

No. 39  
STATE OF MICHIGAN  
**Journal of the Senate**  
92nd Legislature  
REGULAR SESSION OF 2004

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Senate Chamber, Lansing, Tuesday, April 27, 2004.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Pastor Allan Fraser of North Warren Church of Christ of Warren offered the following invocation:

Almighty God, we approach Your throne of grace this morning seeking Your blessings upon this session of the Senate, imploring You for guidance as these servants of the state seek to answer the multitude of their deliberations in order to bless and best serve Your divine will, the citizens of this state, the country, and this world.

Father, we give thanks for the sacrifice of our men and women who serve in foreign fields and for their families who long for them to return safely. Be with our troops wherever they are, and protect them from the dangers they encounter. Let them feel our thanks and encouragement for their dedication.

Lord, give each of us a servant's heart; let us realize the greatness that is found in servanthood. Let us do with our might what our hands find to do, O God. We are a privileged people, and we accept the corresponding responsibility of our task. Our prayer is that we expedite and that we appreciate the huge opportunity that You have given.

Father, we invoke Your protection on this body, this great state, and our people.

In the name of our Lord Jesus Christ, we pray. Amen.

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

### Recess

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

The motion prevailed, the time being 10:05 a.m.

10:23 a.m.

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

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

A quorum of the Senate was present.

### Motions and Communications

Senator Hammerstrom moved that the Committee on Gaming and Casino Oversight be discharged from further consideration of the following bill:

**House Bill No. 4610, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 3, 11, 12, 23, and 32 (MCL 432.3, 432.11, 432.12, 432.23, and 432.32), the title as amended by 1996 PA 95, sections 3, 11, and 23 as amended by 1996 PA 167, section 12 as amended by 2002 PA 471, and section 32 as amended by 1996 PA 13, and by adding a heading for article 1 and adding article 2.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Hammerstrom moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

**House Bill No. 5307**

The motion prevailed.

The following communication was received:  
Office of the State Budget

April 16, 2004

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government-Legal Basis" for fiscal year 2002-2003, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2002-2003 is 62.70%, which is 13.73% in excess of the minimum required 48.97%.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,  
Mary A. Lannoye  
State Budget Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 22:  
**House Bill Nos. 5225 5426 5463 5501 5653**

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 26, for her approval the following bills:

**Enrolled Senate Bill No. 109 at 11:58 a.m.**  
**Enrolled Senate Bill No. 759 at 12:00 p.m.**  
**Enrolled Senate Bill No. 206 at 12:02 p.m.**  
**Enrolled Senate Bill No. 350 at 12:04 p.m.**

The Secretary announced that the following official bills were printed on Thursday, April 22, and are available at the legislative Web site:

<b>Senate Bill Nos.</b>	<b>1151</b>	<b>1152</b>	<b>1153</b>	<b>1154</b>	<b>1155</b>	<b>1156</b>	<b>1157</b>	<b>1158</b>						
<b>House Bill Nos.</b>	<b>5777</b>	<b>5778</b>	<b>5779</b>	<b>5780</b>	<b>5781</b>	<b>5782</b>	<b>5783</b>	<b>5784</b>	<b>5785</b>	<b>5786</b>	<b>5787</b>	<b>5788</b>	<b>5789</b>	<b>5790</b>
	<b>5791</b>	<b>5792</b>	<b>5793</b>	<b>5794</b>	<b>5795</b>	<b>5796</b>								

The Secretary announced that the following official bills were printed on Friday, April 23, and are available at the legislative Web site:

<b>Senate Bill Nos.</b>	<b>1159</b>	<b>1160</b>	<b>1161</b>	<b>1162</b>	<b>1163</b>	<b>1164</b>	<b>1165</b>	<b>1166</b>						
<b>House Bill Nos.</b>	<b>5797</b>	<b>5798</b>	<b>5799</b>	<b>5800</b>	<b>5801</b>	<b>5802</b>	<b>5803</b>	<b>5804</b>	<b>5805</b>	<b>5806</b>	<b>5807</b>	<b>5808</b>	<b>5809</b>	<b>5810</b>
	<b>5811</b>	<b>5812</b>	<b>5813</b>	<b>5814</b>	<b>5815</b>	<b>5816</b>	<b>5817</b>	<b>5818</b>	<b>5819</b>	<b>5820</b>	<b>5821</b>			

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator Barcia's statement is as follows:

I know that all of you are aware of what has happened in the past few days. They have been the most painful and most difficult of my life.

My career in public office goes back to 1977, when I was first elected to the Michigan House of Representatives. Those of you who know me and who have followed my career know that I take my responsibilities as a public official very much to heart.

The facts will come out in the coming months. There is a process for that, and my attorney has cautioned me, despite my tendency to talk any subject to death, to let the process take its course. I'm going to follow his advice and not attempt to try this case here on this floor or in the media.

I do, however, want the members of this body to know that I have not done anything to bring discredit to this body or to my record of public service.

I also want you to know how heartened I am at the tremendous outpouring of support and encouragement I have received from friends and many colleagues here on the floor since the news broke last Thursday. The knowledge that my career has earned me that level of support and respect from so many quarters means more than words can express.

For now, I am going to fulfill my duties to my constituents to the best of my ability while this process unfolds. I ask for your understanding, your support, and your prayers. And I look forward to the day I can stand here with all this behind me, having been vindicated by the legal process that I am now a part of.

Senator Scott's statement is as follows:

Colleagues, I come before you again today seeking some relief for the thousands of Michigan citizens who are unfairly being forced to pay exorbitant insurance premiums. Last week, the issue of auto theft was discussed in this chamber as a reason for higher insurance rates in the city of Detroit. I would like to share with my colleagues some statistics on this very issue. According to the Automobile Theft Prevention Authority 2003 annual report, since 1997 on average, automobile thefts in Detroit have declined 29 percent. The report also shows while Michigan thefts have declined some 31.6 percent since 1986, national thefts have increased 1.8 percent.

If auto theft rates in Detroit and in this state have been on the decline so, too, should auto insurance premiums. We must consider and not ignore these significant statistics when discussing insurance premiums and insurance reform. The citizens of the city of Detroit should see some relief in auto insurance if, in fact, we are considering auto theft rates in determining insurance rates.

Let me say this again, auto thefts in Detroit are on the decline and have been for a number of years. Let us recognize this fact and begin work now to provide some assistance and relief for all of our constituents through effective and meaningful insurance reform.

Thank you for listening, and I do have these facts.

By unanimous consent the Senate returned to the order of

### Messages from the Governor

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

**Senate Bill No. 195**

**Senate Bill No. 364**

**Senate Bill No. 293**

**Senate Bill No. 265**

**Senate Bill No. 288**

**Senate Bill No. 540**

**Senate Bill No. 283**

**Senate Bill No. 464**

**Senate Bill No. 466**

**Senate Bill No. 395**

**Senate Bill No. 474**

**Senate Bill No. 840**

**Senate Bill No. 785**

**Senate Bill No. 788**

**Senate Bill No. 829**

**Senate Bill No. 841**

The motion prevailed.

The following messages from the Governor were received:

Date: April 21, 2004

Time: 9:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 824 (Public Act No. 81), being**

An act to amend 1995 PA 24, entitled "An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers," by amending sections 3 and 8 (MCL 207.803 and 207.808), as amended by 2003 PA 248.

(Filed with the Secretary of State on April 22, 2004, at 10:15 a.m.)

Date: April 22, 2004

Time: 9:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1013 (Public Act No. 82), being**

An act to amend 1995 PA 29, entitled "An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers

and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 19 (MCL 567.239), as amended by 1997 PA 195, and by adding section 8b.

(Filed with the Secretary of State on April 22, 2004, at 10:17 a.m.)

Date: April 22, 2004

Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1021 (Public Act No. 83), being**

An act to amend 1986 PA 182, entitled “An act to provide for the Michigan department of state police retirement system; to create certain reserves and certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of the department of state police, the department of management and budget, and certain state officers; and to repeal certain acts and parts of acts,” by amending sections 3 and 4 (MCL 38.1603 and 38.1604), section 3 as amended by 2000 PA 374, and by adding section 24a.

(Filed with the Secretary of State on April 22, 2004, at 10:19 a.m.)

Date: April 22, 2004

Time: 9:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1032 (Public Act No. 86), being**

An act to amend 1994 PA 55, entitled “An act to protect from public disclosure certain information obtained in research and related activities of public universities and colleges; and to prescribe certain duties of public universities and colleges,” by amending the title and sections 1 and 2 (MCL 390.1551 and 390.1552) and by adding section 4a.

(Filed with the Secretary of State on April 22, 2004, at 10:25 a.m.)

Date: April 22, 2004

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 990 (Public Act No. 87), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 5856 (MCL 600.5856), as amended by 1993 PA 78.

(Filed with the Secretary of State on April 22, 2004, at 10:27 a.m.)

Date: April 22, 2004

Time: 9:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 612 (Public Act No. 88), being**

An act to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit

certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10a (MCL 460.10a), as amended by 2003 PA 214. (Filed with the Secretary of State on April 22, 2004, at 10:29 a.m.)

Date: April 22, 2004  
Time: 9:48 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1015 (Public Act No. 89), being**

An act to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates,” by amending section 408 (MCL 484.1408), as amended by 2003 PA 244.

(Filed with the Secretary of State on April 22, 2004, at 10:31 a.m.)

Date: April 22, 2004  
Time: 1:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 560 (Public Act No. 90), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 3101 (MCL 324.3101), as amended by 2001 PA 114, and by adding sections 3122, 3123, and 3124.

(Filed with the Secretary of State on April 22, 2004, at 1:30 p.m.)

Date: April 22, 2004  
Time: 1:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 252 (Public Act No. 91), being**

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) and by adding sections 3120 and 3121.

(Filed with the Secretary of State on April 22, 2004, at 1:32 p.m.)

Date: April 26, 2004  
Time: 10:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 432 (Public Act No. 92), being**

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 73, 283, 393, 499, 509m, 509n, 509t, 509aa, 662, 727, 735, 795, 798c, 799a, 803, and 842 (MCL 168.73, 168.283, 168.393, 168.499, 168.509m, 168.509n, 168.509t, 168.509aa, 168.662, 168.727, 168.735, 168.795, 168.798c, 168.799a, 168.803, and 168.842), sections 73, 283, and 393 as amended by 1999 PA 216, section 499 as amended by 1995 PA 213, sections 509m and 509aa as added by 1994 PA 441, section 509n as amended by 2003 PA 302, section 509t as amended by 1998 PA 21, section 662 as amended by 2004 PA 13, section 727 as

amended by 1995 PA 261, section 795 as amended by 2002 PA 91, section 798c as amended by 1990 PA 109, and sections 799a and 803 as amended by 1997 PA 137, and by adding sections 18, 523a, 813, and 829; and to repeal acts and parts of acts

(Filed with the Secretary of State on April 26, 2004, at 10:50 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received:

April 22, 2004

As provided under Section 33 of Article IV of the Michigan Constitution of 1963, today I have approved and filed Enrolled Senate Bill 1021. The bill authorizes a deferred retirement option plan within the Michigan State Police Retirement System.

While I have signed Senate Bill 1021, I am concerned by language in the bill purporting to grant rights to the exclusive representative of Michigan State Police troopers and sergeants to opt-in to a deferred retirement option program similar to the program provided for command officers. I would like to take this opportunity to remind members of the legislature that under Section 5 of Article XI of the Michigan Constitution of 1963, the People of the State of Michigan have granted troopers and sergeants the right to bargain collectively on conditions of employment, including retirement benefits.

In light of this constitutional provision, changes in retirement benefits for Michigan State Police troopers and sergeants must be addressed through collective bargaining. Currently, a negotiated agreement that would extend the benefits of a deferred retirement option plan to troopers and sergeants is under consideration by the membership of Michigan State Police Troopers Association. Accordingly, if the members vote to ratify the negotiated agreement, they may obtain that benefit irrespective of Senate Bill 1021. In the absence of a ratified collective bargaining agreement providing a deferred retirement option plan for troopers and sergeants, the provisions of this bill relating to troopers and sergeants will be ineffective.

April 26, 2004

Today I sign, with reservations, Enrolled Senate Bill 432. This legislation is intended in part to amend Michigan law to comply with federal mandates under the Help America Vote Act of 2002 (HAVA). Despite my reservations, I sign this bill because with just over three months until the August primary election, Michigan must take some formal action now to move toward compliance with HAVA. The Secretary of State, county clerks, and local election officials need sufficient time to implement changes, bring new equipment on-line, and ensure that the 2004 elections are conducted without problems.

While I wholeheartedly support some aspects of this legislation, in particular its laudable requirements providing disabled voters with equal access to the voting process, I am concerned that this bill may fail to bring Michigan into full compliance with HAVA. I am disappointed that the Legislature failed to seize the opportunity to maintain Michigan's national leadership role in election reform, and instead chose only minimal steps to comply with federal mandates.

Under HAVA, Michigan is eligible to receive approximately \$80 million dollars in federal funding to upgrade election processes and systems. Most of that federal funding will be used to upgrade election equipment, including eliminating punch-card voting systems and lever voting machines in time for elections in 2006. Despite assertions to the contrary, eligibility for federal funding under HAVA is not connected to the enactment of Senate Bill 432. The Secretary of State took the first step in qualifying for federal funding by submitting Michigan's State Plan for implementation of HAVA to the federal government. As Governor, I will take the next step early in May, after completion of a federal public comment period, by certifying the plan as required under HAVA. I am committed to ensuring that Michigan receives its full share of federal funds. If the Legislature shares this commitment, I urge you to appropriate all of the state match dollars required for Michigan and our partners in local governments to receive the full amount due.

I am also concerned that the apparent shortcomings of Senate Bill 432 fail to bring Michigan into full compliance with HAVA. Some examples of my concerns include:

- **Elimination of "affidavit" balloting inconsistent with state plan.** Under Michigan's State Plan, the Secretary of State indicated that action taken to implement HAVA would include:
  - "Development of revisions to Michigan election law to authorize 'provisional' balloting for all public elections. The 'provisional' balloting process will supplement the current 'affidavit' balloting process."
  - "Implementation of revised procedures to allow for the issuance of a 'provisional' ballot in instances where the 'affidavit' balloting procedure cannot be employed."

Rather than *supplementing* Michigan's existing "affidavit" ballot process, currently codified at MCL 168.509y, Senate Bill 432 *supplants* that process by completely repealing MCL 168.509y and enacting an entirely new process for provisional voting.

- **Lack of explicit requirement for provisional ballot when election official deems voter ineligible.** Section 302(a) of HAVA provides that if "an election official asserts that [an] individual is not eligible to vote, such individual shall be permitted to cast a provisional ballot." Despite this language, Senate Bill 432 does not explicitly authorize the issuance of a provisional ballot when an election official asserts that an individual is not eligible to vote and the individual is not otherwise authorized or allowed to cast a provisional or challenged ballot.
- **No requirement to notify voter of right to vote provisional ballot.** Section 302(a)(1) of HAVA provides, "[a]n election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election." While Senate Bill 432 requires election officials to provide voters with other information, nothing in Senate Bill 432 explicitly requires an election official at the polling place to notify an individual of his or her right to cast a provisional ballot as HAVA apparently requires.
- **No mechanism for counting provisional ballots due to court order extending poll closing time.** Under Section 302(c) of HAVA:
 

"Any individual who votes in an election for Federal office as a result of a Federal or State court order or any other order extending the time established for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a). Any such ballot cast under the preceding sentence shall be separated and held apart from other provisional ballots cast by those not affected by the order."

This apparent minimum HAVA requirement was also noted in Michigan's State Plan for HAVA implementation adopted by the Secretary of State, but Senate Bill 432 includes no mechanism for implementation.
- **Lack of alternative language accessibility requirements.** Under Section 301(a)(4) of HAVA, voting systems must provide alternative language accessibility, pursuant to the requirements of Section 203 of the Voting Rights Act of 1965. Senate Bill 432 includes no provision requiring alternative language accessibility.

These examples represent just some of the concerns that lead me to question whether Michigan, even with the adoption of Senate Bill 432, will be deemed fully compliant with HAVA.

In addition to technical issues, and more importantly from a broader perspective, I also urge the Legislature to address more fundamental election reform issues. Michigan voters deserve more than legislative action aimed only at meeting minimal federal requirements. We should set our sights higher. The Help America Vote Act was intended to make it easier for voters to vote. As policymakers, we should do all that we can to achieve that goal. Michigan must be a leader, not a follower, in election reform.

We should not, for example, wait for a federal mandate to make it easier for qualified voters to vote by absentee ballot. Prior to my election, opponents of the expansion of access to absentee ballots indicated that legislative action on a proposal for no-reason absentee voting would be pointless because my predecessor as Governor would not sign such a bill. Your Governor now supports this change. Secretary of State Land supports the change. The sponsor of Senate Bill 432 and many legislators from both parties support the change. The time for stalling and excuses is over, and the time for action on no-reason absentee voting is now.

Our job in increasing election accessibility for disabled voters is also not complete simply because Michigan law now complies with federal mandates requiring accessible polling places and mandating that local election officials provide equipment that will allow many disabled voters access to a secret ballot. We can do more. Michigan law should be amended to require that voluntary permanent absentee ballots automatically be sent to any disabled person requesting such a ballot, for any reason. The League of Women Voters supports this needed reform for disabled voters.

While Senate Bill 432 includes a provisional balloting process, I am concerned that this process may result in fewer votes being counted than under current law. The Secretary of State and local clerks will need to work diligently to ensure that all votes eligible to be counted are counted. According to the League of Women Voters, states must design a provisional ballot process that will protect eligible voters from being wrongfully disenfranchised by efforts to keep ineligible voters from voting. The League says, "[t]o deny eligible voters the right to cast a provisional ballot—or to refuse to count that vote because they lack identification—turns the logic of HAVA on its head."

Because I am concerned that the provisional balloting process set forth in Senate Bill 432 falls short of these objectives, I support the following changes to Michigan law and urge their adoption:

- When making a determination whether to tabulate or not to tabulate a provisional ballot, a local clerk should be required to review records in his or her office and be authorized to request necessary information from other clerks or the Department of State. While Senate Bill 432 requires that local clerks make a determination whether to tabulate each provisional ballot, a specific prior review of documentation or records is not required under the bill.
- To ensure uniform and nondiscriminatory enforcement and to maximize the likelihood that the votes of eligible voters are counted, consistent with the intent of HAVA, a provisional ballot should be required to be counted if an election official discovers any credible evidence that the individual casting the ballot was properly registered to vote at the time the ballot was cast. Voters should not be penalized for errors, either those of election officials or their own. Such a standard has been cited as a model practice by the League of Women Voters.



- Any vote on a provisional ballot for an office for which a voter is eligible to vote should be counted, even if a voter casts the ballot in the wrong precinct. Under Senate Bill 432, provisional ballots may be tabulated only if voted in the correct precinct. According to the League of Women Voters, counting any eligible votes rather than discarding an entire provisional ballot, “not only protects the voter, it also protects election officials from voter anger and frustration caused by inefficiencies and poor polling place operations.”
- Michigan must do more to reduce the need for provisional ballots by addressing registration problems ahead of time and resolving eligibility questions at the polls so that whenever possible voters may cast a regular ballot, and not a provisional or challenged ballot. Voter rights advocates, including the League of Women Voters, indicate that the enactment of Election Day registration (EDR) can increase turnout and reduce the need for provisional ballots. EDR works in other states, so I support amending Michigan law, with appropriate safeguards, to authorize Election Day registration.

Subject to limited exceptions, Senate Bill 432 would continue to require first-time voters registering to vote by mail to appear in person at the polls and present identification in order to vote, even when the identity of the voter was verified before the election. Continuing this requirement is especially burdensome for Michigan college students living away from home. Section 303 of HAVA provides mechanisms to verify the identity of first-time voters prior to an election, avoiding the requirement that a first-time voter appear in person at the polls, and instead allowing the verified voter to cast an absentee ballot. Michigan law should be amended to take advantage of these alternative verification mechanisms afforded by HAVA to encourage greater voter participation while maintaining the integrity of the election process. Making it difficult for first-time voters to cast a ballot is not consistent with the spirit of HAVA. Michigan law should encourage first-time voters to participate in the electoral process, and should not impose unnecessary obstacles.

Finally, when considering Senate Bill 432, supporters of the bill rejected the opportunity to amend Michigan law to prohibit individuals in or near a polling place from engaging in conduct intended to intimidate or deter a voter from voting. As elected officials, we have a responsibility to protect persons from interference with democracy’s sacred right, the right to vote. It’s already a misdemeanor in Michigan to distribute stickers in or around a polling place. If that’s a crime, Michigan is delinquent in its failure to prohibit the more serious offense of voter intimidation. I urge the Michigan Legislature to criminalize such unwarranted conduct.

As Governor, I am committed to protecting the voting rights of all Michigan citizens and doing everything possible to assure that Michigan is a leader in helping Americans vote. The vote denied or made difficult affronts a citizen, while it mocks our country’s past and threatens the fullness of its future. While we fight—and our men and women die—for democracy halfway across the globe, we should show an equal zeal at home. Senate Bill 432 offers necessary yet tentative steps. Limits on the right to vote are among our nation’s greatest regrets. Let us not miss the opportunity before us to be as bold at home as we are and wish others to be abroad.

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received and read:

April 22, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 18221 of the Public Health Code of 1978 PA 368, MCL 333.16121 and 333.18221:

**Michigan Board of Psychology**

Julie M. Cowie, 876 1/2 Blue Star Highway, South Haven, Michigan 49090, county of Allegan, succeeding Linda Johnson, whose term has expired, representing the general public, for a term commencing April 22, 2004 and expiring December 31, 2007.

Patricia L. Watson, Ph.D., 46801 Elmsmere, Northville, Michigan 48167, county of Oakland, reappointed to represent professionals, for a term expiring December 31, 2007.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

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 Switalski as Chairperson.

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

**Senate Bill No. 851, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476).

**House Bill No. 4172, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5129 (MCL 333.5129), as amended by 1995 PA 253.

The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 944, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166a (MCL 388.1766a), as amended by 2003 PA 158.

Substitute (S-4).

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

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

**Senate Bill No. 943, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169 and 1507 (MCL 380.1169 and 380.1507), as amended by 1993 PA 335, and by adding section 1507b.

Substitute (S-3).

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

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

**Senate Bill No. 599, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2003 PA 158.

Substitute (S-1).

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

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

**Senate Bill No. 850, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 283a.

Substitute (S-5).

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

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

**Senate Bill No. 145, entitled**

A bill to amend 1969 PA 296, entitled "An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts," by amending section 5 (MCL 247.855), as amended by 1980 PA 12, and by adding section 3a.

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

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 1. As used in this act:

(a) "Highway authority" means the state highway commission, a board of county road commissioners or the governing body of a city or village.

(b) "Highway" means a highway, road or street.

(c) "Board" means the highway jurisdiction determination board.

(d) "County road commission" means the board of county road commissioners elected or appointed pursuant to section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in the case of a charter county with a population of 2,000,000 or more with an elected county executive that does not have a board of county road commissioners, the county executive for ministerial functions and the county commission provided for in section 14(1)(d) of 1966 PA 293, MCL 45.514, for legislative functions."

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

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

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

**Senate Bill No. 944**

**Senate Bill No. 943**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 944, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166a (MCL 388.1766a), as amended by 2003 PA 158.

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. 239**

**Yeas—31**

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

**Nays—7**

Brater	Emerson	Johnson	Thomas
Clark-Coleman	Jacobs	Scott	

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Clark-Coleman's statement is as follows:

As a mother of a daughter and a son, I certainly support abstinence. However, I worked real hard to teach my children the importance of abstinence. I voted against these bills in the Education Committee, and I intend to vote against them in the full Senate. While I recognize that the bills have been amended so that they are less objectionable than they were, they are still unnecessary. We have an effective sex education and communicable disease statute on the books. We already require districts to include abstinence in their local instruction. It is current law.

Districts across our state have spent a great deal of time and money developing quality programs with the input of parents. Parents have the right to review these materials and to opt their children out of the classes to which they object. These bills are a solution in search of a problem. We are continuing to impinge on local control through the new mandates these bills impose.

I am concerned that the real reason these bills are being pushed is to make it more difficult for local districts to develop sex education programs. And with that difficulty, more districts will simply not offer sex education programs. That may be the real agenda behind these bills, and I am opposed to that.

Although these bills have been amended somewhat, the fact is that you can put lipstick on a pig and it's still a pig. No amount of amendments will change the fact that we are stepping on the toes of local control with this bill. Our children need access to medically accurate information that will assure that they can protect themselves from pregnancy, disease, and yes, even death.

So I remain opposed to these bills and encourage my colleagues to vote "no."

Senator Jacobs' statement is as follows:

I also rise to ask my colleagues to vote against Senate Bill Nos. 943 and 944. I am a mother of two daughters, now 25 and 28 years old. I certainly promoted a message of abstinence to my children. However, to assume that all teenagers who hear that message will adhere to it not consistent with what we know is really happening. And for those of us who have raised daughters or sons, for that matter, and who engage in conversations with them and really can talk to them, each of those kids will tell you about kids they know in school who are not abstinent.

Whether we like to acknowledge it or not, statistics show that teenagers are engaging in sex. As currently worded, the legislation put forth in Senate Bill Nos. 943 and 944 does not address this hard reality, nor does it advocate making sure that teenagers understand how to act responsibly if they do experiment in sexual activity. Rather, it takes a one-size-fits-all approach to sex education: "Just say no."

This strategy is right on target for a certain percentage of our students, but it doesn't even speak to the portion of the population that has been, always has been, and always will be sexually active. Is everyone in this chamber so far removed from the realities of teenage life?

This is a shame because we live in a state of diverse cultures, religions, and individuals. To force a narrow definition of what a certain segment of society feels is the sexual norm, or more pointedly, what sort of sexual behavior is acceptable and expected from the people who wrote the language in this bill, is a draconian effort to limit the expression of the individual.

Again, whether some of us like it not, we all have gay students in our schools. This program doesn't even speak to the, except to force a teacher to interpret the legal definition of "gross indecency" in Michigan case law, which I will speak to in an amendment that I have in the next bill. Think about how sad that is if you were a gay teenager living in a secret, frightening, and very lonely existence in high school a high school that may not have a gay/straight alliance organization to provide some support for you.

One final point I want to make is that there is a huge proportion of gay students who attempt to commit suicide because of this very lonely and difficult existence that they experience in high school. I am worried that by adopting such draconian legislation that we are going to make it even more difficult for these kids.

So I think our message has to be more than "Just say no." But it has to say "Just say KNOW." So I hope my colleagues will join me in opposing Senate Bill Nos. 943 and 944.

The following bill was read a third time:

**Senate Bill No. 943, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169 and 1507 (MCL 380.1169 and 380.1507), as amended by 1993 PA 335, and by adding section 1507b.

The question being on the passage of the bill,

Senator Jacobs offered the following amendments:

1. Amend page 3, line 11, after "subsection" by striking out "(6)" and inserting "(7)".
2. Amend page 5, following line 19, by inserting:

**"(6) A school district shall ensure that a health education advisory board established under subsection (5) receives training on sexually transmitted diseases. All of the following apply to this training:**

- (a) The content of the training shall be prescribed by the state board.**

**(b) The training shall be conducted by or through the intermediate school district in which the school district is located.**

**(c) The training shall take place at a meeting of the health education advisory board.**

**(d) The training shall consist of at least 30 minutes of instruction.**” and renumbering the remaining subsections. The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Jacobs offered the following amendments:

1. Amend page 7, line 20, after “**sections**” by striking out “**158, 335, 335a, 338, 338a, 3386, and**”.
2. Amend page 7, line 21, after “**MCL**” by striking out the balance of the line through “**and**” on line 22.

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. 240**

**Yeas—30**

Allen	Cherry	Hardiman	Prusi
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kuipers	Sikkema
Bernero	Garcia	Leland	Stamas
Birkholz	George	McManus	Switalski
Bishop	Gilbert	Olshove	Toy
Brown	Goschka	Patterson	Van Woerkom
Cassis	Hammerstrom		

**Nays—8**

Brater	Emerson	Johnson	Scott
Clark-Coleman	Jacobs	Schauer	Thomas

**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

**Introduction and Referral of Bills**

Senators Hammerstrom and Johnson introduced

**Senate Bill No. 1167, entitled**

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending the title and sections 4, 5a, 7, and 9 (MCL 28.724, 28.725a, 28.727, and 28.729), section 4 as amended by 1999 PA 85 and sections 5a, 7, and 9 as amended by 2002 PA 542, and by adding section 5b.

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

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

**Senate Bill No. 1168, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18b (MCL 247.668b), as amended by 2002 PA 498.

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

Senators Brater, Scott, Bernero, Prusi, Leland, Cherry, Basham, Jacobs and George introduced

**Senate Bill No. 1169, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 173.

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

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

**Senate Bill No. 1170, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," (MCL 32.501 to 32.851) by adding sections 183 and 184.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senator Van Woerkom introduced

**Senate Bill No. 1171, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8901 and 8904 (MCL 324.8901 and 324.8904), section 8904 as amended by 1998 PA 15.

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. 5225, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 5a (MCL 52.205a).

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

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

**House Bill No. 5426, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4y. 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 Finance.

**House Bill No. 5463, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37f. 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 Finance.

**House Bill No. 5501, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269. 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 Finance.

**House Bill No. 5653, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4bb. 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 Finance.

### Committee Reports

The Committee on Local, Urban and State Affairs reported

**House Bill No. 5545, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5b (MCL 211.905b), as added by 2002 PA 244.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass. The committee further recommends that the bill be given immediate effect.

Laura M. Toy  
Chairperson

To Report Out:

Yeas: Senators Toy, Basham and Bernero

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 22, 2004, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Toy (C), Basham and Bernero

Excused: Senators Birkholz and Goschka

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, April 20, 2004, at 3:00 p.m., Room 405, Capitol Building

Present: Senators Brown (C), Stamas and Clarke

### COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:

Meeting held on Thursday, April 22, 2004, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert, Jelinek and Brater

Excused: Senator Thomas

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 22, 2004, at 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Brown (C), Stamas and Clarke

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:

Meeting held on Thursday, April 22, 2004, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George (C), McManus and Clarke

#### COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, April 22, 2004, at 12:00 noon, Room 100, Farnum Building

Present: Senators Bishop (C), Van Woerkom, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Thursday, April 22, 2004, at 12:30 p.m., Room 810, Farnum Building

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

Excused: Senator McManus

#### Scheduled Meetings

**Agriculture, Forestry and Tourism** - Thursday, April 29, 8:30 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, April 28, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

##### Subcommittees -

**Agriculture** - Thursdays, April 29, May 6, May 13 and May 20, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

**Commerce, Labor and Economic Development** - Wednesdays, April 28, May 5, May 12 and May 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

**Family Independence Agency** - Thursday, April 29, 8:00 a.m., Room 210, Farnum Building (373-1801)

**General Government** - Tuesdays, May 4, May 11 and May 18, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

**Higher Education** - Wednesday, April 28, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**History, Arts, and Libraries** - Thursdays, April 29, May 6 and May 13, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

**State Police and Military Affairs** - Tuesdays, May 4 and May 11, 3:00 p.m., Room 405, Capitol Building (373-5932)

**State Police and Military Affairs and House State Police/Military and Veterans Affairs** - Thursday, April 29, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

**Transportation Department** - Tuesdays, May 4, May 11 and May 18, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)



**Banking and Financial Institutions** - Thursday, April 29, 1:00 p.m., Room 100, Farnum Building (373-2417)

**Economic Development, Small Business and Regulatory Reform** - Wednesday, April 28, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Education** - Thursday, April 29, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Local, Urban and State Affairs** - Thursday, April 29, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, April 28, 3:00 p.m., Room 210, Farnum Building (373-7350)

**Transportation** - Tuesday, May 11, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:29 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, April 28, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate