

**No. 50**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2003**

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Senate Chamber, Lansing, Tuesday, May 27, 2003.

10:00 a.m.

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

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

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

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

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

Senator Gilda Z. Jacobs of the 14th District offered the following invocation:

We cannot merely pray to God to bring peace to our world, for we have already been blessed with the power to repair it. Every man and woman is already able to find the path of peace within himself and her neighbor.

We cannot merely pray to the Divine to end starvation and suffering, for we have already been blessed with the resources and the wisdom to become proper stewards of God's world.

We cannot merely pray to God to abolish prejudice, for we have already been blessed with the ability to see that God's Spirit lives in all God's children, and it is our own blindness that prevents us from embracing all humanity as brothers and sisters.

We cannot merely pray to God to solve the problems of our world without first recognizing our responsibilities. Therefore, we pray for the insight and the courage to use the strength, wisdom, and understanding with which we have already been blessed to make this a better world for all creative things.

We pray that we might save ourselves from the evils of our own doing, that our world may be safe and our lives may be blessed. May the words that we pray and the deeds that we do both be acceptable before God, the source from which all blessings flow.

May God, whose Spirit is with us in every righteous deed, be with us in our journey along the pathway of the years. We pray for God's strength, wisdom, and understanding to use the opportunities for good that each day brings. May the source of life bless us with peace and life, and let us say, Amen.

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

Senator Leland entered the Senate Chamber.

### Recess

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

11:14 a.m.

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

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

A quorum of the Senate was present.

### Motions and Communications

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

The following communication was received:  
Office of the Auditor General

May 22, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Financial Audit including the Provisions of the Single Audit Act of the Michigan Economic Development Corporation (A Component Unit of the State of Michigan), October 1, 2000 through September 30, 2002.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

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, May 22:  
**House Bill Nos. 4352 4579 4580 4581 4582 4609 4610 4611**

The Secretary announced that the following bills and joint resolution were available at the legislative Web site on Thursday, May 22:

**Senate Bill Nos.** 508 510 511 512 513  
**House Bill Nos.** 4713 4714 4715 4716 4717 4718  
**House Joint Resolution** G

The Secretary announced that the following bills and joint resolution were available at the legislative Web site on Friday, May 23:

**Senate Bill Nos.** 514 515 516 517 518  
**House Bill Nos.** 4719 4720 4721 4722 4723 4724 4725 4726 4727 4728 4729 4730 4731 4732  
 4733 4734 4735 4736 4737 4738 4739 4740 4741 4742 4743 4744 4745 4746  
 4747 4748 4749 4750  
**House Joint Resolution** H

### Messages from the Governor

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

**Senate Bill No. 195**

The motion prevailed.

The following message from the Governor was received and read:

May 22, 2003

I am writing to withdraw from consideration by the Senate the following appointment:

**Certificate of Need Commission**

Ms. Jean R. Landreville, 1712 Helen Street, Garden City, Michigan 48135, county of Wayne, appointed to a term expiring April 10, 2006.

Sincerely,  
 Jennifer M. Granholm  
 Governor

The message was referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

March 23, 2003

I respectfully submit for your approval the following appointments to office:

**Members, Michigan Veterans' Facilities Board of Managers**

Mr. Jasper McCain, 12644 Ilene, Detroit, Michigan 48238, county of Wayne, to reappointment, for a term commencing on May 20, 2003 and expiring on May 20, 2009.

Mr. Harvey D. Slotman, 736 Apple Avenue, Holland, Michigan 49423, county of Allegan, to succeed Mr. Leo J. LeRoux, for a term commencing on May 20, 2003 and expiring on May 20, 2009.

May 23, 2003

I respectfully submit for your approval the following appointment to office:

**Certificate of Need Commission**

Mr. Bradley Neal Cory, 110 Lakewood Lane, Marquette, Michigan 49855, county of Marquette, to succeed Ms. Jean Landreville, for a term commencing on May 23, 2003 and expiring April 14, 2006.

Sincerely,  
 Jennifer M. Granholm  
 Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

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

**Senate Bill No. 239**

**Senate Bill No. 395**

The motion prevailed.

**Senate Bill No. 117, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2001 PA 19.

(For text of amendment, see Senate Journal No. 48, p. 620.)

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

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

**Roll Call No. 130****Yeas—37**

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	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			

**Nays—0****Excused—1**

Johnson

**Not Voting—0**

In The Chair: President

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 118, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 2002 PA 672.

Substitute (H-2).

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

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

**Roll Call No. 131****Yeas—37**

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott
Bernero	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas

Brown  
Cassis  
Cherry

Goschka  
Hammerstrom

Patterson  
Prusi

Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Johnson

**Not Voting—0**

In The Chair: President

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

### **Third Reading of Bills**

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

**Senate Bill No. 121**  
**Senate Bill No. 106**  
**Senate Bill No. 314**  
**House Bill No. 4285**

The motion prevailed.

The following bill was read a third time:

#### **Senate Bill No. 121, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 3 (MCL 205.3), as amended by 2002 PA 657.

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. 132**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George

Hardiman  
Jacobs  
Jelinek  
Kuipers  
Leland  
McManus

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski

Brater  
Brown  
Cassis  
Cherry

Gilbert  
Goschka  
Hammerstrom

Olshove  
Patterson  
Prusi

Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Johnson

**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. 106, entitled**

A bill to designate an official state symbol for clean water in this state.

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. 133**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jacobs  
Jelinek  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Johnson

**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. 314, entitled**

A bill to allow the state to amend certain deeds.

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. 134**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	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			

**Nays—0**

**Excused—1**

Johnson

**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. 4285, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 2002 PA 94, and by adding section 92.

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. 135**

**Yeas—36**

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Bernero	Cropsey	Jelinek	Scott
Birkholz	Emerson	Kuipers	Sikkema
Bishop	Garcia	Leland	Stamas

Brater  
Brown  
Cassis  
Cherry

George  
Gilbert  
Goschka  
Hammerstrom

McManus  
Olshove  
Patterson  
Prusi

Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—0**

**Excused—1**

Johnson

**Not Voting—1**

Basham

In The Chair: President

Senator Schauer moved that Senator Basham be temporarily excused from the balance of today's session.  
The motion prevailed.

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 provide a retirement system for the public school employees of this state; to create 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 certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 89**

The motion prevailed.

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

**Senate Resolution No. 94**

**Senate Resolution No. 95**

The resolution consent calendar was adopted.

Senator Thomas offered the following resolution:

**Senate Resolution No. 94.**

A resolution to commemorate the 100th Anniversary of the Detroit Regional Chamber of Commerce.

Whereas, It is a great pleasure to extend this expression of honor and congratulate the Detroit Regional Chamber of Commerce on its 100th Anniversary; and

Whereas, On June 30, 1903, in the Turkish Room of the Cadillac Hotel, a new organization called the Detroit Board of Commerce was formally organized and incorporated under the state law with 235 charter members paying \$100 each to join. Its slogan was “For the General Good of Detroit”; and



Whereas, The Detroit Regional Chamber of Commerce is now the largest chamber of commerce in the United States with nearly 20,000 members throughout ten counties. Its slogan is "Powering the Economy of Southeast Michigan"; and

Whereas, Supporting the concept of regionalism in southeast Michigan, the Detroit Regional Chamber of Commerce represents the concerns of business and the region as a whole; and

Whereas, The Detroit Regional Chamber of Commerce is daily achieving its mission of powering the economy of southeast Michigan. It successfully advocates for sound public policy on behalf of its members at the local, regional, state, and national levels; now, therefore, be it

Resolved by the Senate, That the members of this legislative body honor and commend the Detroit Regional Chamber of Commerce upon its 100th Anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the Detroit Regional Chamber of Commerce as a token of our esteem.

Senators Allen, Toy, Switalski, Jacobs, Clarke, Jelinek, Brown, Cherry, Leland, Van Woerkom, Kuipers, Cassis, Cropsey, Clark-Coleman, Bishop, Schauer, Scott, Olshove and Goschka were named co-sponsors of the resolution.

Senator George offered the following resolution:

**Senate Resolution No. 95.**

A resolution commemorating Founders' Day, May 27, 2003, at Western Michigan University.

Whereas, It is with great respect for their tradition of excellence, a legacy carried on effectively by present faculty and staff, that we honor Western Michigan University upon the occasion of their Founders' Day celebration on May 27, 2003. The vital contributions this university has made to the quality of life for the people of Michigan are seen throughout the state, across the country, and around the world; and

Whereas, Western Michigan University was founded as Western State Normal School on May 27, 1903, as the state's fourth preparatory school for elementary teachers and the first in West Michigan. The location, atop Prospect Hill overlooking downtown Kalamazoo, was chosen as the site for the school in large part because of the accessibility to the city and the enthusiasm of its residents; and

Whereas, From humble beginnings a century ago as a small two-year school for teachers, with a twenty-acre campus and 117 students, Western Michigan University has grown to be one of the nation's top 100 public research institutions and the second-largest educator of Michigan's undergraduate students in the state; and

Whereas, Western Michigan University continues to build on the legacies of its proud past, bolstered by 158,000 supportive alumni and a loyal community. Nearly 30,000 students from every state in the Union and more than 100 other countries attend Western Michigan University, WMU is listed among the country's Most Wired Colleges and has been designated by the Carnegie Foundation as "Doctoral/Research Universities-Extensive," placing it in the highest category of its classification system for American colleges and universities; and

Whereas, We join Western Michigan University's newest leader, Judith I. Bailey, who will be installed as the university's seventh president on September 3, 2003, in expressing our great debt of gratitude to past university presidents Dwight B. Waldo, Paul V. Sangren, James W. Miller, John T. Bernhard, Diether H. Haenicke, and Elson S. Floyd for their vision, dedication, and determination; now, therefore, be it

Resolved by the Senate, That we proudly congratulate Western Michigan University for 100 years of educational distinction on this Founders' Day, May 27, 2003, and honor all those who have contributed to the significant accomplishments of this great university; and be it further

Resolved, That a copy of this resolution be transmitted to Western Michigan University as evidence of our high esteem.

Senators Allen, Birkholz, Toy, Switalski, Jacobs, Clarke, Jelinek, Brown, Cherry, Leland, Van Woerkom, Kuipers, Cassis, Cropsey, Bishop, Schauer, Olshove and Goschka were named co-sponsors of the resolution.

**Senate Concurrent Resolution No. 5.**

A concurrent resolution calling for the creation of a Great Lakes legislative caucus.

Substitute (H-1).

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

The substitute was concurred in.

The concurrent resolution was referred to the Secretary for record.

Senator Basham entered the Senate Chamber.

Senators Patterson, Birkholz, Jelinek, Cropsey, Hardiman, Brown, Gilbert and Van Woerkom offered the following resolution:

**Senate Resolution No. 92.**

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to remove the provisions that allow the deductibility of gambling losses.

Whereas, The provisions of our tax laws generally reflect our society's efforts to encourage certain activities that are felt to be valuable to our country and our way of life. Tax policies impact not only the revenues through which public policies are carried out, but also the attitudes that help define the American character; and

Whereas, One area of the Internal Revenue Code that may not reflect our collective priorities is the policy that allows gambling losses to be deducted from gambling winnings to reduce tax liability. This deduction, which is available to taxpayers who itemize their deductions, can cut a person's taxes significantly by effectively reducing the amount of winnings for the filer; and

Whereas, Many citizens and organizations feel that any governmental incentive for gambling is wrong. There is a big difference between gambling being legal and gambling being encouraged in any way by our tax policies. In effect, the deductions for gambling losses that can be used to offset winnings are being subsidized by taxpayers who do not gamble, since the deductions reduce overall tax revenue to support the work of government. This policy should be changed; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to amend the Internal Revenue Code to remove the provisions that allow the deductibility of gambling losses; 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 Finance.

The motion prevailed.

Senators Kuipers, Cassis, Stamas, Bishop, Garcia, Switalski, Toy and Jacobs were named co-sponsors of the resolution.

Senators Patterson, Bishop and Toy offered the following resolution:

**Senate Resolution No. 93.**

A resolution to memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited commercial email.

Whereas, An increasing problem to individuals and businesses using email is the growing volume of unsolicited commercial email messages. What started as an annoyance has become a major problem for many, with estimates of several billion unsolicited messages sent every week. The cost of this mail, both in lost worker time and adding computer equipment to process or block the spam, is an increasing burden for those receiving spam, while the costs to senders are negligible; and

Whereas, Along with the problems created by the accelerating volume of spam, other components of this issue include the number of deceptive and offensive messages and the use of this technology to operate a variety of scams; and

Whereas, Many states, including Michigan, have discussed ways to cope with the onslaught of unsolicited commercial messages. Congress has also faced this issue. Numerous approaches have been mentioned. These range from requiring truthfulness in return addresses to efforts to increase vigilance against fraud to the creation of "do-not-spam" lists. While the appropriate form of federal response may take one of these or other strategies, it is increasingly clear that federal action is essential and holds far more promise of dealing with the problem effectively than state actions alone; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited commercial email; 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 Technology and Energy.

The motion prevailed.

Senators Prusi, Jelinek, Bernero, Kuipers, Allen, Cassis, Thomas, Stamas, Van Woerkom, Birkholz, Cherry, Garcia, Clarke, Switalski, Goschka, Jacobs, Brown, Leland, Cropsey, Schauer and Olshove were named co-sponsors of the resolution.

Senators Bishop, Patterson, Allen and Toy offered the following concurrent resolution:

**Senate Concurrent Resolution No. 24.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited commercial email.

Whereas, An increasing problem to individuals and businesses using email is the growing volume of unsolicited commercial email messages. What started as an annoyance has become a major problem for many, with estimates of several billion unsolicited messages sent every week. The cost of this mail, both in lost worker time and adding computer equipment to process or block the spam, is an increasing burden for those receiving spam, while the costs to senders are negligible; and

Whereas, Along with the problems created by the accelerating volume of spam, other components of this issue include the number of deceptive and offensive messages and the use of this technology to operate a variety of scams; and

Whereas, Many states, including Michigan, have discussed ways to cope with the onslaught of unsolicited commercial messages. Congress has also faced this issue. Numerous approaches have been mentioned. These range from requiring truthfulness in return addresses to efforts to increase vigilance against fraud to the creation of "do-not-spam" lists. While the appropriate form of federal response may take one of these or other strategies, it is increasingly clear that federal action is essential and holds far more promise of dealing with the problem effectively than state actions alone; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited commercial email; 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 concurrent 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 concurrent resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senators Prusi, Jelinek, Bernero, Kuipers, Cassis, Thomas, Stamas, Van Woerkom, Birkholz, Garcia, Clarke, Switalski, Goschka, Jacobs, Brown, Leland, Cropsey, Schauer and Olshove were named co-sponsors of the concurrent resolution.

### **House Concurrent Resolution No. 13.**

A concurrent resolution to urge the United States Secretary of Agriculture, the United States Trade Representative, and the President of the United States to take actions to enforce NAFTA agreements and work with Mexican authorities to reopen the border with Mexico to shipments of dry beans.

Whereas, In January 2003, border officials in Mexico closed the border to shipments of dry beans. No notice or reason was provided, although Mexican authorities have subsequently made references to problems with "under invoicing." In the meantime, dozens of rail cars loaded with dry beans sit at the border, awaiting resolution of the dispute; and

Whereas, The rail cars of crops, which face ruin if much more time passes, represent a potentially devastating loss to American farmers and suppliers. The costs rise every day. The losses reach far beyond growers to shippers and owners of equipment as well. United States growers have also been frustrated by reports that Mexico may permit shipments of Canadian crops to cross the border; and

Whereas, The United States continues to import tons of various crops from Mexico every day in the midst of this inexplicable embargo. The damage that this impasse may ultimately cause could extend far beyond the rail cars sitting idle at the border. Growers making decisions on what to plant now may well turn to other crops; and

Whereas, Disruption in trade between our two countries is much more than frustrating to a specific segment of American agriculture. Without a just and quick resolution of this problem, the progress that has been made in opening up markets may be jeopardized as well; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Secretary of Agriculture, the United States Trade Representative, and the President of the United States to take actions to enforce NAFTA agreements and work with Mexican authorities to reopen the border with Mexico to the shipment of dry beans; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Agriculture, the United States Trade Representative, and the Office of the President of the United States.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Agriculture, Forestry and Tourism.

The motion prevailed.

Senators Prusi, Jelinek, Allen, Thomas, Van Woerkom, Garcia, Clarke, Cropsey, Switalski, Goschka and Jacobs were named co-sponsors of the concurrent resolution.

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

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

The motion prevailed.

Senator George's statement is as follows:

I rise to address one of the resolutions that we passed that's relevant to my district, Senate Resolution No. 95, which noted the 100th anniversary of the founding of Western Michigan University. It is a university now that has nearly 30,000 students and has grown from its Founders' Day, May 27. I wanted to highlight a couple features from Western's past that are not included in the resolution having to do with its founding.

There had been a debate over the creation of a normal teacher's college for the western side of the state, and Kalamazoo was in the running as a site under consideration. The Kalamazoo Press Club was formed. This was a group of local businessmen who lobbied the Legislature in 1903 for selection of the site. They took a proposal to the citizens of Kalamazoo in the form of a millage and asked the citizens whether or not they would approve a millage to help fund this new university. In the millage, there was a proposal for electrical lighting, for the city to donate land, and to provide teachers for this new university. It passed on a vote of the Kalamazoo citizens with the help of women voters who could then vote in municipal elections. It passed 7 to 1. The Press Club took this proposal then to the Legislature, and it was accepted. Kalamazoo then became the site for Western Michigan University. It's a great example of how a local community worked with its business community, the educational community, and then the state to bring a state institution to its community.

Today, we now have an institution of nearly 30,000 students, and as you may know, we have a transition because we've just recently named a new president at Western Michigan University, Judith Bailey, who will be installed as the university's seventh president on September 3, 2003, just in time to take over Western as it begins its second century.

By unanimous consent the Senate returned to the order of  
**Introduction and Referral of Bills**

Senators Schauer, Prusi, Clark-Coleman, Basham, Jelinek, Cropsey, Leland, Barcia, George, McManus, Stamas, Garcia and Thomas introduced

**Senate Bill No. 519, entitled**

A bill to prevent certain unfair methods of competition and pricing practices in the distribution of motor fuel; to prescribe powers and duties of certain state officers and agencies and the courts; and to provide remedies, fines, and penalties for violations of this act.

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

Senators Brown, Jelinek, McManus, Kuipers, Switalski, Basham, Birkholz, Garcia, Toy, George, Goschka, Hardiman, Hammerstrom, Cropsey, Barcia, Allen and Brater introduced

**Senate Bill No. 520, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7cc and 53b (MCL 211.7cc and 211.53b), as amended by 2002 PA 624.

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

**House Bill No. 4352, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82131 (MCL 324.82131), as added by 1995 PA 58.

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

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

**House Bill No. 4579, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 1135 (MCL 491.1135), as added by 2002 PA 185.

The House of Representatives has passed the bill by a 2/3 vote 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 Banking and Financial Institutions.

**House Bill No. 4580, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4406 (MCL 487.14406), as added by 2002 PA 183.

The House of Representatives has passed the bill by a 2/3 vote 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 Banking and Financial Institutions.

**House Bill No. 4581, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 514 (MCL 487.3514), as added by 2002 PA 247.

The House of Representatives has passed the bill by a 2/3 vote 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 Banking and Financial Institutions.

**House Bill No. 4582, entitled**

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," by amending section 16c (MCL 490.16c), as added by 2002 PA 184.

The House of Representatives has passed the bill by a 2/3 vote 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 Banking and Financial Institutions.

**House Bill No. 4609, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and sections 2, 8, 9, 10, 16, 17, 18, 20, 21, 23, and 25 (MCL 431.302, 431.308, 431.309, 431.310, 431.316, 431.317, 431.318, 431.320, 431.321, 431.323, and 431.325), sections 9 and 10 as amended by 2000 PA 164, sections 17 and 18 as amended by 1998 PA 408, and section 20 as amended by 2000 PA 471, and by adding a heading for article 1 and adding section 19b and articles 2 and 3.

The House of Representatives has passed the bill by a 2/3 vote 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 Gaming and Casino Oversight.

**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 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 Gaming and Casino Oversight.

**House Bill No. 4611, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14d of chapter XVII (MCL 777.14d), as added by 2002 PA 29.

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 Gaming and Casino Oversight.

### Committee Reports

The Committee on Transportation reported

**Senate Bill No. 509, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 732a. With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 1, line 6, after "(2)," by striking out "a" and inserting "an additional".
2. Amend page 2, line 3, after "Upon" by striking out "being notified by a court" and inserting "posting of an abstract".

3. Amend page 2, line 21, after “**Upon**” by striking out “**being notified by a court**” and inserting “**posting of an abstract**”.
4. Amend page 3, line 4, after “**Upon**” by striking out “**being notified by a court**” and inserting “**posting of an abstract**”.
- The committee further recommends that the bill be given immediate effect.

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Basham

Nays: Senator Leland

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Wednesday, May 21, 2003, at 4:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kuipers, Goschka, Leland and Basham

The Committee on Families and Human Services reported

**Senate Resolution No. 71.**

A resolution to memorialize Congress to include funding for the American Red Cross Armed Forces Emergency Services in the National Defense Authorization Act and the Department of Defense Appropriations Act for fiscal year 2004.

(For text of resolution, see Senate Journal No. 37, p. 429.)

With the recommendation that the resolution be adopted.

Bill Hardiman  
Chairperson

To Report Out:

Yeas: Senators Hardiman, Jacobs and Clark-Coleman

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Families and Human Services reported

**Senate Concurrent Resolution No. 21.**

A concurrent resolution to memorialize Congress to include funding for the American Red Cross Armed Forces Emergency Services in the National Defense Authorization Act and the Department of Defense Appropriations Act for fiscal year 2004.

(For text of resolution, see Senate Journal No. 37, p. 430.)

With the recommendation that the concurrent resolution be adopted.

Bill Hardiman  
Chairperson

To Report Out:

Yeas: Senators Hardiman, Jacobs and Clark-Coleman

Nays: None

The concurrent resolution was placed on the order of Resolutions.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Thursday, May 22, 2003, at 8:30 a.m., Room 210, Farnum Building

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

Excused: Senator Hammerstrom

The Committee on Appropriations reported

**Senate Bill No. 433, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 629e and 907 (MCL 257.629e and 257.907), section 629e as amended by 2001 PA 213 and section 907 as amended by 2002 PA 534.

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 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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8727, 8729, 8731, 8733, 8735, 8827, 8829, and 8835 (MCL 600.8727, 600.8729, 600.8731, 600.8733, 600.8735, 600.8827, 600.8829, and 600.8835), sections 8727, 8729, 8731, and 8733 as added by 1994 PA 12 and sections 8735, 8827, 8829, and 8835 as added by 1995 PA 54.

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 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. 435, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8381 (MCL 600.8381), as amended by 1996 PA 374.

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 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. 436, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1j to chapter IX.

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 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. 437, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIII (MCL 712A.18), as amended by 2000 PA 55, and by adding section 18m to chapter XIII.

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 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. 438, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 321, 880, 880a, 880b, 1027, 2529, 5756, 8371, and 8420 (MCL 600.321, 600.880, 600.880a, 600.880b, 600.1027, 600.2529, 600.5756, 600.8371, and 600.8420), section 321 as amended by 1997 PA 182, sections 880 and 880b as amended by 2000 PA 56, section 880a as added and sections 5756 and 8420 as amended by 1993 PA 189, section 1027 as added by 1996 PA 388, and sections 2529 and 8371 as amended by 2002 PA 605, and by adding section 171.

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 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. 439, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 181.

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 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. 440, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 185.

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 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. 441, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 175.

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 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. 442, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 16a, 44a, and 81 (MCL 780.766a, 780.794a, and 780.831), sections 16a and 44a as added by 2000 PA 503 and section 81 as amended by 1996 PA 562.

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 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. 443, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 29 of chapter XIIA (MCL 712A.29), as added by 1993 PA 344.

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 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. 444, entitled**

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending sections 5 and 6 (MCL 12.205 and 12.206), section 6 as amended by 1998 PA 98.

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 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. 445, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2001 PA 87.

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 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. 446, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18k of chapter XIII (MCL 712A.18k), as amended by 2001 PA 91.

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 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. 447, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520m (MCL 750.520m), as amended by 2001 PA 89.

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 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. 448, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

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 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. 449, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 22 of chapter XV (MCL 775.22), as added by 1993 PA 343.

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 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. 450, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 1999 PA 271.

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 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. 451, entitled**

A bill to amend 1988 PA 260, entitled "Community dispute resolution act," by amending section 10 (MCL 691.1560), as amended by 1993 PA 286.

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 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.

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, May 21, 2003, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Excused: Senator Johnson (C)

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4257, entitled**

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

With the recommendation that the substitute (S-5) be adopted and that the bill then pass.

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

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Patterson and Van Woerkom

Nays: None

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:  
Meeting held on Thursday, May 22, 2003, at 8:00 a.m., Room 100, Farnum Building  
Present: Senators Birkholz (C), Patterson, Van Woerkom, Brater and Basham

The Committee on Agriculture, Forestry and Tourism reported  
**Senate Resolution No. 87.**

A resolution to memorialize the Congress of the United States to continue providing assistance to Michigan to help eradicate bovine tuberculosis.

(For text of resolution, see Senate Journal No. 45, p. 580.)

With the recommendation that the resolution be adopted.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Agriculture, Forestry and Tourism reported  
**Senate Resolution No. 88.**

A resolution to memorialize the United States Department of Agriculture to adopt the proposed regulation allowing Michigan to be designated as having split-state status with regard to bovine tuberculosis.

(For text of resolution, see Senate Journal No. 45, p. 581.)

With the recommendation that the resolution be adopted.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The resolution was placed on the order of Resolutions.

### COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:  
Meeting held on Thursday, May 22, 2003, at 8:30 a.m., Room 110, Farnum Building  
Present: Senators Van Woerkom (C), Gilbert, Jelinek and Brater  
Excused: Senator Thomas

### Scheduled Meetings

**Agriculture, Forestry and Tourism** - Thursday, May 29, 9:00 a.m., Room 110, Farnum Building (373-1635)

#### Appropriations -

##### Subcommittees -

**Agriculture** - Thursday, May 29, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-5932)

**Community Colleges** - Wednesdays, May 28 (CANCELED) and June 4, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

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

**Higher Education** - Friday, May 30, 10:00 a.m., Alma College, Tyler-Van Dusen Student Center, Jones Auditorium, 614 West Superior Street, Alma; and Wednesday, June 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**Judiciary and Corrections** - Tuesday, June 3, 3:00 p.m., Room 210, Farnum Building (373-3760)

**K-12, School Aid, Education** - Thursdays, May 29 and June 5, 1:00 p.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Natural Resources Department** - Tuesday, June 3, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Banking and Financial Institutions** - Thursday, May 29, 12:00 noon, Room 100, Farnum Building (373-2417)

**Business Competitiveness Joint Select Committee (SCR 3)** - Monday, June 9, 10:30 a.m., City Council Chambers, 147 Wabash, Milan (373-7670)

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

**Finance** - Wednesday, May 28, 1:00 p.m., Room 110, Farnum Building (373-1758)

**Health Policy** - Wednesday, May 28, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3543)

**Legislative Retirement Board of Trustees** - Wednesday, May 28, 3:00 p.m., Room H-252, Capitol Building (373-0575)

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

**Natural Resources and Environmental Affairs and House Land Use and Environment, Joint** - Wednesday, May 28, 6:30 p.m., Meads Mill Middle School, Rondel Media Center, 16700 Franklin Road, Northville; and Tuesday, June 3, 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (formerly Michigan National Tower) (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, May 28, 1:00 p.m., Room 100, Farnum Building (373-1707)

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

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:46 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, May 28, 2003, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

