

**No. 53**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**93rd Legislature**  
**REGULAR SESSION OF 2005**

---

Senate Chamber, Lansing, Tuesday, June 7, 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 not present.

Allen—present  
Barcia—present  
Basham—present  
Bernero—present  
Birkholz—present  
Bishop—present  
Brater—excused  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—excused  
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—excused  
Sikkema—present  
Stamas—present  
Switalski—present  
Thomas—excused  
Toy—present  
Van Woerkom—present

Reverend Dr. Jesse James of First Congregational Church of Eaton Rapids offered the following invocation:

As we take this brief moment from our day, may we each be renewed for the challenges that the day may present to us. May we be ever mindful of the gift of time that we are given and to be wise stewards of what has been given to us; that each of us who have been entrusted with the care of people diligently remember that their trust is sacred and a great responsibility.

May each who toil over the leading of this state—the unsung heroes of everyday tasks and the great momentous and historical decisions—be blessed. May their families also be blessed as they have a great burden of sacrifice in being in the public eye and scrutiny. May they be given strength for the burdens that they bear.

Bless our nation, this state, its leaders, and the people. Amen.

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

### Recess

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

10:37 a.m.

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

During the recess, Senators Stamas, Emerson, Gilbert, Barcia, Toy, Brown, Bishop, Johnson, Van Woerkom, Sikkema, Hammerstrom, Jelinek, Cassis, McManus, Cropsey, Hardiman, Garcia and Allen entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

The following communication was received:  
Office of Drug Control Policy

May 23, 2005

In accordance with MCL 333.7524, I am pleased to present to the Michigan Legislature the 13th comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2004, over \$18.7 million in cash and assets amassed by drug traffickers was forfeited and put back into the fight against drugs through the use of state and federal forfeiture laws. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving several agencies at the federal, state, and local levels.

Forfeiture funds were used to further enforce drug laws by providing resources for drug enforcement personnel, needed equipment, undercover informant and investigative costs, and matching funds to obtain federal grants. Some of the forfeited assets were also used for drug and gang prevention education programs.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,  
Yvonne Blackmond  
Director

The communication was referred to the Secretary for record

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 2:  
**House Bill Nos. 4024 4398**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, June 2, for her approval the following bill:

**Enrolled Senate Bill No. 195 at 1:50 p.m.**

The Secretary announced that the following official bills were printed on Thursday, June 2, and are available at the legislative website:

**House Bill Nos. 4852 4853 4854 4855 4856**

The Secretary announced that the following official bills were printed on Friday, June 3, and are available at the legislative website:

**Senate Bill Nos. 554 555 556 557 558 559 560 561 562 563**

**House Bill Nos. 4857 4858 4859 4860 4861 4862 4863 4864 4865 4866 4867 4868**

Senators Goschka, George and Kuipers entered the Senate Chamber.

Senator Schauer moved that Senators Brater, Clarke, Scott and Thomas be excused from today's session.  
The motion prevailed.

### Messages from the Governor

The following message from the Governor was received:

Date: June 2, 2005

Time: 9:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 332 (Public Act No. 33), being**

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 3103, 3104, and 3112 (MCL 324.3103, 324.3104, and 324.3112), sections 3103 and 3112 as amended by 2004 PA 91 and section 3104 as amended by 2004 PA 325.

(Filed with the Secretary of State on June 6, 2005, at 1:42 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received and read:

June 3, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office pursuant to Executive Order 2001-5, MCL 28.621:

**Michigan Commission on Law Enforcement Standards**

Mr. Ronald J. Bretz of 3521 Delta River Drive, Lansing, Michigan 48906, county of Ingham, succeeding Douglas Mullkoff, whose term has expired, representing individuals submitted by the Criminal Defense Attorneys of Michigan, for a term commencing June 3, 2005 and expiring November 1, 2007.

Mr. James D. Bosscher of 8252 West Falmouth Road, McBain, Michigan 49657, county of Missaukee, reappointed to represent elected sheriffs submitted by the Michigan Sheriffs' Association, for a term expiring November 1, 2007.

Mr. David L. Morse of 1752 Town Commons Drive, Howell, Michigan 48855, county of Livingston, reappointed to represent individuals submitted by the Prosecuting Attorneys Association of Michigan, for a term expiring November 1, 2007.

Mr. Jeffrey D. Werner of 5505 Ideal Place, Orchard Lake, Michigan 48303, county of Ingham, reappointed to represent individuals submitted by the Michigan Association of Chiefs of Police, for a term expiring November 1, 2007.

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. 352**

**House Bill No. 4434**

**Senate Bill No. 282**

The motion prevailed.

#### **Senate Bill No. 226, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 23.

Substitute (H-3).

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. 190**

**Yeas—34**

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

**Nays—0**

**Excused—4**

|        |        |       |        |
|--------|--------|-------|--------|
| Brater | Clarke | Scott | Thomas |
|--------|--------|-------|--------|

**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 bill be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 224**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 224, entitled**

A bill to amend 2002 PA 49, entitled “Michigan broadband development authority act,” by amending section 7 (MCL 484.3207), as amended by 2003 PA 265.

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. 191**

**Yeas—32**

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

**Nays—2**

|           |         |
|-----------|---------|
| Patterson | Sanborn |
|-----------|---------|

**Excused—4**

|        |        |       |        |
|--------|--------|-------|--------|
| Brater | Clarke | Scott | Thomas |
|--------|--------|-------|--------|

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Cropsey 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:

**House Bill No. 4551, 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.

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

**Senate Bill No. 406, entitled**

A bill to prescribe the procedures, terms, and conditions for the qualification or approval of school bonds and other bonds; to authorize this state to make loans to certain school districts for the payment of certain bonds and to authorize schools to borrow from this state for that purpose; to prescribe the terms and conditions of certain loans to school

districts; to prescribe the powers and duties of certain state agencies and certain state and local officials; to provide for certain fees; to prescribe certain penalties; and to repeal acts and parts of acts.

Substitute (S-3).

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

1. Amend page 8, line 7, after “after” by striking out “September 30, 2005” and inserting “November 8, 2005”.
2. Amend page 9, line 2, after “be” by striking out the balance of the line through “60” on line 3 and inserting “not later than 72”.
3. Amend page 9, line 7, after “due” by striking out the balance of the line through “60” on line 9 and inserting “not later than 72”.
4. Amend page 15, line 22, after “than” by striking out “\$2,000.00” and inserting “\$5,000.00”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 407, entitled**

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” by amending the title and sections 3, 7, and 8 (MCL 141.1053, 141.1057, and 141.1058), the title and sections 3 and 7 as amended by 2000 PA 416 and section 8 as amended by 2003 PA 109, and by adding section 16c.

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 amendment, the following bill:  
**Senate Bill No. 408, entitled**

A bill to amend 1961 PA 112, entitled “An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation,” by amending sections 2 and 4 (MCL 388.982 and 388.984), section 2 as amended by 2000 PA 245 and section 4 as amended by 1991 PA 64.

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

1. Amend page 2, line 19, by striking out all of enacting section 1 and inserting:  
“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:  
(a) Senate Bill No. 406.  
(b) Senate Bill No. 407.  
(c) Senate Bill No. 410.  
(d) Senate Bill No. 411.”.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 410, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 17a (MCL 388.1617a), as amended by 2002 PA 71.

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. 411, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2004 PA 418.

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.

### Resolutions

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

**Senate Resolution No. 39**

The resolution consent calendar was adopted.

Senator Brown offered the following resolution:

**Senate Resolution No. 39.**

A resolution commemorating June 8, 2005, as Michigan Trailways Day and June 2005 as Michigan Trailways Month.

Whereas, The Michigan Trailway system is a statewide system of land corridors passing through Michigan's communities and countryside, featuring broad, smooth-surfaced trails perfect for many activities and accessible to everyone; and

Whereas, Trailways follow inactive railroad lines, shorelines, and other corridors. Linking together whenever possible, the statewide network of trailways will connect our communities, parks, public lands, and natural resources; and

Whereas, This network has potential to encompass hundreds of miles of trailways, creating a web of activity that stretches from Lake Huron to Lake Michigan, from the south state line to the Mackinac Straits and across the Upper Peninsula; and

Whereas, Trailways are more than just pathways from place to place. They open the way to many modes of travel which take you through the entire range of Michigan environments, including forests, wetlands, river and lake shorelines, farmlands, shopping areas, residential areas, and industrial areas; and

Whereas, They offer an unlimited potential for year-round recreation. Often surrounded by attractive natural areas, trailways are great places for the people of our communities to bicycle, walk, run, hike, ski, ride horses, and snowmobile; and

Whereas, The thousands of hours donated by volunteers is an important element in the success of Michigan's trailways. These important individuals have given freely of their time to better our communities and ensure the preservation of Michigan's natural landscape for future generations; and

Whereas, As the trailway system expands and becomes well-known, Michigan's image as a leader in great outdoor recreation will grow along with it. Visitors drawn to our state by the system will benefit the entire state's tourism economy. It is appropriate to commemorate and designate June 8, 2005, as Michigan Trailways Day and June 2005 as Michigan Trailways Month; and

Whereas, It is clear that many generations will come to enjoy the trailways and make it part of their lives and the memories of their best times with family and friends; now, therefore, be it

Resolved by the Senate, That we commemorate June 8, 2005, as Michigan Trailways Day and June 2005 as Michigan Trailways Month. We encourage all citizens to support the efforts of these trailway resources in their communities; and be it further

Resolved, That a copy of this resolution be transmitted to the Rails-to-Trails Conservancy Michigan Chapter as evidence of our esteem.

By unanimous consent the Senate proceeded to the order of

### Statements

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

The motion prevailed.

Senator Garcia's statement is as follows:

I simply rise to remind the body that yesterday was June 6, the 61st anniversary of the landing at Normandy. I just wanted to help remind folks the price that many of our fellow countrymen paid many years ago for our freedom and for our ability to be here.

By unanimous consent the Senate returned to the order of

### Introduction and Referral of Bills

Senator Barcia introduced

**Senate Bill No. 564, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 97.

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

Senator Johnson introduced

**Senate Bill No. 565, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12753 (MCL 333.12753).

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Patterson, Allen and Hardiman introduced

**Senate Bill No. 566, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Wayne county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

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

Senator George introduced

**Senate Bill No. 567, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," (MCL 252.301 to 252.325) by adding section 7a.

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

Senators Gilbert and Kuipers introduced

**Senate Bill No. 568, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 3, 4, 6, 7, 11, 15, 17, 18a, and 19 (MCL 252.302, 252.303, 252.304, 252.306, 252.307, 252.311, 252.315, 252.317, 252.318a, and 252.319), sections 2, 3, 4, 6, 7, 15, 17, and 19 as amended and section 11 as added by 1998 PA 533 and section 18a as added by 1998 PA 464, and by adding section 11a; and to repeal acts and parts of acts.

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

Senator Allen introduced

**Senate Bill No. 569, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2001 PA 70.

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

Senator Allen introduced

**Senate Bill No. 570, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 39c (MCL 208.39c), as amended by 2001 PA 69.

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

Senator Allen introduced

**Senate Bill No. 571, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending section 11 (MCL 205.431), as amended by 2004 PA 474.

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

**House Bill No. 4024, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

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. 4398, entitled**

A bill to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment, levy, and

collection of taxes and fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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 Local, Urban and State Affairs.

### Committee Reports

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

**Senate Bill No. 353, entitled**

A bill to operate certain programs in the Michigan strategic fund; and to impose certain duties and responsibilities on certain state employees and public employees.

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.

Alan Sanborn  
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

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

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

**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.

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, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 4447, entitled**

A bill to amend 2004 PA 403, entitled "Michigan boxing regulatory act," by amending sections 11, 31, 33, 34, 47, 48, and 54 (MCL 338.3611, 338.3631, 338.3633, 338.3634, 338.3647, 338.3648, and 338.3654).

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, Gilbert, Jacobs and Basham

Nays: None

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, June 1, 2005, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Technology and Energy reported

**Senate Bill No. 551, entitled**

A bill to repeal enacting section 1 of 2004 PA 591.

With the recommendation that the bill pass.

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

Bruce Patterson  
Chairperson

To Report Out:

Yeas: Senators Patterson, Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, June 1, 2005, at 3:00 p.m., Room 210, Farnum Building

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

The Committee on Health Policy reported

**Senate Bill No. 335, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 2002 PA 696, and by adding section 17a.

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. 380, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17820 and 17822 (MCL 333.17820 and 333.17822), section 17820 as amended and section 17822 as added by 1987 PA 213.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Bernero and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, June 1, 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 Appropriations reported

**Senate Bill No. 446, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

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. 447, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

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. 533, entitled**

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

With the recommendation that the substitute (S-4) 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 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.

With the recommendation that the substitute (S-6) be adopted and that the joint resolution then be adopted.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 1, 2005, at 1:15 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 Agriculture, Forestry and Tourism reported

**House Bill No. 4560, entitled**

A bill to amend 1945 PA 72, entitled "An act to prevent the importation from other states, and the spread within this state, of all serious insect pests and contagious plant diseases and to provide for their repression and control, imposing certain powers and duties on the commissioner of agriculture; to prescribe penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts," by amending the title and section 9 (MCL 286.259) and by adding section 10.

With the recommendation that the bill pass.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture, Forestry and Tourism reported

**House Bill No. 4562, entitled**

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," (MCL 286.201 to 286.226) by amending the title, as amended by 1984 PA 88, and by adding sections 28 and 29.

With the recommendation that the bill pass.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture, Forestry and Tourism reported

**House Bill No. 4567, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2002 PA 421.

With the recommendation that the bill pass.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture, Forestry and Tourism reported

**House Bill No. 4613, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8801 (MCL 600.8801), as amended by 2000 PA 80.

With the recommendation that the bill pass.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek and Brater

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:  
Meeting held on Thursday, June 2, 2005, at 9:00 a.m., Room 110, Farnum Building  
Present: Senators Van Woerkom (C), Gilbert, Jelinek and Brater  
Excused: Senator Thomas

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:  
Meeting held on Thursday, June 2, 2005, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Goschka (C), Johnson, Hardiman, Cherry and Prusi

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:  
Meeting held on Thursday, June 2, 2005, at 11:00 a.m., Rooms 402 and 403, Capitol Building  
Present: Senators Cropsey (C), Brown, Garcia, Switalski and Prusi

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:  
Meeting held on Thursday, June 2, 2005, at 12:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Jelinek (C), Cropsey, Brown, Switalski and Scott

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:  
Meeting held on Thursday, June 2, 2005, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senator Stamas (C), George, Johnson, Garcia, Cherry and Clarke

**Scheduled Meetings**

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

**Appropriations** - Wednesday, June 8, and Thursday, June 9, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Subcommittees -**

**Higher Education and Education** - Wednesday, June 8, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**K-12, School Aid, Education and Education** - Thursday, June 16, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6960)

**Natural Resources Department** - Wednesday, June 15, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Economic Development, Small Business and Regulatory Reform** - Wednesday, June 8, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Education** - Thursday, June 9, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Education and Higher Education Appropriations Subcommittee** - Wednesday, June 8, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6920)

**Education and K-12, School Aid, Education Appropriations Subcommittee** - Thursday, June 16, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Finance** - Thursday, June 9, 8:30 a.m., Room 405, Capitol Building (373-1758)

**Judiciary** - Friday, June 10, 10:00 a.m., Jay's Sporting Goods, 8800 S. Clare Avenue, Clare; and Saturday, June 11, 10:00 a.m., Bay de Noc Community College, Heirman Center, Room 952, Escanaba (373-3760)

**Local, Urban and State Affairs** - Thursday, June 9, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, June 8, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:08 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, June 8, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate