

No. 29
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Tuesday, April 12, 2005.

10:00 a.m.

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

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

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

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

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

Reverend Dr. Darren Tharp of Lincoln Avenue Baptist Church of Ionia offered the following invocation:

Our Heavenly Father, we thank You for the beautiful day You have given us and the wonderful occasion that draws us together. I thank You, Lord, for our great nation. I thank You, dear Father, that You have preserved it down through the ages. I believe that it is certainly the greatest nation on the face of the earth and in the history of mankind. I thank You for our great state and for the legislators who have gathered together today to watch over the affairs of our state. Give them wisdom, Lord, and give them understanding. I pray, Lord, that You would guide them in every decision. Help them to always error on the side of life and caution on the side of righteousness and godliness.

Lord, I pray that You would bless and help their families, as I know they sacrifice in a great way to help their loved ones minister in this way. Dear Lord, I pray that You would just meet our needs today.

I thank You so very much that You are the God of heaven and that You look over the affairs of man and that You didn't just set our nation in motion and just let it go, but, Lord, You are certainly sovereign and in control of everything. Bless us today. May we consider Your ways, may we consider Your Word, and may we consider You.

Thank You so very much, Lord Jesus, for dying on the cross and shedding Your blood and raising again on the third day so that we could have eternal life. If anyone but believe on the name of the Lord Jesus, they could be sure of going to heaven themselves. Bless this august group of individuals today. Encourage their hearts, and let them know that there is a church in the city of Ionia that prays regularly for them. Lord, help them in the area of prayer as they watch over the affairs of our state. Encourage them today, we pray. Help our Governor, our Lieutenant Governor, and all those who have authority in our state today, we pray.

In the lovely name of the Lord Jesus, we pray with thanksgiving, Amen and Amen.

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

Motions and Communications

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

The following communications were received:

Office of the Auditor General

March 23, 2005

Enclosed is a copy of the following audit report:

Performance audit of the Michigan School Readiness Program, Michigan Department of Education.

April 5, 2005

Enclosed is a copy of the following audit report:

Performance audit of Hawthorn Center, Bureau of Hospitals, Centers, and Forensic Mental Health Services, Department of Community Health.

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

The communications were referred to the Secretary for record.

The following communication was received:

Department of Transportation

March 30, 2005

I am pleased to provide the Michigan Department of Transportation's report on transposition accessibility for seniors and persons with disabilities for Fiscal Year 2004.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Gloria J. Jeff
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, March 24:
House Bill Nos. 4356 4433 4482

The Secretary announced that the following official bills were printed on Thursday, March 24, and are available at the legislative Web site:

Senate Bill Nos. 336 337 338 339 340 341 342 343 344
House Bill Nos. 4542 4543 4544 4545 4546 4547 4548 4549 4550 4551 4552 4553 4554 4555

The Secretary announced that the following official bills were printed on Friday, March 25, and are available at the legislative Web site:

Senate Bill Nos. 345 346 347 348 349 350 351 352 353 354 355 356 357 358
359
House Bill Nos. 4556 4557 4558 4559 4560 4561 4562 4563 4564 4565 4566 4567 4568 4569
4570 4571 4572 4573 4574 4575 4576 4577 4578 4579 4580 4581 4582 4583
4584 4585 4586

Messages from the Governor

Senator Barcia entered the Senate Chamber.

The following messages from the Governor were received:

Date: March 24, 2005
Time: 8:08 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 234 (Public Act No. 1), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 676a and 907 (MCL 257.676a and 257.907), section 676a as amended by 1999 PA 46 and section 907 as amended by 2004 PA 493 (Filed with the Secretary of State on March 24, 2005, at 9:40 a.m.)

Date: April 1, 2005
Time: 8:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 137 (Public Act No. 2), being

An act to amend 1972 PA 295, entitled “An act to license and regulate persons who purport to be able to detect deception, verify truthfulness, or provide a diagnostic opinion of either through the use of any device or instrumentation as lie detectors, forensic polygraphs, deceptographs, emotional stress meters or similar or related devices and instruments; to create a state board of forensic polygraph examiners with licensing and regulatory powers over all such persons and instruments; to provide for administrative proceedings and court review; to establish minimum standards and requirements for all such instrumentation or devices and to prohibit the use of instruments or devices which do not meet minimum standards and requirements; and to provide for injunctions and penalties,” by amending section 10 (MCL 338.1710) (Filed with the Secretary of State on April 1, 2005, at 9:05 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on March 23, 2005, and read:

EXECUTIVE ORDER
No. 2005-7

**Implementation of Expenditure Reductions Under
Section 20 of Article V of the Michigan Constitution of 1963**

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963 no appropriation is a mandate to spend, and the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, must reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2004 and ending on September 30, 2005, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenue will fall below such revenue estimates;

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

WHEREAS, expenditure reductions totaling \$295,055,700.00 general fund-general purpose and \$8,232,300.00 special purpose funds are necessary;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriating committee, order the following reductions:

A. Portions of general fund-general purpose appropriations amounting to \$295,055,700.00 contained in the following public acts are reduced. Where the expenditure reductions of general fund-general purpose appropriations in this order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2004 PA 353	Agriculture	1,663,500
2004 PA 327	Attorney General	451,000
2004 PA 327	Civil Rights	191,500
2004 PA 327	Civil Service	229,300
2004 PA 358	Community Colleges	4,919,600
2004 PA 349	Community Health	63,592,800
2004 PA 345	Corrections	19,003,800
2004 PA 346	Education	333,000
2004 PA 350	Environmental Quality	2,539,900
2004 PA 352	Higher Education	35,233,300
2004 PA 340	History, Arts and Libraries	626,800
2004 PA 344	Human Services	33,276,200
2004 PA 327	Information Technology	2,060,000
2004 PA 354	Labor and Economic Growth	1,051,700
2004 PA 327	Management and Budget	9,617,300
2004 PA 341	Military and Veterans Affairs	714,100
2004 PA 347	Natural Resources	383,300
2004 PA 518	School Aid	99,500,000
2004 PA 327	State	10,609,400
2004 PA 348	State Police	3,455,000
2004 PA 327	Treasury	5,604,200
	Total	295,055,700

The Department of Information Technology shall reduce user charges to state agencies by \$4,340,000.00 to reflect reductions in appropriations for information technology services and projects contained in Section B.

B. The reduction totals for the departments and agencies in Section A include the following appropriation items or are predicated upon the following actions:

1. Department of Agriculture

Appropriation Number	Item	Reduction Amount
02320	Animal health and welfare	70,000
01210	Management services	47,400
02205	Pesticide and plant pest management	340,000
01070	Executive direction	88,400
02530	Laboratory services	135,000
01120	Statistical reporting service	6,600
01130	Emergency management	146,500
30000	Information technology services and projects	766,400
03908	Local conservation districts	63,200
		<u>1,663,500</u>

The amount in Sec. 604(a) of 2004 PA 353, for local conservation districts is reduced to \$19,200.00.

2. Department of Attorney General

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	379,500
06100	Information technology services and projects	71,500
		<u>451,000</u>

3. Department of Civil Rights

Appropriation Number	Item	Reduction Amount
01000	Civil rights operations	155,800
02100	Information technology services and projects	35,700
		<u>191,500</u>

4. Department of Civil Service

Appropriation Number	Item	Reduction Amount
19200	Agency services	20,000
19300	Human resources/administrative support	110,000
19500	Audit and compliance	74,100
19150	Information technology services and projects	25,200
		<u>229,300</u>

5. Community Colleges

Appropriation Number	Item	Reduction Amount
07600	Alpena Community College	85,400
07605	Bay de Noc Community College	82,600
07610	Delta College	231,000
07620	Glen Oaks Community College	38,800
07625	Gogebic Community College	70,700
07630	Grand Rapids Community College	290,500
07635	Henry Ford Community College	354,100
07645	Jackson Community College	196,000
07650	Kalamazoo Valley Community College	200,000
07655	Kellogg Community College	157,100
07660	Kirtland Community College	47,700
07665	Lake Michigan College	84,600
07670	Lansing Community College	502,400
07675	Macomb Community College	536,100
07680	Mid Michigan Community College	71,500
07685	Monroe County Community College	69,600
07690	Montcalm Community College	50,300
07615	C.S. Mott Community College	254,000
07695	Muskegon Community College	144,600
07700	North Central Michigan College	49,000

07705	Northwestern Michigan College	147,500
07710	Oakland Community College	338,200
07715	St. Clair County Community College	113,300
07720	Schoolcraft College	198,500
07725	Southwestern Michigan College	106,500
07730	Washtenaw Community College	201,700
07735	Wayne County Community College	260,800
07740	West Shore Community College	37,100
		<u>4,919,600</u>

6. Department of Community Health

Appropriation

Number	Item	Reduction Amount
01130	Mental health/substance abuse program administration	409,600
01161	Protection and advocacy services support	31,000
01191	Departmental administration and management	315,100
02965	Medicaid mental health services	5,880,200
02970	Medicaid substance abuse services	119,800
02991	CMHSP, purchase of state services contracts	2,330,000
11230	Executive administration	20,000
12263	Local public health operations	677,000
14230	Family, maternal, and children's health services administration	75,000
14330	Children's special health care services administration	80,000
14355	Medical care and treatment	980,000
15155	Epidemiology administration	75,000
16230	Laboratory services	134,000
16753	Sexually transmitted disease control management and field support	75,000
16778	Immunization local agreements	500,000
18330	Health systems administration	150,000
22100	Drug control policy	40,000
33500	Hospital services and therapy	23,307,400
33520	Physician services	1,730,900
33530	Home health services	68,700
33540	Pharmaceutical services	3,618,100
33550	Health plan services	13,665,000
33580	Auxiliary medical services	16,400
33600	Ambulance services	79,400
33680	Long-term care services	8,185,400
34010	Medical services administration	250,000
46502	Office of services to aging administration	49,800
80000	Information technology services and projects	730,000
		<u>63,592,800</u>

7. Department of Corrections

Appropriation

Number	Item	Reduction Amount
01050	Executive direction	235,900
01070	Human resources	392,600
02072	Training	368,100
03112	Worker's compensation	1,600,000
02070	Administrative services	217,800
22250	Field operations	3,592,800
24300	Electronic monitoring center	1,705,900
25280	Corrections centers	318,100
19335	Community corrections comprehensive plans and services	95,000
19337	Public education and training	16,000
16380	Health care administration	78,200

16381	Hospital and specialty care services	1,698,200
29507	Correctional facilities administration	183,300
46002	Alger maximum correctional facility - Munising	4,400
47002	Baraga maximum correctional facility - Baraga	5,600
49002	Chippewa correctional facility - Kincheloe	135,500
50002	Kinross correctional facility - Kincheloe	12,500
51002	Marquette branch prison - Marquette	1,049,800
54002	Newberry correctional facility - Newberry	5,900
52002	Oaks correctional facility - Eastlake	742,900
55002	Ojibway correctional facility - Marenisco	499,500
56002	Pugsley correctional facility - Kingsley	4,900
83002	Saginaw correctional facility - Freeland	7,600
53002	Standish maximum correctional facility - Standish	5,700
35002	Cooper Street correctional facility - Jackson	7,000
36002	G. Robert Cotton correctional facility - Jackson	8,900
32002	Charles E. Egeler correctional facility - Jackson	10,600
79002	Gus Harrison correctional facility - Adrian	10,800
89002	Macomb correctional facility - New Haven	6,300
87002	Mound correctional facility - Detroit	750,400
34002	Parnall correctional facility - Jackson	6,700
86002	Ryan correctional facility - Detroit	275,700
82002	Robert Scott correctional facility - Plymouth	4,500
33002	Southern Michigan correctional facility - Jackson	7,600
80002	Thumb correctional facility - Lapeer	1,369,200
23322	Special alternative incarceration program - Cassidy Lake	2,100
30522	Jackson area support and services - Jackson	720,900
67002	Bellamy Creek correctional facility - Ionia	593,100
72002	Earnest C. Brooks correctional facility - Muskegon	36,100
48002	Carson City correctional facility - Carson City	847,800
61002	Richard A. Handlon correctional facility - Ionia	6,800
62002	Ionia maximum correctional facility - Ionia	3,400
77002	Lakeland correctional facility - Coldwater	14,500
66002	Muskegon correctional facility - Muskegon	66,000
70002	Pine River correctional facility - St. Louis	54,600
64002	Riverside correctional facility - Ionia	207,600
69002	St. Louis correctional facility - St. Louis	49,100
05083	Information technology services and projects	967,900
		<u>19,003,800</u>

8. Department of Education

Appropriation

Number	Item	Reduction Amount
01605	Central support	50,000
05101	Early childhood education and family services operations	215,000
07501	School finance and school law operations	21,000
01404	State board/superintendent operations	15,000
03801	Information technology operations	32,000
		<u>333,000</u>

9. Department of Environmental Quality

Appropriation

Number	Item	Reduction Amount
01128	Financial and business services, salaries and fringe benefits	34,500
01150	Information technology services and projects	110,800
01345	Building occupancy charges	150,000
01346	Rent – privately owned property	50,000
02808	Field permitting and project assistance, salaries and fringe benefits	100,000

02811	Water management, salaries and fringe benefits	180,900
03116	Environmental investigations, salaries and fringe benefits	336,800
03118	Environmental investigations, other operational expenses	141,800
04318	Pollution prevention and technical assistance, other operational expenses	77,300
04319	Pollution prevention and technical assistance, travel	3,400
04320	Pollution prevention and technical assistance, salaries and fringe benefits	78,900
04620	Air and quality programs, salaries and fringe benefits	160,000
04630	Air quality programs, travel	5,000
04706	Hazardous waste management program, salaries and fringe benefits	250,000
04769	Radiological protection program, other operational expenses	82,200
04709	Radiological protection program, salaries and fringe benefits	50,000
04901	Laboratory services, other operational expenses	204,800
04903	Laboratory services, salaries and fringe benefits	474,700
04902	Laboratory services, travel	4,500
06062	Radon grants	44,300
		<u>2,539,900</u>

10. Higher Education

Appropriation

Number	Item	Reduction Amount
01001	Central Michigan University	1,403,300
01501	Eastern Michigan University	1,357,400
02001	Ferris State University	859,900
02501	Grand Valley State University	1,016,800
04001	Lake Superior State University	222,900
03001	Michigan State University	5,049,100
03501	Michigan Technological University	855,600
04501	Northern Michigan University	803,700
03201	Oakland University	844,800
05001	Saginaw Valley State University	459,000
05501	University of Michigan - Ann Arbor	5,631,100
05801	University of Michigan - Dearborn	433,600
05701	University of Michigan - Flint	372,800
06501	Wayne State University	9,429,700
06001	Western Michigan University	1,946,600
03524	Dental clinics grant	4,547,000
		<u>35,233,300</u>

11. Department of History, Arts and Libraries

Appropriation

Number	Item	Reduction Amount
01100	Management services	29,300
03050	Library of Michigan operations	281,500
02001	Administration (Michigan Council for Arts and Cultural Affairs)	54,800
01400	Film office	5,000
04100	Historical administration and services	183,900
05000	Information technology services and projects	72,300
		<u>626,800</u>

The amount in Section 504(1) of 2004 PA 340 for lighthouse preservation grants is reduced to \$0.00.

12. Department of Human Services

Appropriation

Number	Item	Reduction Amount
12840	Worker's compensation	495,200
15100	AFC, children's welfare and day care licensure	2,000,000
16100	Information technology services and projects	436,600

16200	Client services system	186,200
16250	Data system enhancement	783,000
16500	Child support automation	2,726,800
32550	Day care services	10,000,000
32610	Homeless shelter contracts	1,700,000
32630	Indigent burial	102,600
47670	Juvenile justice field staff, administration and maintenance	304,000
62910	Food stamp reinvestment	6,500,000
72510	Child care fund	5,300,000
72530	Child care fund administration	100,000
72760	Adoption support services	91,700
83200	Legal support contracts	1,300,000
83400	Child support distribution computer system	1,250,100
		<u>33,276,200</u>

The amount in Section 613 of 2004 PA 344 for the maximum allowable charge limit for indigent burials is reduced to \$909.00 and distributions are reduced to the following amounts: for funeral directors, \$579.00; for cemeteries or crematoriums, \$192.00; and for the provider of the vault, \$138.00.

13. Department of Information Technology

The Department of Information Technology shall reduce the Michigan master computing contract general fund expenditures by \$2,060,000.00. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

14. Department of Labor and Economic Growth

Appropriation

Number	Item	Reduction Amount
01004	Policy development	4,700
11210	Commission for the blind	50,000
03001	Administrative services	40,000
17001	Operations (Tax Tribunal)	306,900
07002	Code enforcement and fire safety	95,100
09520	Employment training services	135,000
09502	Michigan career and technical institute	20,000
08203	Job training programs subgrantees	10,000
03010	Economic development job training grants	250,000
01100	Job creation services	140,000
		<u>1,051,700</u>

15. Department of Management and Budget

Appropriation

Number	Item	Reduction Amount
12000	Administrative services	45,000
13000	Budget and financial management	508,000
14000	Office of the state employer	52,700
00005	Information technology services and projects	1,072,900
		<u>1,678,600</u>

The Department of Management and Budget shall reduce building occupancy general fund expenditures by \$211,500.00 and reduce procurement card restricted fund expenditures by \$370,000.00. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

The Department of Management and Budget shall reduce the Child Care Information and Referral Services fund balance to \$0.00 by depositing \$1,254,400.00 to the state general fund and returning \$1,265,500.00 of restricted and federal funds to state agencies. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

The Department of Management and Budget shall reduce the Severance Pay for UAW fund balance to \$0.00 by depositing the unexpended portion of \$1,102,800.00 to the state general fund and returning the unexpended portion of \$1,404,700.00 of restricted and federal funds to state agencies. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

The Department of Management and Budget shall reduce statewide contractual general fund expenditures by \$5,000,000.00. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

16. Department of Military and Veterans Affairs

Appropriation		
Number	Item	Reduction Amount
01011	Headquarters and armories	185,000
02011	Military training sites and support facilities	516,500
03800	Information technology services and projects	12,600
		<u>714,100</u>

17. Department of Natural Resources

Appropriation		
Number	Item	Reduction Amount
03116	General law enforcement	308,100
05503	Commercial forest reserve	29,100
08914	Information technology services and projects	46,100
		<u>383,300</u>

18. School Aid

The general fund amount in Section 11(1) of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1611(1), for the fiscal year ending September 30, 2005, is reduced to \$165,200,000.00.

19. Department of State

Appropriation		
Number	Item	Reduction Amount
15100	Operations	10,000
19100	Branch operations	10,412,000
19200	Central records	12,200
19050	Customer services administration	25,400
50100	Building occupancy charges/rent	74,200
50110	Worker's compensation	6,200
45500	Information technology services and projects	69,400
		<u>10,609,400</u>

20. Department of State Police

Appropriation		
Number	Item	Reduction Amount
34010	Criminal investigations	1,493,000
41010	Criminal justice information center division	63,200
27200	Fire investigation	125,800
16010	Human resources	64,800
32010	Uniform services	555,000
42220	DNA analysis program	225,000
32500	At-post troopers	387,000
61000	Information technology services and projects	541,200
		<u>3,455,000</u>

21. Department of Treasury

Appropriation		
Number	Item	Reduction Amount
01301	Worker's compensation insurance premium	166,900
04501	Local finance	143,200
01931	Human resources optimization user charges	44,300
03501	Student financial assistance programs	200,000
01201	Treasury operations information technology services and projects	549,800
04212	Personal property tax auditors	3,500,000
		<u>4,604,200</u>

The Department of Treasury shall reduce contract collection costs authorized in Section 903 of 2004 PA 327 by \$1,000,000.00 and as a result increase collections revenue deposited to the general fund. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2005.

C. Portions of appropriations financed with special purpose revenue amounting to \$8,232,300.00 contained in the following public acts are reduced as follows:

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2004 PA 344	Human Services	7,300,000
2004 PA 354	Labor and Economic Growth	932,300
		<u>8,232,300</u>

D. The reduction totals for the departments and agencies in Section C include the following appropriation items or are predicated upon the following actions:

1. Department of Human Services - Temporary Assistance for Needy Families - Federal Funds

Appropriation

<u>Number</u>	<u>Item</u>	<u>Reduction Amount</u>
32550	Day care services	3,300,000
81150	Michigan housing and community development fund	2,000,000
		<u>5,300,000</u>

2. Department of Human Services - Child Support Incentives - Federal Funds

Appropriation

<u>Number</u>	<u>Item</u>	<u>Reduction Amount</u>
83200	Legal support contracts	2,000,000
		<u>2,000,000</u>

3. Department of Labor and Economic Growth - Liquor Purchase Revolving Fund

Appropriation

<u>Number</u>	<u>Item</u>	<u>Reduction Amount</u>
13002	Liquor licensing and enforcement	932,300
		<u>932,300</u>

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce expenditures authorized by appropriations as specified above for the fiscal year beginning on October 1, 2004 and ending on September 30, 2005.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 23rd day of March, in the year of our Lord, two thousand and five.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on April 5, 2005, and read:

EXECUTIVE ORDER
No. 2005-8

**Michigan Public Safety Communications System Advisory Board
Department of Information Technology**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible for taking care that the law be faithfully executed;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, the State of Michigan is a nationally and internationally recognized leader in public safety communications technology;

WHEREAS, Michigan can retain and enhance its position of preeminence in public safety communications technology through the promotion of an active partnership among local, state, tribal, and federal public safety agencies;

WHEREAS, because public safety agencies must be prepared to assist each other regardless of jurisdiction in the event of a disaster or emergency, interoperable communications among responders is a key element in homeland security and emergency preparedness;

WHEREAS, it is in the best interests of the State of Michigan to seek advice from a Board composed of representatives of public safety agencies to review and make recommendations regarding public safety communications technology;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

A. "Board" means the Michigan Public Safety Communications System Advisory Board created by this Order.

B. "Department" means the Department of Information Technology the principal department of state government created by Executive Order 2001-3, MCL 18.41.

C. "Michigan Public Safety Communications System" or "MPSCS" means Michigan's 800-megahertz radio system and telecommunications network, including all real and personal property, towers, buildings, equipment, and other related facilities and fixtures necessary for the operation and safety of the MPSCS established under Section 1 of 1929 PA 152, MCL 28.281.

II. ESTABLISHMENT OF THE MICHIGAN PUBLIC SAFETY COMMUNICATIONS SYSTEM ADVISORY BOARD

A. The Michigan Public Safety Communications System Advisory Board is established within the Department of Information Technology.

B. The Board shall consist of the following 19 members:

1. Nine members representing local emergency first responders appointed by the Governor for 4-year terms, except the terms for the initial members shall be as follows:

a. Three members for terms expiring on April 30, 2006.

b. Three members for terms expiring on April 30, 2007.

c. Three members for terms expiring on April 30, 2008.

2. The following ex officio, voting members:

a. The Director of the Department of State Police, or his or her designee who shall be an officer or employee of the Department of State Police.

b. The Director of the Department of Information Technology, or his or her designee who shall be an officer or employee of the Department of Information Technology.

c. The Director of the Department of Natural Resources, or his or her designee who shall be an officer or employee of the Department of Natural Resources.

d. The Director of the Department of Transportation, or his or her designee who shall be an officer or employee of the Department of Transportation.

e. The Adjutant General, or his or her designee who shall be an officer or employee of the Department of Military and Veterans Affairs.

f. The Assistant Adjutant General for Homeland Security in the Department of Military and Veterans Affairs.

g. The Director of the Department of Community Health, or his or her designee who shall be an officer or employee of the Department of Community Health.

h. The officer or employee within the Department of State Police who has the principal responsibilities for Michigan's emergency management operations as designated by the Director of the State Police.

i. The State Fire Marshal.

j. The officer or employee within the Department of Information Technology who has been designated by the Director of the Department of Information Technology as having principal administrative responsibilities for the MPSCS.

C. The Governor shall designate a member of the Board to serve as its Chairperson for a 2-year term.

D. The Governor shall designate a member of the Board to serve as its Vice-Chairperson for a 2-year term.

E. A vacancy on the Board occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

III. OPERATIONS OF THE BOARD

A. The Board shall be staffed by personnel from and assisted by the Department. Any budgeting, procurement, and related management functions of the Board shall be performed under the direction and supervision of the Director of the Department.

B. The Board shall select a Secretary from among its members. The Department shall assist the Secretary with recordkeeping responsibilities.

C. The Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations and may establish committees and request public participation as it deems necessary.

D. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board.

E. The Board shall act by majority vote of its serving members. A majority of serving and voting members shall constitute a quorum for the transaction of the business of the Board at a meeting.

F. The Board shall consult with the Department of Management Budget and the State Building Authority on issues related to use of the MPSCS and any other matters that may affect the tax exempt status of the bonds issued to finance the MPSCS.

G. The Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Board may, as appropriate, designate as liaisons to the Board individuals from groups representing MPSCS users who do not have Board representation. The Board may also consult with outside experts in order to perform its duties, including but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

H. Members of the Board shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available appropriations.

I. The Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Board and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order and relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Board may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures

K. Members of the Board shall refer all legal, legislative, and media contacts to the Department.

IV. CHARGE TO THE BOARD

A. The Board is advisory in nature and shall advise the Governor and the Department of Information Technology on the following:

1. Best practices for implementing interoperability of wireless public safety communications, including data, in Michigan on a local, regional, and statewide basis.

2. Future trends in public and private sectors relating to public safety wireless communication, interoperability standards, and technology in support of providing public safety wireless services in the most effective and efficient manner.

3. Opportunities for effectively using the MPSCS as part of local, regional and statewide mutual-aid agreements, 9-1-1 dispatch operations, and incident command systems.

4. Best practices for using interoperability training on a local, regional and statewide basis.

5. Development and implementation of Michigan’s interoperable communications plan.

B. The Board shall provide other information, recommendations, or advice as directed by the Governor or the Director of the Department.

V. MISCELLANEOUS

A. The Board created under this Order replaces the Michigan Public Safety Communications System State Advisory Board organized by the Department of State Police. The Michigan Public Safety Communications System State Advisory Board, which held its first meeting on April 25, 2000, is abolished.

B. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Board, or to any member or representative of the Board, any necessary assistance required by the Board, or any member or representative of the Board, in the performance of the duties of the Board so far as is compatible with its, his, or her duties. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Board, or to any member or representative of the Board, free access to any books, records, or documents, relating to matters within the scope of inquiry, study, or investigation of the Board

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 5th day of April, in the year of our Lord, two thousand and five.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

March 25, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 78102 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.78102:

Michigan State Waterways Commission

Mr. Glen D. Bailey of 30024 East Maxton, Drummond Island, Michigan 49726, county of Chippewa, succeeding Frank Opolka, whose term has expired, representing persons residing north of townline 16 in the Upper Peninsula and individuals who own or operate a harbor or marina, for a term commencing March 25, 2005 and expiring September 18, 2007.

Mr. Todd A. Wyett of 212 Westwood Drive, Bloomfield, Michigan 48301, county of Oakland, succeeding David V. Johnson, whose term has expired, representing the general public, for a term commencing March 25, 2005 and expiring September 18, 2007.

March 28, 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 Section 4 of the Michigan Economic Growth Authority Act, 1995 PA 24, MCL 207.804:

Michigan Economic Growth Authority

Ms. Sande-Bain MacLeod of 2416 Oak Road, Pinconning, Michigan 48650, county of Bay, succeeding Denise Illitch, who has resigned, representing persons not employed by this state and having knowledge, skill, and experience in the academic, business, local government, labor, or financial fields, for a term commencing March 28, 2005 and expiring April 18, 2007.

April 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 22 and 22a of the Michigan Election Law, 1954 PA 116, MCL 168.22 and 168.22a:

Board of State Canvassers

Mr. Paul Mitchell, a Democrat, of 32923 Robeson Street, St. Clair Shores, Michigan 48082, county of Macomb, succeeding Dorothy Jones, who was rejected by the Michigan Senate, appointed for a term expiring January 31, 2009.

April 7, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 16121, 17025, and 17525 of the Public Health Code, 1978 PA 368, MCL 333.16121, 333.17025, and 333.17525:

Joint Task Force for Health Professions in Medicine and Osteopathic Medicine and Surgery

Mr. James W. Levy of 9980 North Morningside Drive, P.O. Box 22, Northport, Michigan 49670, county of Leelanau, succeeding Gregg Haskell, whose term has expired, representing physician's assistants, for a term commencing April 7, 2005 and expiring December 31, 2007.

Mr. Michael A. Davis of 8720 McIntosh Road, Harbor Beach, Michigan 48441, county of Huron, succeeding Stephen Gualdoni, whose term has expired, representing physician's assistants, for a term commencing April 7, 2005 and expiring December 31, 2007.

Mr. Bernard J. O'Brien of 109 Kensington Court, Alpena, Michigan 49707, county of Alpena, succeeding Vaughn Begick, whose term has expired, representing physician's assistants, for a term commencing April 7, 2005 and expiring December 31, 2007.

Ms. Marcy L. Street, M.D., of 1094 Trails End, Okemos, Michigan 48864, county of Ingham, succeeding Scot F. Goldberg, whose term has expired, representing the Board of Medicine, for a term commencing April 7, 2005 and expiring December 31, 2007.

April 11, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 9 of the Michigan Exposition and Fairgrounds Authority Act, 1978 PA 361, MCL 285.169:

State Exposition and Fairgrounds Authority Board

Mr. Pat G. Albright, a Republican, of 965 Flint Road, Coldwater, Michigan 49036, county of Branch, appointed to represent agricultural interests, for a term expiring February 28, 2007.

Ms. Karen Batchelor, a Democrat, of 460 West Canfield, Loft 304, Detroit, Michigan 48201, county of Wayne, appointed to represent the tourism industry in Michigan, for a term expiring February 29, 2008.

Mr. Thomas G. Coon, Ph.D., a Democrat, of 1222 Wild Cherry Drive, Williamston, Michigan 48895, county of Ingham, appointed to represent agricultural interests, for a term expiring February 28, 2006.

Mr. Kenneth J. DeCock, an Independent, of 80575 Holmes, Armada, Michigan 48005, county of Macomb, appointed to represent agricultural interests, for a term expiring February 29, 2008.

Mr. Edward Deeb, an Independent, of 35 Lochmoor Boulevard, Michigan 48236, county of Wayne, appointed to represent the business community, for a term expiring February 28, 2007.

Ms. Elaine C. Driker, a Democrat, of 1525 Wellesley Drive, Detroit, Michigan 48203, county of Wayne, appointed to represent the general public, for a term expiring February 29, 2008.

Mr. Mark T. Gaffney, a Democrat, of 4721 Orchard Avenue, Dearborn, Michigan 48126, county of Wayne, appointed to represent organized labor, for a term expiring February 28, 2006.

Mr. Robert G. Porter, a Democrat, of 855 Marshfield, Ferndale, Michigan 48220, county of Oakland, appointed to represent the general public, for a term expiring February 28, 2007.

Mr. Thomas L. Valliere, a Republican, of 751 Takamarak Trail, Hope, Michigan 48628, county of Gladwin, appointed to represent county fairs, for a term expiring February 28, 2006.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

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 Sanborn 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 with a substitute therefor, the following bill:

Senate Bill No. 228, entitled

A bill to establish a loan repayment program for repayment of certain educational loans to agricultural employees in rural areas; to provide for the administration of the program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

Substitute (S-4).

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

Senate Concurrent Resolution No. 8.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Michigan State University relative to the Michigan State University Animal Health Diagnostic Laboratory.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 66

Yeas—38

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

Brown
Cassis
Cherry

Goschka
Hammerstrom
Hardiman

Patterson
Prusi

Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senate Concurrent Resolution No. 9.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Central Michigan University relative to the Central Michigan University Health Professions Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 67

Yeas—38

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senate Concurrent Resolution No. 10.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan – Ann Arbor Central Campus Renovation Phase II – Mason Hall and Haven Hall.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 68**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senate Concurrent Resolution No. 11.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Roosevelt Parking Facility.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 69**Yeas—38**

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

Brater
Brown
Cassis
Cherry

Gilbert
Goschka
Hammerstrom
Hardiman

Olshove
Patterson
Prusi

Thomas
Toy
Van Woerkom

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Introduction and Referral of Bills

Senator Basham introduced

Senate Bill No. 360, entitled

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending section 9 (MCL 257.1809).
The bill was read a first and second time by title and referred to the Committee on Education.

Senator Basham introduced

Senate Bill No. 361, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 261d.

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

Senator Basham introduced

Senate Bill No. 362, entitled

A bill to amend 1991 PA 46, entitled “Eligible domestic relations order act,” by amending section 2 (MCL 38.1702).
The bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Basham introduced

Senate Bill No. 363, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 2004 PA 475.

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

Senator Basham introduced

Senate Bill No. 364, entitled

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending section 4a (MCL 408.384a), as amended by 1997 PA 2.

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

Senators Hardiman, Thomas, Barcia, Jacobs, Garcia, Leland, Goschka, Cherry, Kuipers, Basham, Jelinek, Scott, Brown, Prusi and Birkholz introduced

Senate Bill No. 365, entitled

A bill to amend 1968 PA 173, entitled “An act naming certain state buildings,” by amending section 1 (MCL 19.131), as amended by 1999 PA 11.

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

Senators Garcia, Bernero, Hardiman, Birkholz, Goschka, McManus, Cherry, Schauer, Leland and Jacobs introduced **Senate Bill No. 366, 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 bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Switalski and Olshove introduced

Senate Bill No. 367, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 10 (MCL 224.10), as amended by 2004 PA516.

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

Senators Switalski, Jacobs, Hardiman, Olshove and Cherry introduced

Senate Bill No. 368, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21555.

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

Senator Thomas introduced

Senate Bill No. 369, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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

Senators Brown, Hardiman, George and Birkholz introduced

Senate Bill No. 370, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 2003 PA 130.

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

Senators Sanborn, Allen, Barcia, Gilbert, Van Woerkom, Kuipers, Jelinek, Toy, Hardiman, Goschka, Patterson, Birkholz, Basham, Garcia, Olshove, Switalski, Bishop, Stamas and Prusi introduced

Senate Bill No. 371, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8d (MCL 125.2688d), as amended by 2004 PA 202.

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

House Bill No. 4356, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2919a (MCL 600.2919a).

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 Judiciary.

House Bill No. 4433, entitled

A bill to allow the display of the Ten Commandments and other documents with religious significance on public property under certain circumstances.

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 Government Operations.

House Bill No. 4482, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 1998 PA 499.

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 Finance.

Statements

Senators George, Scott and Allen asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator George's statement is as follows:

I rise to note an important anniversary today, an event which is a landmark in Michigan and world history. It was on this day in 1955 that the results of the Salk polio vaccine field trials were announced in Michigan to a waiting world.

As you know, polio is a dreaded disease that had ravaged thousands of people, mostly children from the 1920s to the 1950s. It was known as infantile paralysis, and in 1916, an epidemic had paralyzed 27,000 and left 9,000 dead. Each succeeding year saw what one medical historian called "nightmare summers of quarantine and contagion." The outbreaks were sporadic and unpredictable. In 1952, the epidemic was the worse recorded, striking over 57,000 victims.

Now one of polio's victims had been a U.S. President, Franklin Roosevelt. In 1938, he helped start the National Foundation for Infantile Paralysis, which we now call the March of Dimes. The foundation raised funds which led to the isolation and growth of the polio virus. Interestingly, the virus was grown successfully first in monkey kidneys. Growing the virus allowed for its study, and the March of Dimes later supported Dr. Jonas Salk's work to develop a vaccine. Dr. Salk had actually planned on becoming a lawyer but had changed his career plans and became a physician. He later trained at the University of Michigan under Dr. Thomas Francis. Dr. Francis had come to U of M to open the department of epidemiology and had previously developed the world's first influenza vaccine based on a killed virus. Dr. Salk learned these techniques under Dr. Francis at the University of Michigan and applied them then to the polio model to develop his Salk polio vaccine.

In 1953, Dr. Francis began a multimillion-dollar field trial of the vaccine. The project was funded with \$7.5 million by the March of Dimes. It was the largest peacetime mobilization of volunteers in U.S. history. It involved field testing 1.8 million subjects in hundreds of testing sites in three different countries. In addition to thousands of school personnel, over 20,000 physicians and 40,000 nurses volunteered to participate. The trial was very exacting and involved a double-blind test where some children were given the actual vaccine and some were injected with water.

On April 12, 1955, the tenth anniversary of President Roosevelt's death, at 10:00 a.m., the results of the trial were announced at a press conference given at the University of Michigan's Rackham Auditorium. Drs. Francis and Salk reported to the world that the vaccine had proven "safe, effective, and potent." The success of the vaccine led to its widespread use and polio's elimination as a public health threat. The last case of polio in the western hemisphere was reported in 1991.

Now ten years ago, at a ceremony to mark the 40th anniversary of the field trials, Dr. Salk spoke at Rackham Auditorium. Now he is since deceased, but his words are relevant today. He said, "The continued patronage of knowledge and of science for human use will make it possible to celebrate in the future other victories in preventing and curing diseases of the mind and the body and in discovering ways to enhance health and well-being long into the future. The spirit here today is more that of a rededication than a celebration, inspired by what happened 40 years ago. Let there be gatherings from time to time that we may be reminded of the past and create memories to be celebrated in the future. Let us generate hope and continue to aspire toward the creation of a new reality for our children and our children's children in the generation to come."

So, Mr. President, today I rise to pay tribute to Drs. Salk and Francis and the work that they did at our University of Michigan.

Senator Scott's statement is as follows:

First, I would like to give condolences to some families in Detroit who lost some children in the last few days. A 7-year-old who was sitting at her dinner table was shot; a 12-year-old who was taking trash out was killed; and a 17-year-old who was sitting on the porch. My heart goes out to these families. Hopefully, someday we can do something about this violence.

It is good to be back after a two-week break from session. Though we were busy with activities and meetings with constituents in our respective districts, I am hopeful that you were able to enjoy some quality time with your friends and families.

As we gear up for important legislative work, including work on the fiscal year 2006 budget, let us continue to be ever mindful of the concerns and cries for help from many of our constituents who are seeking relief in their auto and homeowners insurance rates. As you know, last month I launched a website that serves to provide information to the general public on insurance issues. It also offers citizens from across the state an opportunity to log on and tell their own insurance story. As you all know, I am committed to the cause, and I believe it is vital that we hear from—and listen to—those who are most negatively impacted by the high costs of auto and homeowners insurance.

Last month, before we left for the two-week break, the chair of the Senate Banking and Financial Institutions Committee stood before this chamber and stated that asking the important questions is what is very important. I believe the most important question we can ask ourselves is “what can this legislative body do to help bring down insurance premiums for the many citizens in this state, who, quite simply, cannot afford to pay the very high costs of auto and homeowners insurance?”

Let us, together, continue to work to find solutions.

Senator Allen’s statement is as follows:

I would like to thank this body for their thoughts and prayers. My wife Suzanne and my daughter Meredith and I are happy to announce that Amanda Dorothy Allen has joined our family and the greater Senate family. Amanda is healthy, active, and beautiful. Weighing in at 9 pounds and 1 ounce and over 21 1/2 inches tall, she is already active and already has her parade wave down.

I want to thank this body for their support. This is a very special time in our lives and we appreciate this.

Committee Reports

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

House Bill No. 4012, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 4 and 16 (MCL 125.2154 and 125.2166), section 4 as amended by 2000 PA 248.

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. 4013, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending sections 3 and 17 (MCL 125.1803 and 125.1817), section 3 as amended by 1983 PA 148.

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. 4318, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the

issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 3 and 18 (MCL 125.1653 and 125.1668), section 3 as amended by 2004 PA 521.

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, March 23, 2005, at 3:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 4227, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 15 (MCL 46.415), as amended by 1980 PA 187.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 4117, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," (MCL 32.271 to 32.274) by adding section 3a.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Basham and Bernero

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 24, 2005, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Agriculture, Forestry and Tourism reported

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.

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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert and Jelinek

Nays: Senators Brater and Thomas

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

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:

Meeting held on Thursday, March 24, 2005, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert, Jelinek, Brater and Thomas

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submitted the following:

Meeting held on Thursday, March 24, 2005, at 8:30 a.m., Room 100, Farnum Building

Present: Senators Hardiman (C) and Scott

Excused: Senator George

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, March 24, 2005, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senator Brown (C), Stamas and Clarke

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, March 24, 2005, at 2:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Meeting held on Thursday, March 24, 2005, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Brown (C), Jelinek and Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Joint public hearing held on Monday, March 28, 2005, at 5:30 p.m., Brighton City Hall, 200 N. First Street, Brighton

Present: Senators Gilbert (C) and Leland

Excused: Senators Kuipers, Goschka and Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Joint public hearing held on Thursday, April 7, 2005, at 5:00 p.m., Marysville City Council Chambers, 1111 Delaware Avenue, Marysville

Present: Senator Gilbert (C)

Excused: Senators Kuipers, Goschka, Leland and Basham

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Public hearing held on Friday, April 8, 2005, at 10:00 a.m., Southside Sportsman Club, 539 Capitol Avenue, S.W., Battle Creek

Present: Senators Cropsey (C) and Schauer

Excused: Senators Bishop, Sanborn, Patterson, Bernero and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:

Public hearing held on Monday, April 11, 2005, at 4:00 p.m., Epic Theatre, Epic Center, 359 S. Kalamazoo Mall, Kalamazoo

Present: Senator George (C)

Excused: Senators McManus and Clarke

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, April 14, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Agriculture - Thursdays, April 14, 2:30 p.m.; and April 21, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

Capital Outlay - Thursday, April 14, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce, Labor and Economic Development - Wednesdays, April 13, April 20 and April 27, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

Community Health Department - Thursdays, May 5, 2:30 p.m.; and May 12, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower; May 19, 2:30 p.m., Rooms 402 and 403, Capitol Building; and June 2, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7946)

Family Independence Agency - Thursday, April 14, 11:00 a.m., Room 110, Farnum Building (373-1801)

General Government - Tuesdays, April 19 and April 26, 1:00 p.m., Room 810, Farnum Building; Wednesday, April 13 and Thursday, April 21, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

History, Arts, and Libraries - Tuesdays, April 19, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (CANCELED); and April 26, 3:00 p.m., Room 810, Farnum Building (373-0793)

State Police and Military Affairs - Thursdays, April 14, 1:00 p.m.; and April 21, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5932)

Transportation Department - Tuesday, April 19, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Legislative Retirement Board of Trustees - Wednesday, April 13, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Local, Urban and State Affairs - Thursday, April 14, 2:00 p.m., Putney Lecture Hall, Room 1010, John E. Fetzer Center, Western Michigan University, 1903 West Michigan Avenue, Kalamazoo (373-1707)

Natural Resources and Environmental Affairs and House Natural Resources, Great Lakes, Land Use and Environment - Thursday, April 14, 8:00 a.m., Room 519, House Office Building (373-3447)

Technology and Energy - Wednesday, April 13, 3:00 p.m., Room 210, Farnum Building (373-7350)

Transportation - Tuesday, April 19, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:39 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, April 13, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate