: HOPE with defense money, contracts, and all kinds of other funding things to keep this institution alive and well. They would not have given this institution all of the things that they did had it not had a proven track record. I would hope that we would restore the quarter of a million dollars that was taken out in the previous amendment. They do wonderful things. It is a great institution. They have a proven record, and again, let's restore the quarter of a million dollars so they can continue on with their mission.

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 Kuipers 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. 281, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Substitute (S-1).

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

1. Amend page 10, following line 9, by inserting:

“Sec. 210. (1) The chief justice of the supreme court shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the judicial branch. The chief justice shall strongly encourage firms with which the courts of this state contract to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

(2) The chief justice shall take all reasonable steps to ensure equal opportunity for all who compete for and perform contracts to provide services or supplies, or both, for the department. The chief justice shall strongly encourage firms with which the department contracts to provide equal opportunity for subcontractors to provide services or supplies, or both.”

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 281

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

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

The motion prevailed.

Senator Sanborn's statement is as follows:

It's sort of bittersweet for us. This is the last day for my legislative aide, Andrew Doerr, who for the last five years has been with me. We have Charlie; we have Dan; we have Lisa; and we have Mike who are here from the Sergeants, as well as my own staff. For five years, he worked with me, but prior to that, he worked as a messenger here and a page. Now he's going on to the dark side. He's going to be in the world of government affairs. So we're losing him to the other side, and you'll see him standing out in the lobby before too long. Andrew, in these past five years, I've watched him from being a page and a messenger and coming on to be my constituent worker and legislative aide. I've watched him marry his wife Dawn, and now they're expecting their first child. He's an MSU graduate. This is no

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 277

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

The following bill was read a third time:

Senate Bill No. 277, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The question being on the passage of the bill,

Senator Clarke offered the following amendments:

1. Amend page 8, line 3, by striking out "107,685,300" and inserting "110,185,300".
2. Amend page 8, line 12, by striking out "33,900,000" and inserting "36,400,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 106

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Barcia

In The Chair: President

The Senate agreed to the title of the bill.

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 Kuipers 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. 265, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 22, line 24, after "agencies." by inserting "This does not prohibit the bureau of multi-modal transportation services from engaging in planning activities."

2. Amend page 41, line 12, by striking out all of section 728 and inserting:

"Sec. 728. (1) From the funds appropriated in part 1 from the comprehensive transportation fund, notwithstanding section 359, the department may provide funding for research and development, including, but not limited to, preliminary engineering, of alternative rail passenger services along alternative active or inactive rights of way.

(2) For the purposes of this section, the department may enter into an agreement with a public entity or private company. The public entity or private company may provide information to the department."

The question on concurring in the recommendation of the Committee of the Whole,

Point of Order

Senator Schauer raised the Point of Order that the committee substitute (S-1) was an amendment by reference, in violation of Article 4, Section 25 of the Constitution.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 12:57 p.m.

1:07 p.m.

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

The President, Lieutenant Governor Cherry, ruled that the substitute was not an amendment by reference because it merely stated how the lapsed funds were to be transferred to the General Fund pursuant to Section 205.75 of the General Sales Tax Act.

The question on concurring in the recommendation of the Committee of the Whole,

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senators Garcia and Barcia stated that had they been present when the vote was taken on the passage of the following bill, they would have voted "yea":

Senate Bill No. 281

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 265

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

The following bill was read a third time:

Senate Bill No. 265, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2004; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Prusi offered the following amendment:

1. Amend page 22, line 22, by striking out all of section 360.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 107

Yeas—16

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas

Nays—22

Allen	Garcia	Jelinek	Sanborn
Birkholz	George	Johnson	Sikkema
Bishop	Gilbert	Kuipers	Stamas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cropsey	Hardiman		

Excused—0

Not Voting—0

In The Chair: President

Senator Leland offered the following amendments:

1. Amend page 8, line 23, by striking out “958,440,800” and inserting “972,143,800”.
2. Amend page 9, line 1, by striking out “631,804,300” and inserting “645,507,300”.
3. Amend page 9, line 2, by striking out “352,259,200” and inserting “359,899,200”.
4. Amend page 9, line 11, by striking out “1,025,063,500” and inserting “1,046,406,500”.
5. Amend page 9, line 12, by striking out “313,690,800” and inserting “327,393,800”.
6. Amend page 11, line 16, by striking out “5,303,500” and inserting “5,692,900”.
7. Amend page 12, line 4, by striking out “20,188,300” and inserting “20,577,700”.

8. Amend page 12, line 9, by striking out “49,544,900” and inserting “51,049,500”.
 9. Amend page 12, line 13, by striking out “4,000,000” and inserting “6,000,000”.
 10. Amend page 12, line 20, by striking out “19,844,900” and inserting “23,349,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 108**Yeas—16**

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott
Bernero	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas

Nays—22

Allen	Garcia	Jelinek	Sanborn
Birkholz	George	Johnson	Sikkema
Bishop	Gilbert	Kuipers	Stamas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cropsey	Hardiman		

Excused—0**Not Voting—0**

In The Chair: President

Senator Leland offered the following amendment:

1. Amend page 41, line 14, by striking out all of section 729.

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

Senator Scott offered the following amendments:

1. Amend page 11, line 1, by striking out “150,000,000” and inserting “160,000,000”.
 2. Amend page 11, line 9, by striking out “150,000,000” and inserting “160,000,000” and adjusting the subtotals, totals, and section 201 accordingly.
 3. Amend page 41, line 9, by striking out all of section 727.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 109**Yeas—16**

Barcia	Cherry	Jacobs	Schauer
Basham	Clark-Coleman	Leland	Scott

Bernero
Brater

Clarke
Emerson

Olshove
Prusi

Switalski
Thomas

Nays—22

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jelinek
Johnson
Kuipers
McManus
Patterson

Sanborn
Sikkema
Stamas
Toy
Van Woerkom

Excused—0

Not Voting—0

In The Chair: President

Senator Prusi offered the following amendment:

1. Amend page 40, line 26, by striking out all of section 726.

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

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 110

Yeas—16

Barcia
Basham
Bernero
Brater

Cherry
Clark-Coleman
Clarke
Emerson

Jacobs
Leland
Olshove
Prusi

Schauer
Scott
Switalski
Thomas

Nays—22

Allen
Birkholz
Bishop
Brown
Cassis
Cropsey

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jelinek
Johnson
Kuipers
McManus
Patterson

Sanborn
Sikkema
Stamas
Toy
Van Woerkom

Excused—0

Not Voting—0

In The Chair: President

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. 111**Yeas—24**

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

Nays—14

Basham	Clark-Coleman	Leland	Schauer
Bernero	Clarke	Olshove	Scott
Brater	Emerson	Prusi	Switalski
Cherry	Jacobs		

Excused—0**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

Senator Sikkema offered the following amendments:

1. Amend page 4, line 11, by striking out all of line 11.
2. Amend page 4, line 13, by striking out all of line 13.
3. Amend page 5, line 8, by striking out “13,381,800” and inserting “11,918,700”.
4. Amend page 8, line 23, by striking out “958,440,800” and inserting “959,903,900”.
5. Amend page 9, line 12, by striking out “313,690,800” and inserting “315,153,900” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments,

Senator Sikkema requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 112**Yeas—25**

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

Nays—13

Basham	Clark-Coleman	Jacobs	Prusi
Bernero	Clarke	Leland	Scott
Brater	Emerson	Olshove	Switalski
Cherry			

Excused—0**Not Voting—0**

In The Chair: President

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. 113**Yeas—24**

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

Nays—14

Basham	Clark-Coleman	Leland	Schauer
Bernero	Clarke	Olshove	Scott
Brater	Emerson	Prusi	Switalski
Cherry	Jacobs		

Excused—0**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Leland's first statement is as follows:

This amendment would recognize and restore the \$38.9 million associated with the diesel parity provided in Senate Bill No. 387. This results in an increase in the following funds: state and road bridge fund increases by \$13.7 million; county road commission increased by \$13.7 million; cities and villages increased by \$7.6 million; and CTF increased

by \$3.8 million. Currently, Michigan charges 15 cents per gallon of diesel fuel but 19 cents per gallon of gasoline. Raising the diesel tax to create parity with gas in an increase of 4 cents would generate \$38.9 million a year. Michigan's diesel fuel is cheap. In fact, 45 states charge more than Michigan's 15 cents per gallon. Pennsylvania is the highest at 31.8 cents, and Georgia is the lowest with 7.5 cents per gallon. The national average is 20.8 cents per gallon, and the federal tax is 24.4 cents per gallon.

According to MDOT, a recent FHA study estimates that trucks are responsible for 40 percent of the cost of building and repairing roads but contribute only 15 percent to the fund. In Michigan, we have the highest truck weights in the nation. Trucks cause more damage to the road. We do allow trucks to carry 164,000 pounds. The national average is 80,000 pounds. Michigan roads and bridges are in horrible shape. MDOT figures report that 56 percent of all state roads will need to be reconstructed in seven or fewer years. Repair money comes mostly from fuel taxes—more than 15 percent.

In Michigan, the first diesel tax was established in 1947 at 5 cents per gallon. In 2001 dollars, this would be 44 cents. Clearly, we are behind. Since then, the diesel tax has only increased by a total of 10 cents. In comparison, gas tax was created in 1925 at the rate of 3 cents per gallon, and it has increased by 16 cents.

Senator Leland's second statement is as follows:

I just would like to say that if we scheduled Senate Bill No. 387, the diesel tax bill, we would know if the votes were there. I would answer that, Madam Chairperson, by just suggesting and requesting that your side take up my bill, and just go for it and where she goes, she goes.

Senator Leland's third statement is as follows:

I hope that you would send me home happy this weekend and give me this one. This amendment simply will strike the language on the prohibition of funding for DARTA. This past weekend the *Detroit Free Press* and *The Detroit News* published a series of stories outlining the terrible state of public transportation in southeast Michigan. I put the article on the members' desks on Tuesday. For example, there was a mother who rises just hours after midnight in order to begin her journey on the bus—first to deliver her child to daycare and then arrive to work at 6 a.m., and incidentally, her employer is Focus: HOPE. Another rider feels lucky that she only has a two-hour commute on the bus.

In reality, 23 communities in southeastern Michigan are not served by public transportation. Sadly, these are exactly the places that provide 70 percent of the entry level jobs, which pay better than the same establishments in downtown Detroit. People cannot be expected to pull up their boot straps if we cannot provide them with the shoe laces. Just ask Mr. Tywon Sampson who can't get a job at Twelve Oaks Mall, downtown Plymouth, or at the Cranbrook schools because the bus doesn't even go there. Instead, he works the lunch shift knowing he gets paid \$2 an hour less because he can't work the dinner schedule because of lack of transportation.

Unfortunately, this is typical for 10 percent of the population who doesn't have access to a car in southeastern Michigan. These are more than stories; they are stark veracity of not having a regional transportation system in southeastern Michigan. This budget slashes \$11 million from public transportation programs in southeastern Michigan, home of more than 50 percent of the state's population with the rationale that we should not be funding a broken system. To fix the system, we need DARTA. However, this budget adds insult to injury because it prohibits spending any money on DARTA.

I would ask my colleagues to show their willingness to continue to work on providing a solution to the mass transit problems in southeast Michigan by supporting this amendment. The DARTA bill does not have a taxing authority. Other transportation systems will not see a decrease in funding because of an amendment added to the House version. Congress has earmarked \$875,000 to get DARTA up and running. This will cost Michigan nothing. Michigan will then be eligible to apply for an 80 to 20 federal match, and I would urge your support on this amendment.

Senator Switalski's statement is as follows:

I rise in support of Senator Scott's amendment Number 4. One of the great criticisms of SMART over the years has been the lack of local support for the system. But a few years ago, the suburban communities decided to impose a tax upon themselves to fund SMART. Just last year, they voted to increase that tax, and they now give about two-thirds of a mil to support public transportation. Now we did that in the spirit of a federal, state, and local partnership to fund transit. We are kicking in our portion. I guess I am horrified to see that now that we are putting in more money, the state is pulling \$10 million out of their contribution, in effect, discouraging us from pitching in and helping to fund this system.

Oakland and Macomb Counties have long been donor counties. We give a lot more in tax dollars to the state than we get back in services. In fact, we usually rank 82nd and 83rd under most measures of money returned to the county. So here we are going to lessen the amount coming back to our counties in support of public transit. I think it is a mistake.

Senator Scott's statement is as follows:

My amendment would eliminate the language capping the regional transit coordinating council at the statutory minimum; or in other words, an \$11 million direct cut to DDOT and SMART. Essentially, this would cut funding to

the bus agencies that serve nearly 50 percent of the state's population. It would also restore bus operating line items to \$160 million, thus holding other urban public transit providers harmless.

You know, it is nice to work on the transportation budget, but in these fiscal times, the total transportation budget has increased by approximately 3 percent. Unfortunately, public transit funding has taken a cut. Public transit should not be a second-class citizen in this budget. Local public transit agencies are facing the same crisis with increasing costs for fuel, health care, and liability insurance as local governments and private corporations. Reducing their funding will mean a reduction in service. It was stated that there was a millage of \$23 million. But that was not for DARTA. That was just for SMART.

It is so important that we have good public transportation in the Detroit area. If anything, we need more than the \$11 million so we can make that transportation for all riders. If, in the urban areas, we had proper transportation, not as many people would go without car insurance because they can't afford it. It is just too expensive. If there was good transportation, you'd have the best ridership there is.

I ask my colleagues to support this bill so that we can restore to the Governor's budget this \$11 million for DDOT which is so needed in the Detroit area, so that the workers—some were on public assistance, and now they are off public assistance trying to get out to the suburban areas for work. It was stated earlier how long it takes someone to get to these jobs. Some of these riders have to take three buses, get up at ungodly hours, and then they have high babysitting bills. We don't want to pay the babysitting bills. We don't want to get DDOT a mass transit system. What do we want? Please restore the \$11 million to this budget.

Senator Garcia's statement is as follows:

If we want to get serious, we need to pass the budget with these 34 projects in it. What the Governor proposed is not a pause. It's a significant delay that's going to have a serious impact on the constituents of my district. It's going to impact their safety, health, and welfare, and to say that it is a minor pause, I think, is incorrect. I'd like to point out to the body that the Governor herself told us before the Appropriations Committee that her program was essentially the same thing as the previous administration. When I asked her, and asked her twice, she said, "Yes, it's essentially the same thing." Her director, by doing this, has gone back on the intent of what the Governor planned, and it's seriously affecting my constituents. That's why I urge the body to make sure these 34 projects are in there, and we are being serious because we need these projects to continue in the orderly, planned manner in which they were planned and started.

Senator Thomas' statement is as follows:

I just wanted to respond to the distinguished chair of the Appropriations Committee and agree with her. She is absolutely right. We should not continue to fund inefficiency. We should not continue to fund failure. That's why many of us in the chamber are urging passage of DARTA in creating a new regional, cooperative system. I would hope that given the statements that she and others have made today that we can renew that imperative for DARTA. Let's end the systems that we have. Let's end the competition and the bickering between the competing systems and create a system. Hopefully, I don't know about my other colleagues on this side, if to get DARTA going we have to have opt-out language, let's have opt-out language. Let's move the process forward with opt out, without opt out, so that our local units can come together. If we will stop the bickering in Lansing, they will stop the bickering back home and start the planning. So I would hope that folks would support the Scott amendment. I would hope that folks would support the House-passed legislation if that is what it takes. Let's stop the inefficiencies that exists here in Michigan. Let's fund mass transit appropriately.

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. 83

Senate Resolution No. 84

The resolution consent calendar was adopted.

Senators Stamas, Birkholz, Jelinek, Hardiman, Gilbert, Allen, Brown, Patterson, Cassis, Bishop, Goschka, Van Woerkom, Garcia, Cropsey, George, Hammerstrom, Sikkema, Kuipers, Johnson, Toy, McManus and Sanborn offered the following resolution:

Senate Resolution No. 83.

A resolution to recognize May 2003 as Military Appreciation Month.

Whereas, From our earliest days as a nation, our United States armed forces have acted with great courage and valor

to defend, protect, and preserve the liberty we cherish. Indeed, our very heritage of freedom and democracy is owed to the devotion to country by and the vigilance of generations of servicemen and women; and

Whereas, The eyes of our nation have been riveted on the bravery of our armed forces in Iraq. It is especially fitting at this time to honor the legacy of strength, courage, and sacrifice of all those who have served and are now serving our country. Whether active duty, National Guard, or Reserve, our military has stood ready in times of peace and in times of conflict to answer our nation's call to duty; and

Whereas, This selfless service to country often demands special sacrifice and hardship not only from those who serve, but from their families as well. Throughout our nation's history, many families have borne the greatest burden of all through the loss of a loved one in defense of freedom. It is incumbent upon us as citizens of this great land to remember those sacrifices and to honor our servicemen and women and our veterans, especially those who died in defense of our freedom; and

Whereas, The conduct and contributions of our military have today inspired a respect for the broader history of our armed forces and led to a surge of pride and patriotism; and

Whereas, The month of May has been designated by Congress as a particularly appropriate time to recognize and honor our military family as we celebrate Loyalty Day, Victory in Europe (VE) Day, Military Spouse Day, Armed Forces Day, and Memorial Day—all during the month of May; now, therefore, be it

Resolved by the Senate, That we hereby declare May 2003 as Military Appreciation Month in the state of Michigan. We express our full support and gratitude to our servicemen and women, as well as our veterans; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Military Affairs.

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.

Senator Barcia offered the following resolution:

Senate Resolution No. 84.

A resolution honoring Rose Janasik on her 100th Birthday.

Whereas, It is an honor and privilege to honor Rose Janasik on her 100th Birthday, a true milestone in her life and the lives of her family and friends; and

Whereas, Rose was born on May 28, 1903, in Bay City to Frank and Sophie Dominowski. She is one of six children including three brothers, Vincent, Bernard, and Leo, and two sisters, Wanda and Verna; and

Whereas, Family is of major importance to Rose, as evidenced by the love and support of her two sons, Robert and Ronald, seven grandchildren, ten great-grandchildren, and one great-great-grandchild; and

Whereas, Rose is a talented and accomplished seamstress who also expresses creativity through needlepoint and crocheting. She also enjoys travel and was able to drive a car until the age of 97; and

Whereas, By her example, through supportive words, and with the work of her hands, Rose shares love and kindness. She cares deeply for others and is willing to help whenever and wherever she can. Such a spirit of generosity and unselfishness is most welcome in our society today, as it has been for all of her 100 years; and

Whereas, There can be little doubt that Bay City would be a far different place today had it not been for the involvement and energy of Rose Janasik. Her family and friends can be very proud of her; now, therefore, be it

Resolved by the Senate, That we hereby recognize Rose Janasik as a dynamic woman deserving our utmost respect, courtesy, and honor on the occasion of her 100th Birthday; and be it further

Resolved, That a copy of this resolution be transmitted to Rose Janasik as evidence of our high esteem.

Senate Concurrent Resolution No. 18.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to include the services of licensed professional counselors and marriage and family therapists among services covered under Medicare.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Clarke was named co-sponsor of the concurrent resolution.

Senate Resolution No. 52.

A resolution to memorialize the Congress of the United States to enact legislation to include the services of licensed professional counselors and marriage and family therapists among services covered under Medicare.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Clarke was named co-sponsor of the concurrent resolution.

Senate Concurrent Resolution No. 20.

A concurrent resolution to urge the United States Department of Homeland Security to locate its Midwestern headquarters at the Selfridge Air National Guard Base in Macomb County.

(For text of resolution, see Senate Journal No. 36, p. 241.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senator Switalski introduced

Senate Bill No. 473, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2110a (MCL 500.2110a), as added by 1996 PA 514.

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

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 4083, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36103 (MCL 324.36103), as amended by 1996 PA 233.

With the recommendation that the bill be referred to the Committee on Agriculture, Forestry and Tourism.

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Brater

Nays: None

The bill was referred to the Committee on Agriculture, Forestry and Tourism.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, May 6, 2003, at 4:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower)

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

Excused: Senator Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Public hearing held on Monday, May 5, 2003, at 7:00 p.m., Oakland County Commissioners Auditorium, 1200 N. Telegraph Road, Pontiac

Present: Senator Gilbert (C)

Excused: Senators Kuipers, Goschka, Leland and Basham

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, May 15, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Community Colleges - Wednesdays, May 14, May 21, and May 28, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Community Health Department - Tuesday, May 13, and Thursday, May 15, 2:00 p.m., Rooms 402 and 403, Capitol Building (373-7946)

Environmental Quality Department - Wednesdays, May 14, May 21, May 28, and June 4, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Higher Education - Fridays, May 9, 10:00 a.m., Ferris State University, Flite Building, 1010 Campus Drive, Rooms 438 and 442, Big Rapids; May 16, 10:00 a.m., University of Michigan, Gerald R. Ford Library, 1000 Beal Avenue, Conference Room 132, Ann Arbor; and May 30, 10:00 a.m., Alma College, Tyler-Van Dusen Student Center, 614 West Superior Street, Jones Auditorium, Alma (373-1760)

Judiciary and Corrections - Tuesdays, May 13, May 20, and May 27, 3:00 p.m., Room 210, Farnum Building (373-3760)

K-12, School Aid, Education - Thursday, May 15, 1:00 p.m. or later immediately following session, Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-6960)

Natural Resources Department - Tuesdays, May 13, May 20, May 27, and June 3, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Commerce and Labor - Tuesday, May 13, 3:00 p.m., Room 100, Farnum Building (373-2413)

Gaming and Casino Oversight - Wednesday, May 14, 1:00 p.m., Room 210, Farnum Building (373-2413)

Health Policy - Wednesday, May 14, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

Local, Urban and State Affairs - Thursday, May 15, 1:00 p.m., Room 110, Farnum Building (373-1707)

Natural Resources and Environmental Affairs - Tuesday, May 13, 3:00 p.m., Room 110, Farnum Building (373-3447)

Natural Resources and Environmental Affairs, Natural Resources Department Appropriations Subcommittee, and Environmental Quality Department Appropriations Subcommittee - Wednesday, May 14, 8:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Senior Citizens and Veterans Affairs - Wednesday, May 14, 1:00 p.m., Room 100, Farnum Building (373-1707)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 2:19 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, May 13, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

