

No. 41
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Wednesday, May 3, 2006.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Patricia L. Birkholz.

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

Allen—present
Barcia—present
Basham—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
Whitmer—present

Pastor Bob Hegdal of St. John's Lutheran Church of Redford offered the following invocation:

Humbling God, the pathway that You place before us often seems daunting. We are thankful for Your presence with us as we face the challenges You put before us. You always grant us the ability to feel Your love, support, and guidance as we attempt to live our lives in a way that is pleasing in Your sight.

Gracious Creator, we come before You today asking Your continued blessing for those who humbly serve our state. We ask that You lead, guide, mold, shape, and support those entrusted with leading us. We know that You never give us more than we can handle; that You have empowered these individuals who have dedicated their lives to be servants. We ask that they may realize that You have gifted each of them with the ability to be change agents for the betterment of our world. Allow them to fully understand their place in Your creation and their role as leaders.

Loving God, You bless each day with a love that knows no boundary or limit. We ask that with love You support our Legislature as they go about the process of leading our state. They have been brought here by Your people to be of the people and to serve the people's interests. Make them agents of hope where hope is needed, catalysts where change is needed, anchors where support is needed, visionaries where vision is needed, and peacemakers and calm voices in the midst of chaos. We ask thanks for their dedication to serve all people.

God of hope, continue to give us the ability to be Your servants. We dedicate our lives to be Your people. We acknowledge that the gifts of leadership have been entrusted to us. We realize fully the gift of leadership comes with an awesome responsibility. We thank You for the ways You remind us each day that You have fed, equipped, empowered, and sent us to this place to represent Your people. We are thankful for all the ways You bless us and make Your presence known to us.

And all those gathered are invited to say, Amen.

The President pro tempore, Senator Birkholz, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

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

Senator Hammerstrom moved that consideration of the following bill be postponed for today:
Senate Bill No. 246
The motion prevailed.

Senator Clarke entered the Senate Chamber.

The following communication was received:
Department of Human Services

April 21, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Renewal	Alger/Schoolcraft County DHS	CP770200936

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 report may also be viewed on our website, within 48 hours, under "News, Publications and Information" at the following address: <http://www.michigan.gov/dhs/>.

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 following communication was received:
Department of Education

May 1, 2006

In accordance with PA 84 of 2006, subsection 1535a (16), the attached document details the number of individuals holding a teaching certificate or state board approval who were school employees or regularly and continuously

working under contract as of January 1, 2006, and who have been convicted of a listed offense or any felony. The data for this report is derived from the December 2005 Registry of Educational Personnel (REP) and the criminal convictions list produced by the Michigan State Police.

School districts with employees who have listed offense convictions have been notified by the Michigan Department of Education (MDE) of their responsibility to terminate those individuals.

Please be advised that the MDE is still in the process of notifying local districts of their employees with criminal convictions.

Jeremy M. Hughes, Ph.D.
Deputy Superintendent
Chief Academic Officer

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 Wednesday, May 3:
House Bill Nos. 5014 5015 5960

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 pro tempore, Senator Birkholz, designated Senator Bishop as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 1171, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 168 (MCL 750.168) and by adding section 167d.

Substitute (S-1).

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

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

Senate Bill No. 1229, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

Substitute (S-1).

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

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

House Bill No. 5887, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 168 (MCL 750.168) and by adding section 167d.

Substitute (S-1).

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

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

House Bill No. 5888, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1199, entitled

A bill to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1168, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” by amending the title and section 2 (MCL 285.302).

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1169, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” (MCL 285.301 to 285.304) by adding section 2a.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1167, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” (MCL 285.301 to 285.304) by adding section 2b.

Substitute (S-2).

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

During the Committee of the Whole, Senator Stamas entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

The motion prevailed.

Senator Bishop’s statement is as follows:

If I might be joined by the starting lineup from Oakland County—my colleagues Senator Cherry, Senator Jacobs, Senator Cassis, and Senator Johnson, all from Oakland County—we would like to take this opportunity to recognize some very special guests all located in the east Gallery.

This chamber is very lucky to have a college basketball powerhouse right down the street. Every year we get a chance to watch the University of Michigan play a lot of great basketball. This year they missed the NCAA Tournament, but we did have the opportunity to watch one of our great women’s basketball teams—all from Rochester, Michigan, Oakland County—the Oakland University Women’s Basketball Team who’s located in the east Gallery. They had a thrilling victory to win the MCC Tournament and beat a rival in a thrilling win to capture the tournament and to move on to the NCAA Tournament. This is the second time they’ve done that in five years, and we thought it would be nice to have them come up here today and be recognized. We hope that the rest of our colleagues here in the Senate will help the Oakland County delegation welcome them to the Senate.

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

Senate Bill No. 1171

Senate Bill No. 1199

Senate Bill No. 1229
House Bill No. 5887
House Bill No. 5888

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

The following bill was read a third time:

Senate Bill No. 1171, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 168 (MCL 750.168).

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. 280

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Schauer

In The Chair: Birkholz

The Senate agreed to the title of the bill.

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

Senator Schauer entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1199, entitled

A bill to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for 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. 281**Yeas—38**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	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	Sanborn	Whitmer
Clark-Coleman	Jacobs		

Nays—0**Excused—0****Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1229, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

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. 282**Yeas—38**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	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	Sanborn	Whitmer
Clark-Coleman	Jacobs		

Nays—0**Excused—0**

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5887, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 167d.

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. 283

Yeas—38

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	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	Sanborn	Whitmer
Clark-Coleman	Jacobs		

Nays—0

Excused—0

Not Voting—0

In The Chair: Birkholz

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 revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5888, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

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. 284**Yeas—38**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	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	Sanborn	Whitmer
Clark-Coleman	Jacobs		

Nays—0**Excused—0****Not Voting—0**

In The Chair: Birkholz

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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

Senator Schauer stated that had he been present earlier today when the vote was taken on the passage of the following bill, he would have voted “yea”:

Senate Bill No. 1171

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. 71

The motion prevailed.

Senate Resolution No. 94.

A resolution to memorialize the Congress of the United States to oppose the SMART Act, which would create mandatory federal standards and regulation of commerce.

The question being on the adoption of the following committee substitute:

Substitute (S-1).

The substitute was adopted.

The resolution, as substituted, was adopted.

Introduction and Referral of Bills

Senators Switalski, Schauer and Basham introduced

Senate Bill No. 1242, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

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

House Bill No. 5014, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

The House of Representatives has passed the bill.

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

House Bill No. 5015, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5901, 5911, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5911, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5906; and to repeal acts and parts of acts.

The House of Representatives has passed the bill.

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

House Bill No. 5960, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 78101 (MCL 324.78101), as amended by 2004 PA 587, and by adding section 78117.

The House of Representatives has passed the bill.

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

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

I have from my website one of my Grosse Pointe Farms constituents. It says, "My home insurance jumped drastically a couple of years ago. When I called my agent, he said it was because of 9/11. Excuse me, we've had more disasters that cost more money than 9/11. They're using this as a way of gouging because they think people will feel guilty and not argue with this reasoning. We own two condos in Colorado on more land than our home in Grosse Pointe is on. The yearly insurance is \$700. Our insurance in Grosse Pointe is \$1,580. It has almost doubled in the last three years."

Committee Reports

The Committee on Government Operations reported

Senate Resolution No. 105.

A resolution to memorialize the United States Congress to adopt and transmit to the states for ratification an amendment to the U.S. Constitution that would ensure that apportionment is based on citizens and not non-citizens.

(For text of resolution, see Senate Journal No. 26, p. 445.)
 With the recommendation that the resolution be adopted.

Kenneth R. Sikkema
 Chairperson

To Report Out:

Yeas: Senators Sikkema, Allen, Cassis, Emerson and Jacobs
 Nays: Senator Thomas
 The resolution was placed on the order of Resolutions.

The Committee on Government Operations reported

Senate Concurrent Resolution No. 41.

A concurrent resolution urging the Republican National Committee to consider Detroit as the host site for the 2008 Republican National Convention.

(For text of resolution, see Senate Journal No. 25, p. 426.)

With the recommendation that the concurrent resolution be adopted.

Kenneth R. Sikkema
 Chairperson

To Report Out:

Yeas: Senators Sikkema, Allen, Cassis, Emerson, Jacobs and Thomas
 Nays: None
 The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Monday, May 1, 2006, at 1:07 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sikkema (C), Allen, Cassis, Emerson, Jacobs and Thomas

Excused: Senator Hammerstrom

The Committee on Transportation reported

House Bill No. 5638, entitled

A bill to enter into the midwest interstate passenger rail compact to promote intergovernmental coordination aimed at development and promotion of intercity passenger rail transportation; to promote long-range planning for high-speed rail passenger service in the midwest; to describe the powers and duties of certain commissions; and to provide for ratification and a method of termination.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
 Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers and Goschka
 Nays: Senators Leland and Basham
 The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, May 2, 2006, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Judiciary reported

Senate Bill No. 1032, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter XI (MCL 771.1), as amended by 2004 PA 219.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1203, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3240 and 3241a (MCL 600.3240 and 600.3241a), section 3240 as amended by 2004 PA 538 and section 3241a as added by 1986 PA 94.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Schauer

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 1212, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 357c.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1213, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2002 PA 279.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1233, entitled

A bill to amend 2004 PA 378, entitled "Public body law enforcement agency act," by amending section 4 (MCL 28.584).

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4171, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5739 (MCL 600.5739).

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.

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5747, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXVIIA.

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.

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5748, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2004 PA 424.

With the recommendation that the bill pass.

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

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 2, 2006, at 1:05 p.m., Room 210, Farnum Building

Present: Senators Cropsey (C), Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, May 2, 2006, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Garcia (C) and Switalski

Excused: Senator McManus

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Transportation submitted the following:

Meeting held on Tuesday, May 2, 2006, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas and Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Public hearing held on Tuesday, May 2, 2006, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Toy, McManus, Schauer and Olshove

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, May 2, 2006, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Cropsy (C), Brown, Garcia, Switalski and Prusi

Scheduled Meetings**Appropriations -****Subcommittees -**

Agriculture - Thursdays, May 4, May 11 and May 18, 3:30 p.m., Room 100, Farnum Building (373-5932)

Capital Outlay - Thursday, May 4, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce, Labor and Economic Development - Wednesdays, May 10 and May 17, 3:00 p.m., Room 405, Capitol Building (373-2420)

General Government - Tuesdays, May 9 and May 16, 1:00 p.m., Room 405, Capitol Building (373-2420)

History, Arts, and Libraries - Tuesdays, May 9 and May 16, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

Human Services Department - Wednesdays, May 10 and May 17, 8:00 a.m., Rooms 402 and 403, Capitol Building (373-1801)

Judiciary and Corrections - Tuesday, May 16, 3:00 p.m., Room 402, Capitol Building (373-3760)

State Police and Military Affairs - Thursdays, May 4, May 11 and May 18, 2:00 p.m., Room 100, Farnum Building (373-5932)

Transportation Department - Tuesdays, May 9, May 16 and May 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Local, Urban and State Affairs - Thursday, May 4, 1:00 p.m., Room 110, Farnum Building (373-1707)

Natural Resources and Environmental Affairs/House Natural Resources, Great Lakes, Land Use and Environment - Tuesday, May 9, 3:00 p.m., Room 519, South Tower, House Office Building (373-3447)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 10:57 a.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Thursday, May 4, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

