

No. 41
STATE OF MICHIGAN
Journal of the Senate
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REGULAR SESSION OF 2005

Senate Chamber, Lansing, Tuesday, May 10, 2005.

10:00 a.m.

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

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

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

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

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

Reverend Carol Dixon of Kainos International Church of Grosse Pointe Woods offered the following invocation:

Father, we give thanks for the United States and its government. We hold up in prayer before You these men and women who are in positions of authority. We pray and intercede for the President, the Representatives, the Senators, the judges of our land, the policemen and the policewomen, as well as the Governor and the Mayor, and all those who are in authority over us in any way. We pray that the Spirit of God rest upon them.

We pray that skillful and godly wisdom has entered into the heart of these great Senators and knowledge is pleasant to all of you. We pray that discretion watches over you and understanding keeps and delivers each one of you from the way of evil and that you be true to the responsibility entrusted unto you.

Therefore, I speak that your abilities measure up to issues before you; that you be thorough in your investigations and factual in your presentations. Therefore, I speak that your insight be without oversight, discernment without distortion, fairness without favoritism, prescience without prejudice, and a clear conscience without compromise. Therefore, I speak strength to stand tall, even if alone, for it is better to cease in something right than to win in something wrong.

So be it resolved that we give thanks for the land and the leaders which have been given to us through You, the great Senators of the state of Michigan. Guide us this day, God, in this meeting, and remind us that all we do here will be reviewed in the council halls of the last day.

In God's name we pray. Amen.

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

Motions and Communications

Senators Kuipers, Cropsey, George, Toy, Jelinek, Johnson, Hardiman, Hammerstrom, Van Woerkom, Brown, Birkholz, Stamas, Cassis and Garcia entered the Senate Chamber.

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

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guest of Senator Switalski admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:08 a.m.

10:21 a.m.

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

During the recess, Senator Switalski introduced the Honorable Hans H.J. Pijls, Honorary Consul of the Kingdom of the Netherlands, in honor of the 25th anniversary of Queen Beatrix, and presented a Special Tribute.

Mr. Pijls responded briefly.

During the recess, Senators Goschka, Bishop, Allen and Barcia entered the Senate Chamber.

The following communication was received:
 Department of Human Services

May 4, 2005

Pursuant to Section 1002 of P.A. 344 of 2004, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Renewal	Gogebic County DHS	CP270201149
Renewal	Ontonagon County DHS	CP660201340

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The reports may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
 Marianne Udow

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Thursday, May 5, and are available at the legislative website:

Senate Bill Nos. 457 458 459
House Bill Nos. 4727 4728 4729 4730 4731 4732 4733 4734

The Secretary announced that the following official bills were printed on Friday, May 6, and are available at the legislative website:

House Bill Nos. 4735 4736 4737 4738 4739 4740 4741 4742 4743 4744

The Secretary announced that the following official bills were printed on Monday, May 9, and are available at the legislative website:

Senate Bill Nos. 460 461 462 463 464 465 466 467 468 469 470 471 472 473
474 475 476 477 478 479 480 481

Messages from the Governor

The following message from the Governor was received and read:

May 5, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to office under Section 5 of 1966 PA 1, MCL 125.1355:

Barrier Free Design Board

Mr. Richard O. Brunvand of 360 Brockway, South Haven, Michigan 49090, county of Van Buren, succeeding Bryan Graham, whose term has expired, representing severely mobility limited persons, for a term commencing May 5, 2005 and expiring October 31, 2007.

Ms. Mary (Penny) Gardner, Ph.D., of 1035 Seymour Avenue, Lansing, Michigan 48906, county of Ingham, succeeding Mary K. DeCuir, whose term has expired, representing the general public, for a term commencing May 5, 2005 and expiring October 31, 2006.

Mr. Donald A. Link of 310 East Elm Avenue, Monroe, Michigan 48162, county of Monroe, succeeding George Kiisskila, Jr., whose term has expired, representing professional engineers, for a term commencing May 5, 2005 and expiring October 31, 2006.

Ms. Lucia M. Rios of 634D Bayberry Pointe Drive N.W., Grand Rapids, Michigan 49544, county of Kent, succeeding Eric Colthurst, whose term has expired, representing wheelchair users, for a term commencing May 5, 2005 and expiring October 31, 2006.

Mr. Joseph B. Shelton, Jr., of 20310 Huntington, Detroit, Michigan 48219, county of Wayne, succeeding Carter Huffman, whose term has expired, representing the construction industry, for a term commencing May 5, 2005 and expiring October 31, 2007.

Mr. James H. Bogie of 3888 Mayfield Drive, Jackson, Michigan 49203, county of Jackson, reappointed to represent building inspectors of local units of government, for a term expiring October 31, 2007.

Sincerely,
 Jennifer M. Granholm
 Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

May 5, 2005

Due to changes made to the April 11, 2005 letter filed with your office pursuant to Section 9 of the Michigan Exposition and Fairgrounds Authority Act, 1978 PA 361, MCL 285.169, please be advised of the following corrections:

State Exposition and Fairgrounds Authority Board

Ms. Karen Batchelor, a Democrat, of **26116 Wyoming Road, Huntington Woods, Michigan 48070, county of Oakland**, appointed to represent **the business community**, for a term expiring February 29, 2008.

Mr. Edward Deeb, an Independent, of **6815 Meadowlake Road, Bloomfield Hills, Michigan 48301, county of Oakland**, appointed to represent **the tourism industry in Michigan**, for a term expiring February 28, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The message was referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

May 5, 2005

Pursuant to Senate Rule 3.203b, I am hereby re-referring Senate Bill 470 from the Local, Urban and State Affairs Committee to the Appropriations Committee.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator Hammerstrom moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 356

Senate Bill No. 419

Senate Bill No. 130

Senate Bill No. 131

House Bill No. 4242

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 356, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5309a.

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. 114

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 419, entitled

A bill 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 6 (MCL 460.6), as amended by 1993 PA 355.

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. 115

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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. 116

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 131, entitled

A bill to prohibit publicly displaying sexually explicit material; and to provide penalties.

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. 117

Yeas—36

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

Nays—2

Emerson

Leland

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4242, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2830 (MCL 333.2830), as amended by 1994 PA 242.

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. 118

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and

activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

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 Barcia as Chairperson.

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

Senate Bill No. 339, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 13e.

The bill was placed on the order of Third Reading of Bills.

Resolutions

Senator Gilbert offered the following resolution:

Senate Resolution No. 32.

A resolution to urge the Video Software Dealers Association and the Entertainment Software Ratings Board to increase efforts to enforce compliance with ratings systems for violent video games.

Whereas, In a relatively short period of time, violent video games have become a significant threat to the youth of our state and nation. Several studies indicate that exposure to some of these types of games at too early an age can contribute to a number of personality problems, including increased chances of aberrant behavior; and

Whereas, Within the video game industry, a ratings system is in place to help parents and entertainment venues keep the most harmful games away from young children. In spite of the ratings, video games that feature violence and sex continue to be seen by children younger than the ages recommended in the ratings. The extent of this problem is such that many parents, educators, and organizations concerned about children have made repeated calls for stronger enforcement of ratings age limits and more severe penalties for merchants who sell or rent to underage young people; and

Whereas, Although parents and families clearly bear the largest responsibilities in monitoring what their children see and do, there are steps that the video game industry can take to put more pressure on businesses to increase compliance with ratings guidelines in place and to increase penalties for those who violate the ratings system; now, therefore, be it

Resolved by the Senate, That we urge the Video Software Dealers Association and the Entertainment Software Ratings Board to increase efforts to enforce compliance with ratings systems for violent video games and to provide penalties for those who sell or rent video games to young people in violation of established ratings; and be it further

Resolved, That copies of this resolution be transmitted to the Video Software Dealers Association and the Entertainment Software Ratings Board.

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

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Birkholz, Brown, Cherry, Goschka, Hardiman, Kuipers, Olshove and Switalski were named co-sponsors of the resolution.

Senator Stamas offered the following resolution:

Senate Resolution No. 33.

A resolution to memorialize the Congress of the United States to review the sale of violent video games to children. Whereas, Americans have grown increasingly alarmed about youth violence. Inspired in part by violent media images, far too many of our children are committing violent crimes; and

Whereas, Numerous medical organizations, including the American Medical Association and the American Psychological Association, as well as law enforcement agencies such as the Federal Bureau of Investigation, have concluded that viewing entertainment violence can lead to an increase in aggressive attitudes, values, and behaviors, particularly in children. Recent academic literature corroborates the findings of earlier studies that demonstrate exposure to violent video games produces aggressive behavior in children and young people; and

Whereas, Violent, point-and-shoot video games are such effective combat simulators that law enforcement and military organizations use them extensively for training to accurately and effectively shoot firearms in real combat situations. Such games could actually serve to create a more deadly accurate youth criminal armed with a firearm; and

Whereas, There are concerns that current initiatives, including rating systems, are largely ineffective in shielding young children from video game images. While parental and family actions are of the utmost importance in this effort, there are steps that Congress can take; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to conduct an investigation and take action to prevent the sale of violent video games to children; and be it further

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

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

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Birkholz, Brown, Cherry, Goschka, Hardiman, Johnson, Kuipers, Olshove and Switalski were named co-sponsors of the resolution.

Introduction and Referral of Bills

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

Senate Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 15a to article IX, to authorize the issuance of general obligation bonds, to finance the creation of new jobs in this state, and to make certain loans, grants, or investments in private and public entities.

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

Senators Allen, Goschka, Hardiman, Stamas, Birkholz, Toy and Barcia introduced

Senate Bill No. 482, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2003 PA 277 and section 13 as amended by 2003 PA 259.

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

Senators Kuipers, Gilbert, Barcia, Cassis, Goschka and Sanborn introduced

Senate Bill No. 483, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16401 (MCL 333.16401), as amended by 2002 PA 734.

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

Senators Olshove, Cherry, Basham, Jacobs and Schauer introduced

Senate Bill No. 484, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 2000 PA 431.

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

Senators Olshove, Cherry, Basham, Jacobs, Toy and Schauer introduced

Senate Bill No. 485, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2004 PA 335.

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

Senators Cassis and Goschka introduced

Senate Bill No. 486, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6b (MCL 205.56b), as added by 2004 PA 173.

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

Senators Cassis and Goschka introduced

Senate Bill No. 487, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 10a.

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

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

Senate Bill No. 488, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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

Statements

Senators Scott, Schauer, Thomas and George 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 statement is as follows:

I will read you several of the hits from my website on insurance. From Highland Park, "Insurance for my 1991 Taurus cost some \$1,800 just for the minimum required. No collision coverage. My driving record is perfect. I'm retired and put way less than 8,000 miles per year on my automobile. I do not park on the street at home because I have both a side drive and a garage. For a 14-year-old car, with the insurance costing \$1,800 for the minimum, I cannot afford to pay for full coverage or buy a newer car to get better gas mileage. The cost of gas is outrageous and the cost of insurance is both outrageous and unfair!"

From Detroit, "Today, I used my friend's address in West Bloomfield for insurance rates. I was quoted \$551 for six months coverage. The Detroit rate was from between \$900 and \$1,150 depending upon whether I use a company (Titan) which uses credit scores. What a travesty in this so-called land of the free."

From Southfield, "I lived in Highland Park and could not get reasonable insurance for my new car. When I got quotes for other areas such as Ferndale, Jackson, and Royal Oak, the quotes were considerably less than my Highland Park quote."

From Hamtramck, "Home and auto insurance is unaffordable."

From Ann Arbor, "Rates should be based on things that the insured can control. Credit should be used for loaning money. Credit scores does not matter if a hurricane, hail, windstorm, fire or broken pipe occurs. Credit scores only allows the insurer to discriminate in lower income areas who the insurer cannot market other financial services to. I will help you defeat unfair rating practices."

Senator Schauer's statement is as follows:

I rise to share with you news, some very sad news that happened in Battle Creek yesterday afternoon. Depending on where you may live, you may have seen it reported on television.

Yesterday, just after 4:00 p.m. in the afternoon, Lavern Brann, a 20-year veteran of the Battle Creek Police Department, was shot and killed in the line of duty. His partner Greg Huggett, also a detective, was shot in the leg, but

only suffered minor injuries. Detective Brann and Detective Huggett were investigating, sadly, another murder that had recently occurred. They were investigating and taking a statement from the mother of the suspect, and the suspect shot and killed the detective with a shotgun.

Detective Brann was an incredible person. He was only 44 years old. He was married to a former police officer and had two children. He was chosen by the Battle Creek Police Department in 2002 as their Officer of the Year. He was honored as an American Red Cross Every Day Hero and honored by the St. Philip Catholic Church Advocates Program for his work to protect children. He was named Police Officer of the Year by the Veterans of Foreign Wars. He was also the vice president of the Pennfield Public Schools Board of Education in the Battle Creek area and was very involved with the Pennfield parent-teacher-student organization.

I knew him before my time here in the Legislature when we worked together on a committee to prevent youth substance abuse. He was involved, related to that issue, with the Peer Listening program, also the American Red Cross, the Emergency Preparedness Expo, and the Substance Abuse Council. He was a community service officer, a field training officer, and bloodborne pathogen coordinator. He worked with the narcotics unit, the detective bureau, crisis negotiation, and emergency response team. He was an investigator of violent crime against people, all while working with the Battle Creek Police Department.

Lavern Brann graduated from Stockbridge High School near Jackson and worked in Ann Arbor until moving to Battle Creek in 1981. He worked for Battle Creek Health System, the area hospital, before earning his criminal justice degree from Kalamazoo Valley Community College. He was first a corrections officer, then a road patrol officer, before eventually becoming a detective.

Personally, I learned of this early this morning when I picked up my newspaper in front of my home. The headline was "Officer Slain." We read the stories, we read the headlines, and the first thing I could wonder was who was it and how well did I know him or her? Any loss of life in this kind of situation is a tragedy. This was a person who was protecting us. He was an incredible community servant, a kind, loving individual. Some of the comments made in some of the press articles by co-workers talk about how he just had a warm spirit and was easy to talk to and was giving. This was a public servant who leaves behind a wife and two children, and our community and our whole state has suffered a great loss today.

I would ask that my colleagues join me in a moment of silence for the loss of Police Detective Lavern Brann.

A moment of silence was observed in memory of Battle Creek Police Detective Lavern Brann.

Senator Thomas' statement is as follows:

Throughout much of this legislative session, we've talked continuously about the economy, jobs and taxes, and taxes on businesses and finding ways to cut that business tax burden for Michigan businesses. I think absent in part of the discussion that needs to happen in the state of Michigan is how do we encourage the working core to accumulate assets to build and to grow an income for themselves?

Later this week, I'll be introducing legislation expanding Michigan's participation in the individual development account arena. Actually, I do want to thank, although he's not on the floor right now, the Senator from the 29th District for just last week continuing a \$200,000 appropriation through the FIA budget to IDAs.

IDAs are individual development accounts which are essentially matched savings accounts restricted to three uses: the purchase of your first home, the funding of post-secondary education, or the start-up of your own small micro-enterprise business. They were first authorized by Congress as part of the Welfare Reform Act of 1996, and their goal specifically is to help low-income households, those at about 200 percent of the poverty level, achieve financial security and begin to build a real financial history for themselves.

The United States has a rich history of asset building and financial security for its working families. The Homestead Act, the G.I. Bill, and the home mortgage deduction are just three examples of how we've helped folks along the way throughout our history. Now I think it is time for Michigan to expand its presence into the IDA arena.

The program that we are calling for is designed again to remove barriers to asset building and promote asset accumulation. The statistics are very important. Twenty-five percent of Michigan's household that work can't meet the basic demands of sustaining their own household and building a more secure financial future.

Now through a public/private partnership, IDAs do exist in Michigan. There are currently 1,200 IDA accounts that are open with a net pool available of 1,600, but if 25 percent of our households can't meet their basic obligations, 1,200 accounts simply are not enough.

A recent independent analysis of IDA account programs in Michigan found, dramatically, that a particular IDA participant is a 33-year-old unmarried African-American woman with some college education, a full-time job, a monthly household income of about \$1,700 which equates to about \$20,000 annually, and two children living at home. Nearly 80 percent of all participants plan to purchase a home, 10 percent intend to use their account to start a business, and 10 percent for advanced education.

Regular savings from participants in an IDA account program increased from 25-71 percent, and 87 percent report that they expect to save regularly in the future. Ninety-nine percent of all of these folks who have participated in

Michigan's IDA partnership report a positive and favorable response to the program. Eighty-four percent believe the financial management education classes have helped them save.

As a result of this IDA program, 499 IDA participants have made an asset investment in Michigan, 321 homes were purchased, 108 individuals went back to college, and 70 new businesses were created. The mortgages leveraged by this small investment, this \$200,000 investment, resulted in more than \$27 million of new mortgage investment, and the private sector has anteed up an additional \$2.8 million in funding with \$4.1 million coming from the state of Michigan through our federal TANIF dollars.

IDAs help create an ownership society. Isn't that what our national government talks about all the time, an ownership asset-based society? Let's now take a reasonable investment in Michigan's future and expand our IDA laws and make sure all of Michigan citizens have that opportunity to reach and to succeed in our new ownership society in Michigan.

Senator George's statement is as follows:

I rise to compliment the Dutch caucus and give some remarks on the Dutch in west Michigan and the role that my district played in the settlement of the Dutch in Michigan. As you may know, the Dutch settlers in Michigan were lead by Minister Albert van Raalte, who was born in Holland. He was an opponent of the Dutch Reformed Church and had been imprisoned several times for holding unauthorized church services. He decided eventually to emigrate to America.

In 1846, van Raalte and 50 of his followers came to Michigan, and they passed through my district, the Kalamazoo area, seeking a permanent settlement. They met with Governor-elect Epaphroditus Ransom of Kalamazoo who spoke with them and suggested that they continue in their trek westward and that they seek a spot on Michigan's west coast in what would become the Holland area. It is said that Governor-elect Epaphroditus Ransom suggested this location because he sought religious balance on the west coast, which was being populated by Catholic missionaries. He felt that this would be a good way to diversify the religious experience on the west. So he suggested what would become the Holland area, and van Raalte and his settlrs moved on and settled along the Black River in west Michigan and named the area New Holland. Within a couple of years, there were 4,000 settlers living there.

Later, a group of them resettled in Kalamazoo, remembering that Epaphroditus Ransom had helped welcome them to Michigan. As a result, we have a very significant Dutch heritage in the Kalamazoo area. Of course, van Raalte went on to establish the city of Holland and Hope College. Many of the early Dutch were strong opponents of slavery and fought with the Union Army during the Civil War.

I just thought my colleagues would be interested to know that there is a Kalamazoo connection to the selection of the site which would become Holland, Michigan.

Committee Reports

The Committee on Senior Citizens and Veterans Affairs reported

House Bill No. 4272, entitled

A bill to amend 1915 PA 63, entitled "An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed," by amending section 1 (MCL 35.381), as amended by 1988 PA 263.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Gilbert and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Senior Citizens and Veterans Affairs reported

House Bill No. 4273, entitled

A bill to amend 1915 PA 63, entitled "An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed," (MCL 35.381 to 35.833) by adding section 1a.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Gilbert and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, May 4, 2005, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Gilbert and Olshove

Excused: Senators Stamas and Clark-Coleman

The Committee on Appropriations reported

Senate Bill No. 306, entitled

A bill to authorize the department of management and budget to convey certain parcels of state owned property in Eaton county; to prescribe conditions for the conveyances; to provide for certain powers and duties of the department of management and budget in implementing those conveyances; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Shirley Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Concurrent Resolution No. 18.

A concurrent resolution to change the scope of the Macomb Community College Fraser Building Renovation project to the Emergency Services Training Center expansion project and to increase the project cost.

(For text of resolution, see Senate Journal No. 36, p. 491.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Bill No. 4225, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 6 (MCL 397.556), as amended by 2001 PA 65.

With the recommendation that the bill pass.

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

Shirley Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 438, entitled

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

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.

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 434, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 9 (MCL 247.909), as amended by 1993 PA 149.

With the recommendation that the bill pass.

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

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Barcia and Switalski

Nays: Senators Prusi, Cherry and Clarke

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 4, 2005, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

The Committee on Senior Citizens and Veterans Affairs reported

Senate Concurrent Resolution No. 16.

A concurrent resolution to memorialize the United States Congress to validate the requirement for the Detroit Arsenal during the current round of the Base Realignment and Closure process.

(For text of resolution, see Senate Journal No. 31, p. 411.)

With the recommendation that the following substitute (S-1) be adopted and that the concurrent resolution then be adopted:

A concurrent resolution to memorialize the President of the United States, the United States Congress, and the Base Realignment and Closure Commission to validate the requirement for Michigan military facilities being examined during the current round of the Base Realignment and Closure process.

Whereas, Congress has authorized the examination of our military bases in order to determine which facilities are necessary for national defense and which are excess. Known as Base Realignment and Closure (BRAC), several rounds of this process have taken place since 1988. With tens of thousands of American military personnel scheduled to redeploy from Europe back to the continental United States during this decade, we must not reduce our military base structure without considering the long-range ramifications. The 2005 BRAC round is also being carried out while our forces fight in Iraq and Afghanistan. Additional forces are deployed worldwide with allies to combat terrorism. Decisions made this year will affect our ability to project and sustain power in this fight for years to come; and

Whereas, The Detroit Arsenal, located in Warren, is the home to a number of commands that have a direct impact on the safety of our soldiers and Marines now fighting. Commands located at the Detroit Arsenal support the development of armor kits for our Humvees and other systems. Logistics support from the Detroit Arsenal encompasses virtually all ground combat and tactical vehicles and related vehicle systems, and enables all our services to carry out their missions. Our nation's laboratory for advanced ground systems automotive-military technology is located here and conducts work critical to our forces, such as mine countermeasure projects. The Detroit Arsenal is also critical for the development of the Army's Future Force, a networked system of systems designed to harness the Revolution in Military Affairs to create a deployable and lethal Army capable of defeating any enemy anywhere in the world; and

Whereas, Selfridge Air National Guard Base, located in Harrison Township, is the home for a number of active and reserve component units from the Air Force, Navy, Marine Corps, Coast Guard, and Army, including United States Army Garrison, Selfridge. This base is home to F-16 Fighting Falcon fighter aircraft, C-130 Hercules transports, and KC-135 Stratotankers, as well as Coast Guard and Army helicopters. The United States Customs and Border Protection also operates out of Selfridge. As the only military installation in the continental United States that is located on an international waterway, the base serves homeland defense missions directly. This multi-service base could also host many of the troops and their families that will return to America from overseas bases. In an era when the military strives to fight as a joint team, Selfridge is a model of operating in a joint environment; and

Whereas, The Alpena Combat Readiness Training Center, located in Alpena, provides year-round realistic training to increase joint operating capabilities of the units that train there. Alpena is the only facility in the continental United States that boasts the new Aircraft Maneuver and Instrumentation pod system, a training tool that better prepares pilots for combat by enhancing the realism of training experience. The center is also home to military medical assets, including the Air National Guard Medical Readiness Training School. It is the only center with the new 25-bed Expeditionary Medical Support System. Close to Camp Grayling, the Alpena Combat Readiness Training Center provides capabilities unmatched east of the Mississippi River; and

Whereas, The Battle Creek Air National Guard Base, located in Battle Creek, hosts the 110th Fighter Wing. This wing has deployed the "Killer Bees" of the 172nd Fighter Squadron to support American and allied troops in Kosovo and in Iraq. The A-10 Thunderbolt II aircraft of the squadron fly low and slow to bring Air Force firepower to bear when and where soldiers and Marines need help. The squadron has proven its worth and validated the faith we place in our Air National Guard to fly and fight alongside their active component comrades. In addition, the base provides anti-terrorism and hijacking response training to fulfill a homeland defense mission; and

Whereas, The Camp Grayling Maneuver Training Center, located in Grayling, is the largest military installation east of the Mississippi River. The 147,000 acres of Camp Grayling provide ample room for training, from small arms to artillery fire. The camp's state-of-the-art tank gunnery complex allows our Army's mechanized forces to maintain a high level of training. Active and reserve component units from the Army, Navy, Air force, and Marine Corps make use of what is probably the best joint force training center in the eastern United States to hone their warfighting skills. In addition, Camp Grayling houses equipment for the Ohio and Indiana National Guard as well as Michigan National Guard equipment. As a major facility located away from large population centers, Camp Grayling is well suited to provide training opportunities for special operations and anti-terror preparations; and

Whereas, The Hart-Dole-Inouye Federal Center, located in Battle Creek, supports Department of Defense logistics efforts. Getting supplies from locations around the world to the field is a demanding task that must be carried out flawlessly to keep planes flying, vehicles moving, and ships at sea. The facility also assists other federal agencies and international governmental agencies. It is a key facility that promotes efficient use of government property by transferring excess military property to federal, state, and local governments as well as other qualified organizations. Identifying productive uses for property that might otherwise be discarded makes taxpayer dollars go farther; and

Whereas, The Fort Custer Army National Guard Base, located in Battle Creek, is the home of one of our state's Rapid Response Teams, which were created to help civil authorities cope with terrorism on American soil. The base provides valuable company-level training that is crucial to maintaining the fighting edge of American reserve forces. It is one of the most heavily used training facilities in the Midwest. Over the last three years, we have witnessed the decisive advantage that highly trained troops have in battle. With National Guard and reserve troops an integral part of the global war on terror, facilities such as Fort Custer are vital to our national security; and

Whereas, Military facilities located in Michigan take advantage of their location to leverage the state's unique geography as a border state and relationships with the automotive industry, leading academic institutions, and suppliers to develop new dual-use concepts that are mutually beneficial to the military and the partners in these projects. For Michigan, a state that is challenged by an unemployment rate that is one of the highest in the nation, closing military facilities here would further hurt a region that has critical industrial base assets that will undoubtedly be needed in the future; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President of the United States, the United States Congress, and the Base Realignment and Closure Commission to validate the requirement for Michigan military facilities being examined during the current round of the Base Realignment and Closure process; and be it further

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Gilbert and Olshove

Nays: None

The concurrent resolution and the substitute recommended by the committee were placed on the order of Resolutions.

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

Senate Bill No. 399, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 13538 and 13833.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: Senators Jacobs and Basham

The bill was referred to the Committee of the Whole.

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

Senate Bill No. 175, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2003 PA 5.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: Senators Jacobs and Basham

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:
Meeting held on Wednesday, May 4, 2005, at 3:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Health Policy reported

House Bill No. 4434, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17752 (MCL 333.17752) and by adding section 17753.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, Bernero and Jacobs

Nays: None

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

The Committee on Health Policy reported

House Bill No. 4405, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17708, 17751, and 17763 (MCL 333.17708, 333.17751, and 333.17763), sections 17708 and 17751 as amended by 1997 PA 153 and section 17763 as amended by 2004 PA 536.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, Bernero and Jacobs

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 189, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17766b.

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

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, Bernero and Jacobs

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 352, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17708, 17751, 17752, and 17763 (MCL 333.17708, 333.17751, 333.17752, and 333.17763), sections 17708 and 17751 as amended by 1997 PA 153 and section 17763 as amended by 2004 PA 536, and by adding section 17753.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, Bernero and Jacobs

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, May 4, 2005, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 302, entitled

A bill to amend 1988 PA 112, entitled "The business opportunity act for persons with disabilities," by amending section 3 (MCL 450.793), as amended by 1998 PA 73.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Goschka, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 303, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Goschka, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 5, 2005, at 1:00 p.m., Room 110, Farnum Building

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

Excused: Senator Birkholz

The Committee on Banking and Financial Institutions reported

House Bill No. 4450, entitled

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

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

1. Amend page 10, line 9, after the second "A" by inserting "CONDITION OF".

2. Amend page 10, line 14, after "CREDITOR" by inserting "AS LIEN CREDITOR IS DEFINED IN SECTION 9102 OF THE UNIFORM COMMERCIAL CODE, 1962 PA 174, MCL 440.9102".

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4451, entitled

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

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

1. Amend page 2, line 24, after the second "IS" by inserting "A CONDITION OF".

2. Amend page 3, line 2, after "CREDITOR" by inserting "AS LIEN CREDITOR IS DEFINED IN SECTION 9102 OF THE UNIFORM COMMERCIAL CODE, 1962 PA 174, MCL 440.9102".

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4452, entitled

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

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.

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4453, entitled

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

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

1. Amend page 2, line 13, after the second "A" by inserting "CONDITION OF".

2. Amend page 2, line 18, after "CREDITOR" by inserting "AS LIEN CREDITOR IS DEFINED IN SECTION 9102 OF THE UNIFORM COMMERCIAL CODE, 1962 PA 174, MCL 440.9102".

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4454, entitled

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

With the recommendation that the bill pass.

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Stamas, Leland, Olshove and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, May 5, 2005, at 12:00 noon, Room 100, Farnum Building

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

Excused: Senator Sanborn

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, May 4, 2005, at 3:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:
 Meeting held on Thursday, May 5, 2005, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower
 Present: Senators Jelinek (C), Brown, Switalski and Scott
 Excused: Senator Cropsey

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:
 Meeting held on Thursday, May 5, 2005, 1:00 p.m., Room 810, Farnum Building
 Present: Senators Stamas (C), George, Johnson, Garcia, Cherry and Clarke

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
 Meeting held on Thursday, May 5, 2005, at 2:00 p.m., Room 210, Farnum Building
 Present: Senators Kuipers (C), Cassis and Van Woerkom
 Excused: Senators Clark-Coleman and Leland

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:
 Meeting held on Thursday, May 5, 2005, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
 Present: Senators Brown (C), Jelinek and Barcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:
 Public hearing held on Friday, May 6, 2005, at 10:00 a.m., Grand Valley State University, Kirkhof Center, 2nd Floor, Pere Marquette Room, 1 Campus Drive, Allendale
 Present: Senators Goschka (C), Hardiman and Prusi
 Excused: Senators Johnson and Cherry

Scheduled Meetings

Appropriations -

Subcommittees -

Capital Outlay - Thursday, May 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce, Labor and Economic Development - Wednesdays, May 11, 9:00 a.m., and 3:00 p.m., Room 100, Farnum Building; Tuesday, May 17, 2:00 p.m., Room 405, Capitol Building; Wednesday, May 18, 3:00 p.m.; Tuesday, May 24, 1:00 p.m.; and Wednesday, May 25, 3:00 p.m., Room 100, Farnum Building (373-2420)

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

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

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

Higher Education - Fridays, May 13, 10:00 a.m., Northwood University, NADA Education Center, 4000 Whiting Drive, Midland; and May 20, 10:00 a.m., Eastern Michigan University, Welch Hall, Room 201, 900 W. Cross Street at Summit Street, Ypsilanti (373-1760)

Judiciary and Corrections - Tuesday, May 17, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3760)

K-12, School Aid, Education - Thursdays, May 12, 1:30 p.m., and May 19, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-6960)

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

Education - Thursday, May 12, 2:00 p.m., Room 210, Farnum Building (373-6920)

Health Policy - Wednesday, May 11, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Judiciary - Friday, May 13, 10:00 a.m., Caledonia Sportsmen's Club, 10721 Coldwater Road, Caledonia (373-3760)

Technology and Energy - Wednesday, May 11, 3:00 p.m., Room 210, Farnum Building (373-7350)

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

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, May 11, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

