

No. 8
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Tuesday, February 8, 2005.

6:00 p.m.

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

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

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

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

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

Senator Michelle McManus of the 35th District offered the following invocation:

Dear Lord, open our minds and hearts to Your guidance, help us to fulfill Your will and to accomplish Your plans for a civilization of truth and justice of love and peace.

Democracy needs virtue. May our leaders in this chamber and throughout our nation govern morally.

Democracy requires selfless servants. May our leaders always have the courage to serve what is true and right.

Democracy demands responsibility. May our leaders promote freedom; freedom which respects moral truth, truth regarding the sanctity of life and the dignity of every person, truth regarding human rights and common good.

Display Your justice in our courts, Your wisdom in our government, Your guidance in our schools, and Your love in our homes. Amen.

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

Motions and Communications

Senators Hardiman and Allen entered the Senate Chamber.

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

The following communication was received:

Family Independence Agency

January 31, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation	Sequoyah Center	2005C0207005	CS470201401

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 & Information" at the following address: <http://www.michigan.gov/fia/>.

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

Sincerely,
Marianne Udow

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Thursday, February 3, and are available at the legislative Web site:

Senate Bill Nos.	138	139	140	141	142	143	144	145	146	147	148	149	150	151
House Bill Nos.	4143	4144	4145	4146	4147	4148	4149	4150	4151	4152	4153	4154	4155	4156
	4157	4158	4159	4160	4161	4162	4163	4164	4165	4166	4167	4168	4169	4170
	4171	4172	4173	4174	4175	4176								

The Secretary announced that the following official bills and joint resolution were printed on Friday, February 4, and are available at the legislative Web site:

House Bill Nos.	4177	4178	4179	4180	4181	4182	4183	4184	4185	4186	4187	4188	4189	4190
	4191	4192	4193	4194	4195	4196	4197	4198	4199	4200	4201	4202	4203	4204
	4205	4206	4207	4208	4209	4210	4211							
House Joint Resolution	D													

The Secretary announced that the following official bills were printed on Monday, February 7, and are available at the legislative Web site:

Senate Bill Nos.	152	153	154	155	156	157	158	159	160	161	162	163	164	165
	166	167	168	169	170	171	172	173	174					

Messages from the Governor

The following message from the Governor was received and read:

February 1, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 161421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.16421:

Michigan Board of Chiropractic

Mr. Solomon L. Cogan, D.C., of 3890 Lakeland Lane, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding Donna Craft, whose term has expired, representing chiropractors, for a term commencing February 1, 2005 and expiring December 31, 2008.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Hammerstrom moved that rule 3.902 be suspended to allow guests admittance to the Senate floor. The motion prevailed, a majority of the members serving voting therefor.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 6:06 p.m.

6:20 p.m.

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

During the recess, Senator Garcia entered the Senate Chamber.

Senator Hammerstrom moved that rule 3.902 be suspended to allow the House escort committee to use the center aisle.

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

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

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

Joint Convention

The Sergeant at Arms announced that a committee from the House of Representatives who, through Representatives Schuitmaker, Gonzales, Espinoza and Kooiman, reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Cherry, announced that the hour had arrived for the meeting of the two Houses in Joint Convention.

Senator Hammerstrom moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 6:22 p.m.

(For proceedings in Joint Convention, see House Journal No. 6, p. 105.)

The Senate reconvened at the expiration of the recess at 8:08 p.m. and was called to order by the Assistant President pro tempore, Senator Sanborn.

The Assistant President pro tempore, Senator Sanborn, announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the State message by Governor Granholm.

Committee Reports

The Committee on Education reported

Senate Bill No. 77, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2004 PA 351.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, February 3, 2005, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom, Clark-Coleman and Leland

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, February 10, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Thursday, February 10, 1:00 p.m. or later immediately following Joint Senate/House Appropriations Committee meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittee -

Capital Outlay - Thursday, February 10, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Appropriations, Joint Senate/House - Thursday, February 10, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce and Labor - Wednesday, February 9, 4:00 p.m., Room 100, Farnum Building (373-2413)

Health Policy - Wednesday, February 9, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Local, Urban and State Affairs - Thursday, February 10, 1:00 p.m., Room 110, Farnum Building (373-1707)

Technology and Energy - Wednesday, February 9, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 8:09 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, February 9, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate