

**No. 63**  
**STATE OF MICHIGAN**  
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Senate Chamber, Lansing, Wednesday, June 29, 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—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—present  
Sikkema—present  
Stamas—present  
Switalski—present  
Thomas—present  
Toy—present  
Van Woerkom—present

Reverend Patricia Weatherwax, chaplain of Bronson Methodist Hospital of Kalamazoo, offered the following invocation:

Divine Counselor, we know we are blessed to be a blessing; that much is required of those to whom much has been given. You have planted in our hearts and minds ideas of what is good and right and helpful. What do You require of us in return? That we do justice and love kindness and walk humbly with You.

We understand that we are called here to take action. There are so many things we must do. Today we ask that the ideas You plant in our hearts promote justice in our state. We ask for Your divine counsel and wisdom, so that the things we do are just and fair in Your eyes and in the eyes of our people.

We ask that the things we do and the words that we say demonstrate that we are here as labor of love for this state and for the people who have given us the privilege to speak for the needs of all people in this place. We pledge to be kind to one another and to respect kindness as a virtue. Even when we cannot respect others' opinions or practices, give us a spirit of patience and understanding as we deal with each other.

We journey together today; we walk and work together as men and women elected to serve. We give ourselves humbly, knowing that we are individual creatures with frailties and failings. Help us to not think more highly of ourselves than we ought, but rather consider the needs of the weakest among our communities. In whatever we do here today, may we seek wisdom by looking beyond our strength and finding the power that is available to us with You.

Divine Counselor, persuade us today to do justice and love kindness and walk humbly with You. Amen.

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

### Motions and Communications

Senators Garcia, Hardiman and Johnson entered the Senate Chamber.

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

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

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 129**  
**Senate Bill No. 605**  
**Senate Bill No. 606**  
**Senate Bill No. 607**  
**Senate Bill No. 608**  
**Senate Bill No. 613**  
**Senate Bill No. 614**  
**Senate Bill No. 615**  
**House Bill No. 4825**  
**House Bill No. 4826**

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

Senator Hammerstrom moved that the Committee on Appropriations be discharged from further consideration of the following bill:

**House Bill No. 4887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 107, 147, 158b, and 164c (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1641,

388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, and section 164c as added by 1995 PA 130, and by adding sections 26b, 32l, 33, 54a, 91, 99a, and 99b; and to repeal acts and parts of acts.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

**House Bill No. 4887**

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

Senator Schauer moved that Senators Brater, Emerson and Leland be temporarily excused from today’s session. The motion prevailed.

Senator Schauer moved that Senator Clarke be excused from today’s session. The motion prevailed.

Senators Emerson and Bishop entered the Senate Chamber.

Senator Schauer moved that the Committee on Commerce and Labor be discharged from further consideration of the following bill:

**Senate Bill No. 318, entitled**

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

On which motion Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

Senators Brater and Leland entered the Senate Chamber.

The question being on the motion to discharge,

Senator Hammerstrom moved that further consideration of the bill be postponed for today.

The motion prevailed.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members voting therefor, as follows:

**Roll Call No. 286**

**Yeas—22**

Allen	Garcia	Jelinek	Sanborn
Birkholz	George	Johnson	Sikkema
Bishop	Gilbert	Kuipers	Stamas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cropsey	Hardiman		

**Nays—15**

Barcia	Cherry	Leland	Scott
Basham	Clark-Coleman	Olshove	Switalski

Bernero  
Brater

Emerson  
Jacobs

Prusi  
Schauer

Thomas

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: President

**Protests**

Senators Clark-Coleman, Basham and Scott, under their constitutional right of protest (Art. 4, Sec. 18), protested against postponing the motion to discharge the Committee on Commerce and Labor from consideration of Senate Bill No. 318.

Senator Clark-Coleman's statement is as follows:

The reason that I voted "no" is that we must discharge this bill from committee today because \$10,712 is not enough to support a family; \$10,712—that is how much a full-time worker making minimum wage will make this year if we don't act on this bill, Senate Bill No. 318. We already know that over 450,000 workers work for minimum wage every year. We also know that 40 percent of them are the primary breadwinners in their families, and that means that 185,000 families are trying to survive on \$10,712 a year.

Well, my colleagues, the federal poverty level in 2005 for a family of four is \$19,350, and that is almost double the minimum wage. How can we act on budgets that cut people off welfare and then ask them to support themselves and their families on one-half of the poverty level wages? It is time that this body stood up for the 185,000 people trying to survive on \$10,712 a year and give them a raise today. I beg you to reconsider.

Senator Basham's statement is as follows:

The Senate needs to act today because 450,000 Michigan workers can't wait another day. Out of the 450,000 Michigan workers currently working on minimum wage, 40 percent are the primary breadwinners in their families. These families can't wait another day for the Senate to give them a hand. Workers who are not on minimum wage are more likely to spend their money in small businesses in their communities. Every week we don't act we are effectively removing \$13.5 million from Michigan's economy.

The passage of this bill would give those 450,000 families a raise of just 75 cents per hour beginning Friday, July 1st. Every week we don't act we are costing these families \$30 a week. This bill has been held in the Commerce and Labor Committee for 13 weeks without a hearing. If we don't act by Christmas, we are costing these families \$750, effectively removing \$337 million from the economy.

Mr. President, we are not talking about wealthy people here. A person working at the current minimum wage of \$5.15 an hour working 40 hours a week grosses \$206 a week—\$206 a week. Michigan's workers need to make enough money to support their families. Our current laws are woefully inadequate and over 450,000 need our help today. Over 12 percent of Michigan's population receives some sort of food assistance.

I would encourage my colleagues to rethink their position.

Senator Scott's statement is as follows:

You know, Mr. President, I am real concerned. Do we want a Third World here? Do we want this to be the poor and the rich? You know, it is time for us to deal with the minimum wage here. These are people who are trying to pull themselves up, and we don't allow them the opportunity. These are the same people whom I talk about every day who can't even afford car insurance. We'd rather them not so that we can catch them, so that they can spend time in prison and that because they can't even afford an attorney when they get caught driving without auto insurance.

It is time for us to stand up and care about all people. What is wrong with us? Raising the minimum wage is a bottom-up economic stimulus. When workers can't afford to go shopping for their families, they suffer, the employers suffer, and the taxpayers suffer. Minimum wage workers are most likely to spend their income locally, so raising the minimum wage will provide a boost of local retailers and restaurants. We look forward to working with small businesses to ensure their voices are heard on this important issue.

A 2004 study conducted by the Fiscal Policy Institute shows that small businesses in states with minimum wage increases above the federal level grew twice as fast as those in states with lower minimum wages. We can't wait for Washington. We need to do the right thing in Michigan and hope the rest of the nation follows our lead. Michigan is

not only the Great Lakes State; it has always been a great work state. Our state helped give birth to the American middle class. I see that we don't want that any longer. We want the rich and the poor, don't we?

We should serve as a model to the nation in providing the opportunity for working families to live the American Dream in which hard work, equal economic prosperity, and raising the minimum wage is a great place to start.

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

The motion prevailed.

Senator Schauer's statement is as follows:

I rise to speak in favor of discharging Senate Bill No. 318 from the Committee on Commerce and Labor for us to consider today on the Senate floor. We have been waiting for this bill that would raise Michigan's minimum wage to be taken up in committee. It has not done so. I find it alarming, colleagues, that minimum wage earners continue to fall further and further behind. It is immoral for us as a state and as a people to knowingly allow those who are working full-time and raising children to raise those children in poverty. That is just wrong. There are over 450,000 minimum wage workers in our state who can't wait another day for this bill to come before us.

Please know, members, that 40 percent of those minimum wage earners are the primary breadwinners in their families. They cannot wait and they expect and demand action by this legislative body on Senator Basham's bill, Senate Bill No. 318.

My concern and why I think it's the right thing to do is that the purchasing power of Michigan minimum wage and our national wage continues to fall behind, and that is very important. Unfortunately, the federal government has decided not to act. There was even Republican support in the U.S. Senate to raise the minimum wage. That measure failed, and that's why Michigan needs to act. That's why we as a Senate body need to move quickly on this legislation in order to support families who are playing by the rules and to support their children.

Now, be aware that in recent budget bills we passed last week, we are apparently moving to shorten the time that people can be on welfare. We are saying they need to work, and they should work. Unfortunately, if we don't take up this bill today, we are saying that it is okay for them to work in poverty. So I would ask for a "yes" vote on this discharge of Senate Bill No. 318.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, June 28:

**House Bill No. 4360**

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 29:

**House Bill Nos. 4588 4852 4857 4858 4918 4919**

### Messages from the Governor

The following message from the Governor was received and read:

June 28, 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 5474a of the Public Health Code, 1978 PA 368, MCL 333.5474a:

#### **Childhood Lead Poisoning Prevention and Control Commission**

Mr. Daryl K. Gallant of 1314 Osborn Lake Road, Brighton, Michigan 48114, county of Livingston, appointed to represent certified lead abatement contractors, for a term commencing June 28, 2005 and expiring July 1, 2007.

Mr. Clay B. Powell of 3569 Running Brook Drive, S.E., Kentwood, Michigan 49512, county of Kent, appointed as a member of the general public, representing owners and developers in this state, for a term commencing June 28, 2005 and expiring July 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. 356**

**Senate Bill No. 419**

The motion prevailed.

**Senate Bill No. 136, entitled**

A bill to prohibit the issuance or manufacture of false academic credentials; and to provide remedies.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 22, after “or” by striking out “\$10,000.00” and inserting “\$100,000.00”.

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

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 264, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 266, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2006; and to provide for the expenditure of the appropriations.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 267, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 268, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 269, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 270, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 271, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 272, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2006; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 273, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2006; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2006; and to provide for the expenditures of the appropriations.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 274, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 275, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2006; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1).

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 276, entitled**

A bill to make appropriations for the department of labor and economic growth, the Michigan strategic fund, and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 277, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

Pursuant to rule 3.202, the bill was laid over one day.



**Senate Bill No. 278, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 280, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 281, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2006; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2006; and to provide for the expenditure of the appropriations.

Pursuant to rule 3.202, the bill was laid over one day.

The President pro tempore, Senator Birkholz, assumed the Chair.

**Senate Bill No. 352, entitled**

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal

certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17752 (MCL 333.17752).

Substitute (H-1).

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. 287**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

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

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

The Senate agreed to the title as amended.

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

**House Bill No. 4434, entitled**

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain

circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 17753.

Substitute (H-3).

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

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

**Roll Call No. 288**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title as amended.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

**Senate Bill No. 189, entitled**

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal

certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 17766e.

Substitute (H-1).

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. 289**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Sanborn

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

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

The motion prevailed.

Senator Birkholz’s statement is as follows:

Members, today we have the final vote dealing with methamphetamine use and dealing with the only ingredient that is necessary. There are several ingredients that can be substituted in the making of meth. There is one ingredient that does not have a substitute and that is pseudoephedrine and ephedrine. This legislation will require that those, items pseudoephedrine or ephedrine, be kept either behind the counter in a store, or if it is more accessible, it will require security devices and signing for with a photo ID.

So we are going to limit the accessibility only to those 18 years of age and older and they will not be allowed to buy more than 48 tablets at a time or two packages. This will help deal with the access to the making of methamphetamine, a scourge on our communities across the state affecting families and children.

Leaving people addicted usually after the first use, 90 percent of those who use it are totally addicted after the second use. We want to help end this in our communities, and we want to help prevent any more people from being attracted to the drug initially and becoming addicted to it.

This past week, we held a conference in Kalamazoo for law enforcement people, for people from the judicial community, and people from the rehabilitation community to try to find better ways of helping people who are addicted to this horrible scourge of getting off the drug. It is very hard. The traditional treatment methods do not work.

We had over 500 people attend the conference that we had hoped to have about 200 attendees. We had to turn away another 100 people. You can see the magnitude of this problem and how it is affecting our communities. So by passing this legislation today and sending it on to the Governor, you're going to help make your communities a better place to live and help those families who are intending or who have the propensity to become the addicts of the future.

I appreciate the support that you have given us. This legislation has not been easy to negotiate. It's been a challenge, but we have succeeded, and I know that we will be making a difference with your vote today. Thank you for your support, and we continue to look for more solutions to this problem in our communities.

The President pro tempore, Senator Birkholz, resumed the Chair.

**Senate Bill No. 302, entitled**

A bill to amend 1988 PA 112, entitled "The business opportunity act for persons with disabilities," by amending section 3 (MCL 450.793), as amended by 1998 PA 73.

(This bill was returned from the House without amendment on June 28 and the recommendation for immediate effect postponed. See Senate Journal No. 62, p. 998.)

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 303, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

Substitute (H-1).

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. 290**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

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

By unanimous consent the Senate proceeded to the order of  
**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Birkholz, designated Senator Jelinek as Chairperson.

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

**House Bill No. 4887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 107, 147, 158b, and 164c (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, and section 164c as added by 1995 PA 130, and by adding sections 26b, 32l, 33, 54a, 91, 99a, and 99b; and to repeal acts and parts of acts.

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.

By unanimous consent the Senate returned to the order of  
**Third Reading of Bills**

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

**House Bill No. 4887**

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

By unanimous consent the Senate proceeded to consideration of the following bill:

**House Bill No. 4887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2004 PA 518 and section 17b as amended by 2000 PA 297.

The above bill was read a third time.

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. 291**

**Yeas—22**

Allen  
 Birkholz  
 Bishop  
 Brown  
 Cassis  
 Cropsey

Garcia  
 George  
 Gilbert  
 Goschka  
 Hammerstrom  
 Hardiman

Jelinek  
 Johnson  
 Kuipers  
 McManus  
 Patterson

Sanborn  
 Sikkema  
 Stamas  
 Toy  
 Van Woerkom

**Nays—15**

Barcia	Cherry	Leland	Scott
Basham	Clark-Coleman	Olshove	Switalski
Bernero	Emerson	Prusi	Thomas
Brater	Jacobs	Schauer	

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

**House Bill No. 4541, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 518, 525, and 537 (MCL 436.1518, 436.1525, and 436.1537), section 518 as added by 2002 PA 725, section 525 as amended by 2004 PA 266, and section 537 as amended by 2001 PA 223.

The above bill was read a third time.

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. 292****Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 553, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 11 (MCL 421.11), as amended by 1995 PA 25.

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. 293****Yeas—37**

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

**Nays—0****Excused—1**

Clarke



**Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 578, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

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. 294****Yeas—37**

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

**Nays—0****Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 373, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 236a.

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. 295****Yeas—37**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer

Basham  
 Bernero  
 Birkholz  
 Bishop  
 Brater  
 Brown  
 Cassis  
 Cherry

Emerson  
 Garcia  
 George  
 Gilbert  
 Goschka  
 Hammerstrom  
 Hardiman

Johnson  
 Kuipers  
 Leland  
 McManus  
 Olshove  
 Patterson  
 Prusi

Scott  
 Sikkema  
 Stamas  
 Switalski  
 Thomas  
 Toy  
 Van Woerkom

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The President, Lieutenant Governor Cherry, resumed the Chair.

The following bill was read a third time:

**Senate Bill No. 620, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 236b.

The question being on the passage of the bill,

Senator Patterson offered the following amendment:

1. Amend page 2, following line 5, by inserting:

“Enacting section 2. This amendatory act takes effect October 15, 2005.”.

The amendment was adopted, a majority of the members serving voting therefor.

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. 296**

**Yeas—37**

Allen  
 Barcia  
 Basham  
 Bernero  
 Birkholz  
 Bishop  
 Brater  
 Brown  
 Cassis  
 Cherry

Clark-Coleman  
 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—1**

Clarke

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 4465, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 236a.

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. 297****Yeas—37**

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

**Nays—0****Excused—1**

Clarke

**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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4714, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41321; and to repeal acts and parts of acts.

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. 298**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clarke

**Not Voting—0**

In The Chair: President

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

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4715, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41323; and to repeal acts and parts of acts.

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. 299**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Basham	Clarke
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**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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“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.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4716, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41309 (MCL 324.41309), as added by 2003 PA 270.

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. 300**

**Yeas—36**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Scott



**Excused—3**

Basham

Clarke

Emerson

**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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4821, entitled**

A bill to amend 1967 PA 270, entitled “An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data,” by amending section 1 (MCL 331.531), as amended by 2002 PA 600.

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. 302****Yeas—35**

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

**Nays—0**

**Excused—3**

Basham

Clarke

Emerson

**Not Voting—0**

In The Chair: President

Senators Basham and Emerson entered the Senate Chamber.

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 title of the bill.

The following bill was read a third time:

**Senate Bill No. 503, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 440 (MCL 206.440), as amended by 1996 PA 484.

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. 303****Yeas—37**

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

**Nays—0****Excused—1**

Clarke

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.



By unanimous consent the Senate returned 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 Jelinek as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**Senate Bill No. 599, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2003 PA 249.

**Senate Bill No. 247, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83.

**Senate Bill No. 605, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

**Senate Bill No. 613, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

**Senate Bill No. 615, 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 5 (MCL 722.115), as amended by 2004 PA 315, and by adding section 5c.

**House Bill No. 4825, entitled**

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2002 PA 1.

**House Bill No. 4826, entitled**

A bill to amend 1982 PA 250, entitled "Child abuse and neglect prevention act," by amending section 4 (MCL 722.604).

**House Bill No. 4275, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

The bills were 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. 540, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2002 PA 4.

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

1. Amend page 2, line 2, by striking out all of subdivision (D) and inserting:

**"(D) THE INDIVIDUAL IS AN EMPLOYEE OF A PROFESSIONAL EMPLOYER ORGANIZATION, AS THAT TERM IS DEFINED IN SECTION 4 OF THE SINGLE BUSINESS TAX ACT, 1975 PA 228, MCL 208.4,**

**SOLELY ACTING AS A RESIDENTIAL MORTGAGE ORIGINATOR OF ONLY 1 MORTGAGE BROKER OR MORTGAGE LENDER. THE MORTGAGE BROKER OR MORTGAGE LENDER SHALL DO ALL OF THE FOLLOWING:**

(i) **DIRECT AND CONTROL THE ACTIVITIES OF THE INDIVIDUAL UNDER THIS ACT.**

(ii) **BE RESPONSIBLE FOR ALL ACTIVITIES OF THE INDIVIDUAL AND ASSUME RESPONSIBILITY FOR THE INDIVIDUAL'S ACTIONS THAT ARE COVERED BY THE PROOF OF FINANCIAL RESPONSIBILITY DEPOSIT REQUIRED UNDER SECTION 4."**

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. 34, entitled**

A bill to provide for the establishment of a corridor improvement authority; to prescribe the powers and duties of the authority; 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 and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; 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 prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 601, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83, and by adding section 1230c.

Substitute (S-3).

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. 609, entitled**

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60, and by adding section 1a to article IV.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 610, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 611, 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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 612, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d. Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 129, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2b to chapter XI.

Substitute (S-2).

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

1. Amend page 2, line 21, after "**THIS**" by striking out "**SECTION**" and inserting "**SUBSECTION AND SUBSECTIONS (6) THROUGH (11)**".

2. Amend page 3, line 4, after "**IS**" by striking out the balance of the line and inserting "**NOT MORE THAN**".

3. Amend page 6, line 8, after "**INSTRUCTION**" by striking out "**TO MINORS**".

4. Amend page 6, line 10, after "**BY**" by striking out "**MINORS**" and inserting "**STUDENTS NOT MORE THAN 19 YEARS OF AGE**".

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. 606, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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. 607, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 9 (MCL 28.725 and 28.729), section 5 as amended by 2004 PA 240 and section 9 as amended by 2004 PA 237.

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. 608, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27a to chapter VIII.

Substitute (S-1).

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

1. Amend page 1, line 6, after "**RELEVANT.**" by inserting "**IF THE PROSECUTING ATTORNEY INTENDS TO OFFER EVIDENCE UNDER THIS SECTION, THE PROSECUTING ATTORNEY SHALL DISCLOSE THE EVIDENCE TO THE DEFENDANT AT LEAST 15 DAYS BEFORE THE SCHEDULED DATE OF TRIAL OR AT A LATER TIME AS ALLOWED BY THE COURT FOR GOOD CAUSE SHOWN, INCLUDING THE STATEMENTS OF WITNESSES OR A SUMMARY OF THE SUBSTANCE OF ANY TESTIMONY THAT IS EXPECTED TO BE OFFERED.**".

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. 614, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 5d and 5e. Substitute (S-1).

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

1. Amend page 2, following line 5, by inserting:

**"(3) NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE CHILD CARE CENTER OR DAY CARE CENTER SHALL CONDUCT A CRIMINAL HISTORY CHECK ON ALL CURRENT EMPLOYEES USING THE DEPARTMENT OF STATE POLICE'S ICHAT."**

2. Amend page 2, line 16, after "FINE" by striking out "PUNISHABLE BY" and inserting "OF".

3. Amend page 2, following line 21, by inserting:

**"(3) A CHILD CARE CENTER OR DAY CARE CENTER SHALL DELETE FROM THE EMPLOYEE'S RECORDS ALL INFORMATION RELATING TO A CHARGE REQUIRED TO BE REPORTED UNDER SUBSECTION (1) IF IT RECEIVES DOCUMENTATION OF EITHER OF THE FOLLOWING:**

**(A) THE PERSON HAS BEEN ACQUITTED OF A CHARGE HE OR SHE WAS REQUIRED TO REPORT UNDER SUBSECTION (1).**

**(B) A CHARGE REPORTED UNDER SUBSECTION (1) HAS BEEN DISMISSED AGAINST THE PERSON UNDER SUBSECTION (1) TO REPORT THAT CHARGE."**

**"(4) NOT LATER THAN 30 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, A CHILD CARE CENTER OR DAY CARE CENTER SHALL INFORM ALL CURRENT EMPLOYEES AND ALL PERSONS WHO WORK REGULARLY AND CONTINUOUSLY UNDER CONTRACT AT THE CHILD CARE CENTER OR DAY CARE CENTER OF THE REQUIREMENT TO REPORT CERTAIN CHARGES AS REQUIRED IN THIS SECTION AND THE PENALTY FOR NOT REPORTING THOSE CHARGES.**

**(5) AT THE TIME A CHILD CARE CENTER OR DAY CARE CENTER MAKES AN OFFER OF EMPLOYMENT TO A PERSON OR ALLOWS A PERSON TO REGULARLY AND CONTINUOUSLY WORK UNDER CONTRACT AT THE CHILD CARE CENTER OR DAY CARE CENTER, THE CHILD CARE CENTER OR DAY CARE CENTER SHALL NOTIFY THAT PERSON OF THE REQUIREMENT TO REPORT CERTAIN CHARGES AS REQUIRED IN THIS SECTION AND THE PENALTY FOR NOT REPORTING THOSE CHARGES."**

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. 351, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16322 and part 165.

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

Senator Van Woerkom offered the following resolution:

**Senate Resolution No. 48.**

A resolution to urge the Michigan Department of Agriculture and the Michigan Department of Environmental Quality to continue participating in the Michigan Agriculture Environmental Assurance Program and promote all of Michigan agriculture's efforts to obtain verification under the program.

Whereas, The Michigan Agriculture Environmental Assurance Program (MAEAP) is a voluntary, proactive pollution prevention program for Michigan farmers established as a result of the 1998 Pollution Prevention Strategy developed jointly by the MDA and the DEQ. MAEAP is currently represented by a partnership of over 30 federal, state, academic, conservation, and agricultural agencies and organizations dedicated to the economic success of Michigan agriculture and to environmental stewardship; and

Whereas, MAEAP is nationally recognized for its innovative alternative approach to agricultural environmental regulation and is used as model for partnership-based pollution prevention programs. MAEAP was selected by the Council of State Governments as a regional finalist as one of the most innovative programs amongst all 50 states; and

Whereas, MAEAP encompasses three systems, livestock, farmstead, and cropping, designed to help farmers evaluate the environmental risks of their operation. Farmers develop and implement economically feasible, effective and environmentally sound pollution prevention practices; and

Whereas, Through participation in MAEAP, more and more Michigan farmers are learning how to find and prevent pollution on their farms. Over 3000 farmers have completed the Phase I educational component of MAEAP and over 100 farmers have completed one or all three of the system verifications. Participation in MAEAP positions farmers to participate in other pollution programs at the state and federal level; now, therefore, be it

Resolved by the Senate, That we encourage the MDA and the DEQ to continue participating in MAEAP and promote all of Michigan agriculture's efforts to obtain verification under the program; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Agriculture and the Michigan Department of Environmental Quality.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Allen, Barcia, Birkholz, Brown, Garcia, Goschka, Jelinek and Switalski were named co-sponsors of the resolution.

Senators Gilbert, Sanborn, Bishop, Toy, Cropsey, Van Woerkom, Hardiman, Jelinek, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, George, Cassis, Allen, Birkholz, Brown and Goschka offered the following resolution:

**Senate Resolution No. 49.**

A resolution to express support for policies that encourage Michigan small businesses to expand in foreign markets.

Whereas, Small businesses are the foundation on which our nation builds its economic strength. There are over 7 million small businesses in the United States. These enterprises employ over 85 percent of all American workers; and

Whereas, Michigan is proud to be home to many of our nation's leaders in small business. From automotive technology and agricultural processing, to the life sciences, Michigan's small business community is a sterling example of the strength of the entrepreneurial spirit; and

Whereas, Approximately 200,000 American small businesses are exporting their goods and services to foreign markets. Michigan is a key exporting state, and much of this number represents the Great Lake State's contributions to our nation's trade balance. Nonetheless, a greater emphasis needs to be placed on promoting exports by small businesses. Clearly, Michigan is poised to be a leader in small business exports. We must not let our opportunities go unrealized. Indeed, as Michigan reopens its foreign trade offices, promotion of Michigan's small businesses in the international marketplace is of paramount importance; now, therefore, be it

Resolved by the Senate, That we express our support for policies that encourage Michigan small businesses to expand in foreign markets; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and Michigan's foreign trade offices.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Commerce and Labor.

The motion prevailed.

Senators Barcia and Switalski were named co-sponsors of the resolution.

### **Introduction and Referral of Bills**

Senators Van Woerkom, Garcia, Leland and Birkholz introduced

**Senate Bill No. 650, entitled**

A bill to amend 1974 PA 369, entitled "Driver education and training schools act," (MCL 256.601 to 256.612) by adding section 10a.

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

Senator Olshove introduced  
**Senate Bill No. 651, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by repealing section 1135 (MCL 491.1135). The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senator Clark-Coleman introduced  
**Senate Bill No. 652, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by repealing section 514 (MCL 487.3514). The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senator Sanborn introduced  
**Senate Bill No. 653, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by repealing section 4406 (MCL 487.14406). The bill was read a first and second time by title and referred to the Committee on Banking and Financial Institutions.

Senator Toy introduced  
**Senate Bill No. 654, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11a of chapter XVII (MCL 777.11a), as added by 2002 PA 31. The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Toy, Cropsey, Jelinek, Birkholz and Bishop introduced  
**Senate Bill No. 655, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 1995 PA 129, and by adding section 224a. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Schauer, Thomas, Olshove and Goschka introduced  
**Senate Bill No. 656, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2004 PA 173. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Goschka introduced  
**Senate Bill No. 657, entitled**

A bill to amend 1913 PA 275, entitled "An act to authorize the boards of supervisors of counties to create a board of county auditors, appoint such officers, and prescribe their powers, duties and compensation," by repealing section 4a (MCL 47.4a).

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

Senator Allen introduced  
**Senate Bill No. 658, entitled**

A bill to amend 1889 PA 39, entitled "An act to authorize the formation of corporations for the purchase and improvement of grounds to be occupied for summer homes, for camp-meetings, for meetings of assemblies or associations and societies organized for intellectual and scientific culture and for the promotion of the cause of religion and morality, or for any or all of such purposes; and to impose certain duties on the department of commerce," by amending section 4 (MCL 455.54), as amended by 1982 PA 85.

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 Gilbert, Sanborn, Bishop, Toy, Cropsey, Van Woerkom, Allen, Hardiman, Jelinek, Stamas, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, Birkholz, Brown and Goschka introduced

**Senate Bill No. 659, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 36 (MCL 208.36), as amended by 1995 PA 284.

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 Toy, Bishop, Sanborn, Cropsey, Kuipers, Gilbert, Allen, Van Woerkom, Hardiman, Jelinek, Stamas, Sikkema, Hammerstrom, McManus, Garcia, Birkholz, Brown and Goschka introduced

**Senate Bill No. 660, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 37f (MCL 208.37f), as added by 2004 PA 319.

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 Garcia, Cassis, Cropsey, Birkholz and Goschka introduced

**Senate Bill No. 661, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.

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

Senator Sanborn introduced

**Senate Bill No. 662, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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 Patterson, Sikkema, Goschka, Stamas, Van Woerkom, Toy, Gilbert, Sanborn, Garcia, McManus, Cropsey, Brown, Jelinek, Birkholz and Hardiman introduced

**Senate Bill No. 663, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

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 George, Cassis, Cropsey, Allen, Birkholz and Goschka introduced

**Senate Bill No. 664, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 131 (MCL 450.1131), as amended by 2001 PA 57.

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

Senators Goschka, George, Cassis, Cropsey, Van Woerkom, Gilbert, Sanborn, Bishop, Allen, Birkholz, Brown, Hardiman, Jelinek, Stamas, Kuipers, Sikkema, McManus and Garcia introduced

**Senate Bill No. 665, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 104 (MCL 450.4104), as amended by 2002 PA 686.

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

Senators Sanborn, Cropsey, Van Woerkom, Bishop, Gilbert, Toy, Allen, Hardiman, Jelinek, Stamas, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, George, Cassis, Birkholz and Goschka introduced

**Senate Bill No. 666, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 131 (MCL 450.2131), as amended by 1992 PA 198.

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

Senators Jelinek, Stamas, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, George, Cassis, Cropsey, Allen, Birkholz, Brown, Hardiman and Goschka introduced

**Senate Bill No. 667, entitled**

A bill to amend 1982 PA 213, entitled "Michigan revised uniform limited partnership act," by amending section 206 (MCL 449.1206), as amended by 1992 PA 110.

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

Senators Van Woerkom, Sanborn, Gilbert, Toy, Allen, Jelinek, Stamas, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, Birkholz, Hardiman, Goschka and Barcia introduced

**Senate Bill No. 668, entitled**

A bill to amend 1998 PA 381, entitled "Michigan agricultural processing act," by amending section 3 (MCL 289.823).

The bill was read a first and second time by title and referred to the Committee on Agriculture, Forestry and Tourism.

Senators Stamas, Kuipers, Sikkema, Hammerstrom, McManus, Garcia, Allen, Birkholz, Goschka, Barcia and Prusi introduced

**Senate Bill No. 669, entitled**

A bill to amend 1998 PA 381, entitled "Michigan agricultural processing act," by amending section 4 (MCL 289.824).

The bill was read a first and second time by title and referred to the Committee on Agriculture, Forestry and Tourism.

**House Bill No. 4360, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 157 (MCL 389.157). 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 Education.

**House Bill No. 4588, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 1, 2, 6, 13a, 16, 16a, 18, 18a, 19, 20, 21, 31, 44, 44a, 46, 47, 61, 61a, 65, 76, 76a, 78, and 81 (MCL 780.751, 780.752, 780.756, 780.763a, 780.766, 780.766a, 780.768, 780.768a, 780.769, 780.770, 780.771, 780.781, 780.794, 780.794a, 780.796, 780.797, 780.811, 780.811a, 780.815, 780.826, 780.826a, 780.828, and 780.831), sections 2, 6, 13a, 16, 18a, 19, 21, 31, 44, 46, 61, 65, 76, and 78 as amended by 2000 PA 503, sections 16a, 44a, and 76a as amended by 2003 PA 98, sections 18, 47, and 81 as amended by 1996 PA 562, and section 61a as added by 1993 PA 341, and by adding section 19a.

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. 4852, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending the title and sections 1a, 2d, 3, 4, 5, 6, 7, 7a, 7b, 7c, 7d, 11, and 12 (MCL 480.11a, 480.12d, 480.13, 480.14, 480.15, 480.16, 480.17, 480.17a, 480.17b, 480.17c, 480.17d, 480.21, and 480.22), the title and sections 1a, 2d, 3, 4, and 6 as amended and sections 7d and 12 as added by 1995 PA 265, section 5 as added by 1998 PA 337, sections 7, 7b, and 11 as amended by 2000 PA 98, section 7a as added by 1988 PA 359, and section 7c as amended by 2004 PA 168, and by adding sections 4a, 13, 14, and 15; 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 Transportation.

**House Bill No. 4857, entitled**

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 31 (MCL 474.131), as amended by 2001 PA 129.

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 Transportation.



**House Bill No. 4858, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 683, 723, and 724 (MCL 257.683, 257.723, and 257.724), section 683 as amended by 2000 PA 97, section 723 as amended by 2003 PA 152, and section 724 as amended by 2004 PA 420, and by adding section 312g; 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 Transportation.

**House Bill No. 4918, entitled**

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending section 7 (MCL 15.217).

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. 4919, entitled**

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 3 and 6 (MCL 15.213 and 15.216).

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.

### Statements

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

The motion prevailed.

Senator Cropsey's statement is as follows:

Earlier today, we had a motion to discharge one of the committees from consideration of Senate Bill No. 318, which I think is a very unfortunate motion for a very unfortunate bill. This bill is dealing with the area of minimum wage and having Michigan raise the minimum wage. This bill needs to be kept in committee, and if anything is done, perhaps a hearing should be held to determine whether or not actually increasing the minimum wage will help bring jobs to the state of Michigan.

In testimony given in front of the United States House of Representatives, a Small Business Committee, the Subcommittee on Workforce and Empowerment and Government Programs regarding the economic effects of minimum wage, Paul Kersey brought several good areas that need to be considered before we adopt or discharge from committee a job killer of a bill. This is part of the testimony that was given. It says, "I have good news and bad news. The bad news is that the increase in minimum wage will do little to improve the conditions for the working poor. This is because relatively few of the recipients of the increase are living in poverty." He said an analysis was done in 2003 of the census that shows of the 7.6 million American workers receiving an average hourly wage of less than \$6.65 an hour—the immediate beneficiaries of a change to the minimum wage—only 15 percent are currently living in poverty. One-fifth of the low-income workers belong to the families earning under \$80,000 annually. The average family income of a typical low-wage worker was a respectable \$40,000 per year.

In other words, the typical beneficiary of a minimum wage increase will not be a poor father and mother scrambling to keep a family feed, clothe, or housed. The recipients of the pay raise that is demanded under this proposal are at least as likely, if not more likely, to be already solid members of the middle class.

Scholars Robert Rector and Rea Hederman said that the values of a minimum wage increase for poor families is limited by the low amount of hours that parents and poor families, actually, tend to work. Increasing working hours would have far greater benefit for these families both immediately and in the long-term than increasing the minimum wage, although the minimum wage increase currently proposed may raise family income by as much as 30 percent in the short-term. Rector and Hederman showed that increasing work hours to the equivalent of having one adult working full-time nearly doubles the average income of these families, even after accounting for lost government benefits and increased taxes.

What we need here are jobs in the state of Michigan, not artificially raising the minimum wage. I would call upon the Governor to start to try and expand bringing jobs here into this state instead of trying to kill jobs through legislation like this.

Researchers at two universities, Florida State and Miami of Ohio, found that full-time workers hired at the minimum wage received a median pay increase of 13 percent within their first year. Research by the Employment Policy Institute shows that 47 percent of families living below the poverty line in 1997 managed to make it over the poverty line in 1998. The authors of that study concluded that earnings from minimum wage work and the Earned Income Tax Credit both significantly reduced the number of working poor in the 1990s; which, incidentally, it's my understanding that the Earned Income Tax Credit that has been proposed here in the state of Michigan is being opposed by the current Governor because it cost too much, but yet, that is one of the things that helps poor people work and come out of poverty.

Artificially raising wages will cut off this difficult but direct path to greater prosperity for many poor families and will delay the entry of other workers, including youth, into the paid workforce by needlessly increasing the cost of unskilled labor. Employers will not be able to afford to hire as many unskilled workers and will respond by cutting back services or replacing workers with machinery. Increasing the minimum wage will not help the poor in this state. Getting jobs here to this state of Michigan will help people get out of poverty, and I call upon the people on the other side of the aisle to stop the destructive political posturing and help to get jobs here in Michigan.

Senator Scott's statement is as follows:

Well, in today's Business section of the *Lansing State Journal*, Michigan "Car insurance rates up 4 percent. The average annual cost of an auto insurance policy in Michigan increased 4 percent in 2004 to \$1,130, up to \$1,086 in 2003, according to a study done by the Lansing-based Insurance Institute of Michigan. The increase—mostly due to rising costs of medical care, vehicle repairs, and lawsuits—wasn't as high as it's been in recent years. In Michigan—the only state that requires insurance companies to pay unlimited, lifetime medical benefits to motorists injured in automobile accidents—personal injury protection claims cost insurance companies an average of \$24,531 per claim in 2004, up from \$10,877 in 1999."

Well, you know they say Michigan is 29th, but Detroit is No. 1—the highest rates in the country, and certainly, the highest in this state. Now it is time for us to really do something about this.

Here is a story that one of the constituents have on my website who are giving us some action to do because they are tired of these meetings and all the rhetoric that goes on. We seem to be able to deal with all the issues of this state, except insurance. I don't know if it's because it's just in the urban areas or what it really is, you know, that we just don't talk about; that we need to have some discussions on.

This gentleman says, "Senator we have been redlined for over twenty years and I do not believe as far as fair insurance rates for the city of Detroit, we will not get relief. So the next thing to do is to allow any city in the state of Michigan paying a disproportionate amount for auto or housing insurance that the said city can claim the average different on their state income tax. For example, my supervisor moved from Detroit to Bloomfield Hills, and his auto insurance per year for his two cars was cut in half. Also his homeowner insurance for his new dwelling was cheaper. My boss works in downtown Detroit like I do, his one way mileage tripled but he pays less. Example: A person in the state of Michigan paying for auto insurance living in a township or city. If the cost is about 10% - 15% less than other cities in the state, the other cities will be labeled redlined and said insurance company shall be charged through state taxes the differences over 10%. Let's quit beating our heads against the wall and attack the situation."

Senator George's statement is as follows:

As the Senate prepares for its budget negotiations with the House and the administration, I wanted to comment on one of the important innovations contained in the Senate version of the Community Health budget. I am referring to our proposal to institute premiums and co-pays for Medicaid recipients and linking them to health behavior.

At the time that we first debated this subject, I cited Tennessee Governor Phil Bredesen, who had called Medicaid a crisis that's forcing states to choose between quality health care on one hand and quality education for our children on the other. Governor Bredesen then advocated for a system of premiums and co-pays so that recipients would have a small out-of-pocket expense for services.

Now in response, some said, "Well, we shouldn't use Tennessee as our model," and secondly, there were other objections raised regarding the department's ability to procure the necessary waiver. I wanted today to report on new developments pertinent to these two arguments.

First, I wanted draw my colleagues' attention to the current issue of the Midwest Council of State Governments newsletter which features an article on Medicaid reform in Iowa. The article says in Iowa, "A bipartisan solution reached this year will not only offset the loss of federal dollars, but it will introduce several cutting-edge ideas into the state's Medicaid program." This was signed into law by Democratic Governor Tom Vilsack.

Now what was this cutting-edge idea? It was that upon enrollment, members will receive a medical evaluation and personal health care plan. Enrollees who follow their health care plan or don't smoke would pay lower premiums and co-pays. The article illustrates that we are not the only state considering this concept, and it is certainly not limited to Tennessee.

Secondly, since our earlier discussion, the National Governors Association has supplied testimony to Congress on the need for Medicaid reform. The Medicaid Reform report was developed by a working group of 11 governors, including our own. The report outlines several key recommendations for Medicaid reform, including a call for cost-sharing provisions. The National Governors Association chairman, Virginia Governor Mark Warner, testified and said, "Medicaid's cost-sharing rules, which have not been updated since 1982, prevent states from utilizing market forces

and personal responsibility to improve health care delivery. These programs should be modified so states have broad discretion to establish enforceable premiums, deductibles, or co-pays.”

The governors went on, and Governor Huckabee said, “It is not the intention of the governors to see how many people we can take away from access to medical care. It is exactly the opposite. But the current system is unsustainable.” And Governor Warner concluded, “We have the only bipartisan game in town.”

Now I tell you this, colleagues, because I want you to know that the Michigan Senate is not alone in our call for co-pays and premiums that are linked to behavior. The Governors Association is like-minded in calling for the exact same reforms that we are advocating for. So when the department says it can’t be done, or that the Senate knows nothing about Medicaid, they ought to read the bipartisan National Governors Association report that our Governor, and their boss, helped co-author.

It is important to note as we enter budget talks with the Governor that other states, including those with Democratic governors, are adopting similar ideas to what we have advanced here. As Governor Bredesen concluded, “The challenge of Medicaid is not a Democratic or Republican issue. It is an American, bipartisan issue that demands a coordinated national response.”

Senator Basham’s statement is as follows:

Madam President, had I been here I would have voted “yes” on House Bill Nos. 4714, 4715, 4716, 4322, and 4821.

I would also like to respond to why I am so proud to be a Democrat because of the callous remarks made by the Senator from the 33rd District relative to the minimum wage. Other states, in light of the federal government’s failure to act, Michigan should join them because they are raising the minimum wage. Fifteen states have already established a minimum wage higher than the federal level, including Illinois, Florida, New York, and Maine. Four states have indexed their minimum wage to the rate of inflation. The minimum wage is overwhelmingly supported by voters. For example, Floridians passed a constitutional amendment to raise the minimum wage and index it to inflation. It passed with 71 percent support. It also has bipartisan support.

In New York, the Republican-controlled State Senate overrode Republican Governor George Pataki’s veto of the minimum wage increase by a 51-8 vote, and a Republican leader lead the fight. It’s about fairness.

When the minimum wage was established more than 60 years ago, it was done so with the idea that people who work hard deserve a decent living. It’s a matter of fairness and common sense. The minimum wage is a critical tool in fighting poverty. Yet, in real money, the minimum wage today buys fewer groceries and even less gas and fails to stretch nearly as far as it did in earlier years. In fact, in real dollars, the minimum wage is worth less than it was in the 1950s. Can you believe it?

In the 1950s, Elvis was king, Ike was President, and you could buy a gallon of gas for 29 cents. We are trying to pay today’s workers with yesterday’s wages—pathetic. The value of today’s minimum wage just doesn’t cut it anymore. This is causing a significant hardship for low wage earners and their families.

### Committee Reports

The Committee on Judiciary reported

**Senate Bill No. 129, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 2b to chapter XI.

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 L. Cropsey

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 605, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

With the recommendation that the bill pass.

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

Alan L. Cropsey

Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 606, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 607, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 9 (MCL 28.725 and 28.729), section 5 as amended by 2004 PA 240 and section 9 as amended by 2004 PA 237.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

## To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 608, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27a to chapter VIII.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

## To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, June 28, 2005, at 1:00 p.m., Room 210, Farnum Building

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

The Committee on Families and Human Services reported

**Senate Bill No. 613, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

## To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

**Senate Bill No. 614, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 5d and 5e. 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.

Bill Hardiman  
Chairperson

## To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: None

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

The Committee on Families and Human Services reported

**Senate Bill No. 615, 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 5 (MCL 722.115), as amended by 2004 PA 315, and by adding section 5c.

With the recommendation that the bill pass.

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

Bill Hardiman  
Chairperson

## To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

**House Bill No. 4825, entitled**

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2002 PA 1.

With the recommendation that the bill pass.

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

Bill Hardiman  
Chairperson

## To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

**House Bill No. 4826, entitled**

A bill to amend 1982 PA 250, entitled "Child abuse and neglect prevention act," by amending section 4 (MCL 722.604).

With the recommendation that the bill pass.

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

Bill Hardiman  
Chairperson

**To Report Out:**

Yeas: Senators Hardiman, Hammerstrom and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, June 28, 2005, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Hardiman (C), Hammerstrom, Sanborn and Jacobs

Excused: Senator Clark-Coleman

**Scheduled Meetings**

**Agriculture, Forestry and Tourism** - Thursday, June 30, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations -****Subcommittee -**

**Capital Outlay** - Thursday, June 30, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 12:40 p.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Thursday, June 30, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate