

No. 64  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2004

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Senate Chamber, Lansing, Wednesday, June 23, 2004.

10:00 a.m.

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

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

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

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

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

Senator Beverly S. Hammerstrom of the 17th District offered the following invocation:

O Lord, God Almighty, guide us today as we deliberate matters of importance to this great state and its people. Grant us the special gifts of wisdom and understanding, counsel and strength. Lead us in the ways of justice and peace, respecting one another during heated debate as we strive to do what is right, following what is true, and seeking to fulfill Thy divine purpose.

In Thy holy name we pray. Amen.

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

### Motions and Communications

Senator Thomas entered the Senate Chamber.

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

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

The following communication was received and read:  
Office of the Senate Majority Leader

June 18, 2004

I have made the following appointments to the Midwestern Legislative Conference of The Council of State Governments for 2004:

Economic Development, Technology and Labor

Senator Valde Garcia  
Senator Alan Sanborn  
Senator Dennis Olshove

Education

Senator Wayne Kuipers  
Senator Nancy Cassis

Environment, Natural Resources and Energy

Senator Michelle McManus  
Senator Gerald Van Woerkom

Health and Human Services

Senator Beverly S. Hammerstrom  
Senator Tom George

Midwest-Canada Relations

Senator Deborah Cherry  
Senator Patricia Birkholz  
Senator Judson Gilbert II  
Senator Hansen Clarke

BILLD Steering

Senator Ron Jelinek  
Senator Raymond Basham

Innovations Selection  
Resolutions

Senator Michael Bishop  
Senator Alan Cropsey  
Respectfully yours,  
Kenneth Sikkema  
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 22:  
**House Bill Nos. 5977 5990 5991 5992 5993 5994 5995 5996 5997 5998 5999 6000 6001 6002**  
**6003 6005 6011**

### Messages from the Governor

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

**Senate Bill No. 195**

**Senate Bill No. 364**

**Senate Bill No. 293**  
**Senate Bill No. 265**  
**Senate Bill No. 288**  
**Senate Bill No. 540**  
**Senate Bill No. 283**  
**Senate Bill No. 464**  
**Senate Bill No. 466**  
**Senate Bill No. 395**  
**Senate Bill No. 474**  
**Senate Bill No. 840**  
**Senate Bill No. 785**  
**Senate Bill No. 788**  
**Senate Bill No. 829**  
**Senate Bill No. 841**  
**Senate Bill No. 1093**  
**Senate Bill No. 863**  
**Senate Bill No. 865**  
**Senate Bill No. 867**  
**Senate Bill No. 869**  
**Senate Bill No. 872**  
**Senate Bill No. 875**  
**Senate Bill No. 647**  
The motion prevailed.

The following message from the Governor was received and read:

June 22, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 17721 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17721:

**Michigan Board of Pharmacy**

Ms. Sara A. Fakhoury of 2114 Haverford Court, Troy, Michigan 48098, county of Oakland, succeeding Douglas A. Miller, whose term has expired, representing pharmacists, for a term commencing June 30, 2004 and expiring June 30, 2008.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointment was referred to the Committee on Government Operations.

The following message from the Governor was received on June 22, 2004, and read:

**EXECUTIVE ORDER**  
No. 2004-32

**Lieutenant Governor's Commission on Higher Education and Economic Growth**  
**Executive Office of the Governor**

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

WHEREAS, Section 4 of Article V of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

WHEREAS, under Section 1 of 1931 PA 195, MCL 10.51 the Governor may, at such times and for such purposes as the Governor deems necessary or advisable, create special advisory bodies consisting of as many members as the Governor deems appropriate;

WHEREAS, Section 17 of Article V of the Michigan Constitution of 1963 empowers the Governor to present to the Legislature information as to the affairs of the state and recommend measures that she considers necessary or desirable;

WHEREAS, under Section 25 of Article V of the Michigan Constitution of 1963, the Lieutenant Governor may perform those duties requested by the Governor;

WHEREAS, the skill and determination of Michigan's workforce established our state as a world-renowned center of manufacturing in the 20th century and created the high quality of life we continue to enjoy today;

WHEREAS, both Michigan's core manufacturing industries and the new technology-based enterprises we seek to grow in the 21st century demand the talents of an increasingly educated workforce;

WHEREAS, two-thirds of the jobs that will be created in the next decade will require post-secondary education and training;

WHEREAS, Michigan now falls below the national average in critical measures of educational attainment and, in the case of the number of our citizens who have attained bachelor's degrees, our state is far behind states that are leaders in the race for economic development and jobs;

WHEREAS, ninety percent of our students express the desire to go to college as they enter high school, but only forty-one percent attend college four years later and only eighteen percent have attained bachelor's degrees six years after enrolling;

WHEREAS, those earning bachelor's degrees can be expected to earn sixty percent more than those with high school diplomas while those with associate's degrees earn twenty-five percent more than high school graduates;

WHEREAS, the businesses we hope to attract to Michigan cite the availability of a skilled workforce as a chief factor in determining where to make job-creating investments;

WHEREAS, Michigan businesses have identified a future shortage of skilled workers as a major impediment to economic growth and the prosperity it creates;

WHEREAS, other states and other nations have made great strides in increasing both the availability of higher education to their citizens and in strengthening the link between higher education and economic development;

WHEREAS, Michigan cannot hope to maintain its economic vitality and the quality of life of its residents without making a dramatic increase in the number of our citizens who attain degrees and other credentials that link them to economic opportunity;

WHEREAS, the people of Michigan have created institutions of higher learning, including state universities and community colleges, to open the doors of educational opportunity to all;

WHEREAS, that opportunity must include the ability to earn degrees and other credentials linked to success in our knowledge-based economy; and

WHEREAS, we must act now to help the citizens of Michigan attain the post-secondary education they desire and that our economy demands.

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

#### **I. ESTABLISHMENT OF LIEUTENANT GOVERNOR'S COMMISSION ON HIGHER EDUCATION AND ECONOMIC GROWTH**

A. The Lieutenant Governor's Commission on Higher Education and Economic Growth (the "Commission") is created as an advisory body within the Executive Office of the Governor.

B. The Commission shall consist of Lieutenant Governor John D. Cherry, Jr., as chair and 30 additional voting members appointed by the Governor.

C. The Speaker of the House of Representatives, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leader each may designate one member of the Michigan Legislature to participate as nonvoting members of the Commission.

D. In addition to the members appointed under Section I.B and I.C, the State Board of Education President, the Director of the State Budget Office, the Director of the Department of Information Technology, the Director of the Department of Labor and Economic Growth, the State Treasurer, and the State Superintendent of Public Instruction, or their designees, will serve as ex officio, nonvoting members of the Commission.

E. Members of the Commission appointed by the Governor shall serve at the pleasure of the Governor.

F. A vacancy on the Commission shall be filled in the same manner as the original appointment.

#### **II. CHARGE TO THE COMMISSION**

A. The Commission is advisory to the Governor and shall make recommendations to:

1. Build a dynamic workforce of employees who have the talents and skills needed for success in the 21st Century economy.

2. Double the percentage of citizens who attain post-secondary degrees or other credentials that link them to success in Michigan's economy.

3. Improve the alignment of Michigan's institutions of higher education with emerging employment opportunities in the state's economy.

B. In exercising its duties the Commission will examine strategies to:

1. Increase the number of students in Michigan who attain the skills critical to post-secondary success before graduating from high school.

2. Increase the number of Michigan residents who attend post-secondary institutions.

3. Increase the number of students who successfully complete their post-secondary studies and obtain bachelor's degrees and other credentials relevant to existing and emerging economic opportunities.

4. Maximize the benefits that higher education brings to Michigan's economy.

C. The Commission shall provide other information or advice as directed by the Lieutenant Governor.

D. The Commission, not later than December 31, 2004, shall complete its work and issue a final report to the Governor for her consideration.

E. A copy of the final report shall be transmitted to the Legislature and the State Board of Education.

### **III. OPERATIONS OF THE COMMISSION**

A. The Commission may promulgate bylaws, not inconsistent with Michigan law and this Order, governing its organization, operation, and procedures.

B. The Commission shall be staffed by personnel from and assisted by state departments and agencies as requested by the Lieutenant Governor and directed by the Governor.

C. The Commission shall meet at the call of the Lieutenant Governor and as may be provided in procedures adopted by the Commission.

D. The Lieutenant Governor, as chair, may establish workgroups or committees assigning commission members to and inviting public participation on these workgroups or committees as the Lieutenant Governor deems necessary.

E. The Commission may adopt, reject, or modify recommendations made by the workgroups and committees.

F. The Commission shall act by majority vote of its present and voting members. A majority of the voting members of the Commission constitutes a quorum for the transaction of business.

G. The Commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Commission may consult with outside experts in order to perform its duties.

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

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

J. The Commission may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Commission, staff, and contractors shall refer all legal, legislative, and media contacts to the Office of the Lieutenant Governor.

### **IV. MISCELLANEOUS**

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

B. Nothing in this Executive Order shall be construed to diminish the constitutional authority of the State Board of Education pursuant to Section 3 of Article VIII of the Michigan Constitution of 1963, to provide leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees; to serve as the general planning and coordinating body for all public education, including higher education; and to advise the Legislature as to the financial requirements in connection therewith.

C. Nothing in this Order shall be construed to change the organization of the executive branch of state government or the assignment of functions among its units in a manner requiring the force of law.

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

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 22nd day of June, in the year of our Lord, two thousand four.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

### Messages from the House

Senator Hammerstrom moved that consideration of the following bills be postponed for today:

**Senate Bill No. 267**

**Senate Bill No. 774**

**Senate Bill No. 1135**

**Senate Bill No. 1240**

The motion prevailed.

**Senate Bill No. 831, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 97.

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 pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 832, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109h.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 5589, entitled**

A bill to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detention in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 8 (MCL 722.628), as amended by 2002 PA 690.

The House of Representatives has amended the Senate amendment as follows:

1. Amend Senate Amendment No. 2, page 8, following line 6, after the second "**the**" by striking out "**constitutional and statutory rights of children and families, including instruction in the fourth amendment to the United States constitution and parental rights,**" and inserting "**state and federal constitutional and statutory rights of children and families**".

The House of Representatives has concurred in the Senate amendment as amended and agreed to the full title.

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

**Senate Bill No. 988, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 805a, 806b, and 810 (MCL 339.805a, 339.806b, and 339.810), sections 805a and 810 as amended and section 806b as added by 1995 PA 217, and by adding section 806e.

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. 423**

**Yeas—36**

Allen  
Basham  
Bernero

Clark-Coleman  
Clarke  
Cropsey

Hardiman  
Jacobs  
Jelinek

Prusi  
Sanborn  
Schauer

Birkholz	Emerson	Johnson	Scott
Bishop	Garcia	Kuipers	Sikkema
Brater	George	Leland	Stamas
Brown	Gilbert	McManus	Switalski
Cassis	Goschka	Olshove	Thomas
Cherry	Hammerstrom	Patterson	Van Woerkom

**Nays—0**

**Excused—2**

Barcia Toy

**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title as amended. 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, Lieutenant Governor Cherry, designated Senator Kuipers as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

**House Bill No. 4769, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115b, 115f, 115g, and 117e (MCL 400.115b, 400.115f, 400.115g, and 400.117e), section 115b as amended by 1998 PA 516, sections 115f and 115g as amended by 2002 PA 648, and section 117e as amended by 1983 PA 222.

**House Bill No. 5808, entitled**

A bill to amend 1995 PA 30, entitled "Electric transmission line certification act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 15 (MCL 460.562, 460.563, 460.564, 460.565, 460.566, 460.567, 460.568, 460.569, 460.570, 460.571, 460.573, and 460.575).

**Senate Bill No. 1120, entitled**

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

**House Bill No. 4710, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 311 (MCL 206.311), as amended by 1987 PA 254.

**House Bill No. 5492, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 514a.

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 a substitute therefor, the following bill:  
**House Bill No. 4768, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4013, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

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:  
**House Bill No. 4770, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 3 (MCL 400.233), as amended by 2002 PA 564, and by adding section 6a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4771, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 2002 PA 605.

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:  
**House Bill No. 4772, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 7, 13, 27, and 35 (MCL 552.607, 552.613, 552.627, and 552.635), section 7 as amended by 2002 PA 572, section 13 as amended by 1998 PA 334, section 27 as amended by 2001 PA 106, and section 35 as amended by 2002 PA 567.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4773, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 17, 17b, and 19 (MCL 552.517, 552.517b, and 552.519), sections 17 and 17b as amended by 2002 PA 571 and section 19 as amended by 2002 PA 569.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4774, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2 and 3a (MCL 552.602 and 552.603a), as amended by 2002 PA 572, and by adding section 3d.

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:  
**House Bill No. 4775, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 7 (MCL 722.717), as amended by 2001 PA 109.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4776, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 7, and 19 (MCL 552.502, 552.507, and 552.519), section 2 as amended by 2002 PA 571, section 7 as amended by 1996 PA 144, and section 19 as amended by 2002 PA 569, and by adding section 7a.

Substitute (S-1).

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

1. Amend page 3, line 10, after the first "a" by striking out the balance of the subdivision and inserting "new judicial consideration of a matter previously heard by a referee."

2. Amend page 13, line 20, after "party." by inserting:

**"(5) A hearing is de novo despite the court's imposition of reasonable restrictions and conditions to conserve the resources of the parties and the court if the following conditions are met:**

**(a) The parties have been given a full opportunity to present and preserve important evidence at the referee hearing.**

**(b) For findings of fact to which the parties have objected, the parties are afforded a new opportunity to offer the same evidence to the court as was presented to the referee and to supplement that evidence with evidence that could not have been presented to the referee.**

**(6) Subject to subsection (5), de novo hearings include, but are not limited to, the following:**

**(a) A new decision based entirely on the record of a previous hearing, including any memoranda, recommendations, or proposed orders by the referee.**

**(b) A new decision based only on evidence presented at the time of the de novo hearing.**

**(c) A new decision based in part on the record of a referee hearing supplemented by evidence that was not introduced at a previous hearing.**

**(7)".**

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:  
**House Bill No. 4792, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 5e.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5232, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20920, 20921, and 20923 (MCL 333.20920, 333.20921, and 333.20923), as amended by 2000 PA 375.

Substitute (S-2).

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

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 16181. (1) Except as otherwise provided in subsection (2), a board may grant a nonrenewable, temporary license to an applicant who has completed all requirements for licensure except for examination or other required evaluation procedure. A board shall not grant a temporary license to an individual who has previously failed the examination or other required evaluation procedure or whose license has been suspended or revoked. A temporary license issued pursuant to this section is valid for 18 months, but a board shall automatically void the temporary license if the applicant fails the examination or other required evaluation procedure.

(2) Until ~~October 1, 2004~~ **January 1, 2007**, the Michigan board of nursing may grant a nonrenewable, temporary license to an applicant for a license under this article to engage in the practice of nursing as a registered professional nurse if the applicant is licensed as a registered professional nurse by an equivalent licensing board or authority in Canada. A temporary license issued under this subsection expires on the earliest of the following:

- (a) One year after the date of issuance.
  - (b) The date the applicant is notified that he or she failed the commission on graduates of foreign nursing schools qualifying examination, as approved by the department.
  - (c) The date the applicant is notified that he or she failed the national council licensure examination, as approved by the department.
  - (d) The date the applicant is issued a license under this article to engage in the practice of nursing as a registered professional nurse.
- (3) The holder of a temporary license issued under subsection (1) shall practice only under the supervision of a licensee who holds a license, other than a health profession subfield license, in the same health profession. The holder of a temporary license issued under subsection (1) shall not be supervised by a licensee who holds a limited license or temporary license.

(4) The department shall promptly issue a temporary license.

~~(5) The department in conjunction with the Michigan board of nursing, the Michigan nurses association, the Michigan health and hospital association, and any other group designated by the department for this purpose, shall conduct a study of the current and future needs of the professional nursing workforce in this state. The department shall include in the study recommendations for legislative and other action to address the needs identified in the study. The department shall submit the study to the members of the standing committees in the senate and the house of representatives with jurisdiction over matters pertaining to health policy not later than 1 year after the effective date of the amendatory act that added this subsection. As permitted by section 16315(9)(b), the department may use funds from the nurse professional fund created in section 16315 to conduct and publish the study required by this subsection.~~

Sec. 20910. (1) The department shall do all of the following:

- (a) Be responsible for the development, coordination, and administration of a statewide emergency medical services system.
- (b) Facilitate and promote programs of public information and education concerning emergency medical services.
- (c) In case of actual disasters and disaster training drills and exercises, provide emergency medical services resources pursuant to applicable provisions of the Michigan emergency preparedness plan, or as prescribed by the director of emergency services pursuant to the emergency management act, 1976 PA 390, MCL 30.401 to 30.420.
- (d) Consistent with the rules of the federal communications commission, plan, develop, coordinate, and administer a statewide emergency medical services communications system.
- (e) Develop and maintain standards of emergency medical services and personnel as follows:
  - (i) License emergency medical services personnel in accordance with this part.
  - (ii) License ambulance operations, nontransport prehospital life support operations, and medical first response services in accordance with this part.
  - (iii) At least annually, inspect or provide for the inspection of each life support agency, except medical first response services. As part of that inspection, the department shall conduct random inspections of life support vehicles. If a life support vehicle is determined by the department to be out of compliance, the department shall give the life support agency 24 hours to bring the life support vehicle into compliance. If the life support vehicle is not brought into compliance in that time period, the department shall order the life support vehicle taken out of service until the life support agency demonstrates to the department, in writing, that the life support vehicle has been brought into compliance.
  - (iv) Promulgate rules to establish the requirements for licensure of life support agencies, vehicles, and individuals licensed under this part to provide emergency medical services and other rules necessary to implement this part. The department shall submit all proposed rules and changes to the state emergency medical services coordination committee and provide a reasonable time for the committee's review and recommendations before submitting the rules for public hearing under the administrative procedures act of 1969.
  - (v) Promulgate rules to establish and maintain standards for and regulate the use of descriptive words, phrases, symbols, or emblems that represent or denote that an ambulance operation, nontransport prehospital life support operation, or medical first response service is or may be provided. The department's authority to regulate use of the descriptive devices includes use for the purposes of advertising, promoting, or selling the services rendered by an ambulance operation, nontransport prehospital life support operation, or medical first response service, or by emergency medical services personnel.
  - (vi) Designate a medical control authority as the medical control for emergency medical services for a particular geographic region as provided for under this part.
  - (vii) Develop and implement field studies involving the use of skills, techniques, procedures, or equipment that are not included as part of the standard education for medical first responders, emergency medical technicians, emergency medical technician specialists, or paramedics, if all of the following conditions are met:
    - (i) The state emergency medical services coordination committee reviews the field study prior to implementation.

(ii) The field study is conducted in an area for which a medical control authority has been approved pursuant to subdivision (g).

(iii) The medical first responders, emergency medical technicians, emergency medical technician specialists, and paramedics participating in the field study receive training for the new skill, technique, procedure, or equipment.

(i) Collect data as necessary to assess the need for and quality of emergency medical services throughout the state pursuant to 1967 PA 270, MCL 331.531 to 331.533.

(j) Develop, with the advice of the emergency medical services coordination committee, an emergency medical services plan that includes rural issues.

(k) Develop recommendations for territorial boundaries of medical control authorities that are designed to assure that there exists reasonable emergency medical services capacity within the boundaries for the estimated demand for emergency medical services.

**(l) Within 180 days after the effective date of the amendatory act that added this subdivision, in consultation with the emergency medical services coordination committee, conduct a study on the potential medical benefits, costs, and impact on life support agencies if each ambulance is required to be equipped with an automated external defibrillator and submit its recommendation to the standing committees in the senate and the house of representatives with jurisdiction over health policy issues.**

(m) ~~(m)~~ Promulgate other rules to implement this part.

(n) ~~(m)~~ Perform other duties as set forth in this part.

(2) The department may do all of the following:

(a) In consultation with the emergency medical services coordination committee, promulgate rules to require an ambulance operation, nontransport prehospital life support operation, or medical first response service to periodically submit designated records and data for evaluation by the department.

(b) Establish a grant program or contract with a public or private agency, emergency medical services professional association, or emergency medical services coalition to provide training, public information, and assistance to medical control authorities and emergency medical services systems or to conduct other activities as specified in this part.”.

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:  
**House Bill No. 5243, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8d (MCL 125.2688d), as added by 2003 PA 266.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5807, entitled**

A bill to amend 1923 PA 238, entitled “An act authorizing the formation of corporations for the purpose of generating, manufacturing, producing, gathering, storing, transmitting, distributing, transforming, selling and supplying electric energy or gas, either artificial or natural, or both electric energy and gas, to the public generally, or to public utilities or natural gas companies, and providing for and giving to such corporations and also to corporations heretofore lawfully organized, among other things, for such purposes; to corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility in the state of Michigan; and to foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for such purposes, and duly authorized to carry on business in the state of Michigan, the right to condemn private property for the uses provided for herein,” by amending section 3 (MCL 486.253) and by adding section 5.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4930, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 515 (MCL 436.1515).

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 4232, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2002 PA 725.

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. 1123, entitled**

A bill to authorize the state administrative board to convey or transfer certain parcels of state owned property in Barry county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 1124, entitled**

A bill to authorize the state administrative board to convey or transfer certain state owned property in Alpena county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 1297, entitled**

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

Substitute (S-2).

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

1. Amend page 17, following line 2, by inserting:

"Sec. 5. (1) The state administrative board may accept from the county of Marquette a parcel of real property described in subsection (3), which the state conveyed to the county of Marquette on or about December 31, 1982, pursuant to section 36 of 1982 PA 280.

(2) The state administrative board may quitclaim the property described in subsection (3) to teaching family homes of upper Michigan, a nonprofit organization, for fair market value.

(3) The property is described as follows: All that part of the Southwest Quarter of the Southeast Quarter (SW1/4-SE1/4), Excepting the East Five-hundred and thirty feet (530.00); and the East Five-hundred and forty-one feet (541.00) of the Southeast Quarter of the Southwest Quarter (SE1/4-SW1/4 of Section Eleven (11), in T.47 N., R.25 W, in Sands Township, Marquette Co., Michigan. Said parcel subject to a One Hundred-fifty (150') wide right of way which crosses said parcel whose centerline is described as follows: Commencing at the SW Corner of said Section 11; thence S 89°40'05"E 659.77 feet (along the South Section Line); thence N 0°13'05"E 945.51 feet, (along the East Line of W1/2-SW1/4-SW1/4 and a point of curvature) and the Point of Beginning of said C/L; thence 526.29 feet along a curve to the right (D=21°03'06", R=1432.39 feet, L.C. bears S 70°47'08"E 523.33 feet); thence S 60°15'35"E 208.34 feet; thence 323.65 feet on a curve to the left (D=37°51'14", R=489.87 feet, L.C. bears S 79°11'12"E 317.79 feet; thence N 81°53'11"E 193.51 feet; thence 599.14 feet on a curve to the right (D=53°33'30", R=640.94 feet, L.C. bears S 71°20'04"E 577.56 feet); thence 352.49 feet on a curve to the left (D=12°58'17", R=1556.98 feet, L.C. bears S 51°02'27"E 351.73 feet); thence S 57°31'35"E 590.74 feet; thence 299.01 feet on a curve to the left (D=52°21'08", R=827.25 feet, L.C. bears S 83°42'09"E 288.72 feet; thence 155.80 feet on a curve to the right (D=10°51'13", R=822.48 feet, L.C. bears N 75°32'53"E 155.57 feet, to the West end of Silver Creek Road, and Point of Ending. Also subject to all conditions and reservations contained in the recorded chain of title to said land. Said parcel contains 40.0± acres including right of ways.

(4) The state shall retain and reserve all mineral, coal, oil, and gas on, within, or beneath the property.

(5) The state shall reserve all aboriginal antiquities including mounds, earthworks, forts, burial and village sites, mines, or other relics, including the right to explore and excavate for the aboriginal antiquity of the state or its authorized agents.

(6) The conveyance authorized by subsection (2) shall be by quitclaim deed, prepared and approved by the department of attorney general.

(7) Any revenue received pursuant to the conveyance authorized by subsection (2) shall be deposited in the state treasury and credited to the general fund.

Enacting section 1. Sections 1 to 7 of 2003 PA 166 are repealed.”.

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.

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

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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

**House Bill No. 4768**  
**House Bill No. 4013**  
**House Bill No. 4769**  
**House Bill No. 4770**  
**House Bill No. 4771**  
**House Bill No. 4772**  
**House Bill No. 4773**  
**House Bill No. 4774**  
**House Bill No. 4775**  
**House Bill No. 4776**  
**House Bill No. 4792**  
**House Bill No. 5232**  
**House Bill No. 5243**  
**House Bill No. 5807**  
**House Bill No. 5808**  
**Senate Bill No. 1120**  
**House Bill No. 4710**  
**House Bill No. 5492**  
**House Bill No. 4930**  
**House Bill No. 4232**  
**Senate Bill No. 1123**  
**Senate Bill No. 1124**  
**Senate Bill No. 1297**

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

Senator Hammerstrom moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 5094**  
**Senate Bill No. 1171**  
**Senate Bill No. 1278**  
**Senate Bill No. 1279**  
**Senate Bill No. 1280**  
**Senate Bill No. 1281**  
**House Bill No. 4062**  
**House Bill No. 4768**  
**House Bill No. 4013**  
**House Bill No. 4769**  
**House Bill No. 4770**  
**House Bill No. 4771**  
**House Bill No. 4772**

**House Bill No. 4773**  
**House Bill No. 4774**  
**House Bill No. 4775**  
**House Bill No. 4776**  
**House Bill No. 4792**  
**House Bill No. 5232**  
**House Bill No. 5243**  
**House Bill No. 5807**  
**House Bill No. 5808**  
**Senate Bill No. 1120**  
**House Bill No. 4710**  
**House Bill No. 5492**  
**House Bill No. 4930**  
**House Bill No. 4232**  
**Senate Bill No. 1123**  
**Senate Bill No. 1124**  
**Senate Bill No. 1297**  
 The motion prevailed.

The following bill was read a third time:

**House Bill No. 5094, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 613a (MCL 257.613a).

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. 424**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control

of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1171, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8901, 8904, and 8905a (MCL 324.8901, 324.8904, and 324.8905a), section 8904 as amended and section 8905a as added by 1998 PA 15.

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. 425**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1278, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80101 (MCL 324.80101), as added by 1995 PA 58, and by adding section 80108a; 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. 426****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0****Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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:

This bill in front of us this morning is a bill that was generated by several instances in my district, but also it is occurring more frequently across the state of Michigan. It involves a boat called an air boat which is propelled by an airplane propeller. Needless to say, it makes a lot of noise, and we have been in my district along the Kalamazoo River for the last several years trying to work with this issue. We have, several times a year, fishing tournaments. In order to be successful in these tournaments, they must, apparently, run all night long. Needless to say, it becomes a real problem for the people who have homes along that river, and actually several miles back, because the noise reverberates around the water.

We have tried several ways to deal with this issue with local law enforcement and with the Department of Natural Resources. For any of you who are aware of working with noise indicators and trying to use those successfully, it is a real challenge, and we've been unable to do it to work out a solution locally. It's difficult to get readings. Prosecutors are less than enthusiastic about working on these issues and taking them to court, so consequently, we have turned to the state for legislation.

What we have today in front of us is a compromise between the people who participate in the fishing tournament and the residents on the shore, who would like to have some peace and quiet and be able to sleep at night. So we have designated a 450-foot space from the shore out into the water where the boats would have to go through at an idling speed. In other words, not high power and not emanating large decibels throughout the community.

The air boat people are supportive of this. The neighbors are supportive of this, a little bit reluctantly, but they are supportive of it as a compromise, knowing that we have put a three-year time limit on this. The bill will sunset in three years because at that time there's some new technology that will be available that we know will be more successful in dealing with issues like this, both on land and in the water.

So I urge your adoption of this legislation.

The following bill was read a third time:

**Senate Bill No. 1279, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 437.

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. 427**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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:

My colleagues, this morning you have in front of you the final version of the new state parks package. It’s a package of three bills which highlight and help Michigan state parks and our future.

For the last several years, we’ve seen constant challenges with our state park system and, obviously, declining revenues. During the previous decade, we had what we called a state parks advisory committee, citizens from throughout the state who worked to help our state parks system, to help the Legislature, the Governor’s office, and the department work with state parks and help deal with issues in state parks. We want to set that in statute. This would establish a state parks advisory board that would help, as our state parks advisory committee did in the past, work on state parks. They would make recommendations and work with the communities.

Also in this package of bills we have a bill that establishes a check-off for our income tax so that we could have a donation to our state park system, and this would allow for that. We also have a state parks recognition program, which will highlight each year the gem of the parks program in a state park, the volunteer of the year, and also the state park ranger of the year. The idea is to continue to highlight our state parks, which are very important not only to our residents, but also to our tourists who visit this state, and it’s important to that tourism base.

We urge your adoption of this bill and the following two bills in the state parks package.

The following bill was read a third time:

**Senate Bill No. 1280, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74101 (MCL 324.74101), as added by 1995 PA 58, and by adding section 74102a.

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. 428**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1281, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 74124.

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. 429**

**Yeas—37**

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

Brown  
Cassis  
Cherry

Goschka  
Hammerstrom

Olshove  
Patterson

Thomas  
Van Woerkom

**Nays—0**

**Excused—1**

Toy

**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. 4062, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a), as amended by 2003 PA 3.

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. 430**

**Yeas—37**

Allen  
Barcia  
Basham  
Bernero  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jacobs  
Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson

Prusi  
Sanborn  
Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Van Woerkom

**Nays—0**

**Excused—1**

Toy

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

The following bill was read a third time:

**House Bill No. 4768, entitled**

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

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. 431**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4013, entitled**

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

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. 432**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4769, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115b, 115f, 115g, and 117e (MCL 400.115b, 400.115f, 400.115g, and 400.117e), section 115b as amended by 1998 PA 516, sections 115f and 115g as amended by 2002 PA 648, and section 117e as amended by 1983 PA 222.

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. 433**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions 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. 4770, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," (MCL 400.231 to 400.240) by adding section 6a.

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. 434****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0****Excused—1**

Toy

**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 the office of child support; and to prescribe certain powers and duties of the office, certain public and private agencies, and certain employers and former employers.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4771, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2529 (MCL 600.2529), as amended by 2003 PA 178.

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. 435****Yeas—35**

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

**Nays—2**

Cassis

Sanborn

**Excused—1**

Toy

**Not Voting—0**

In The Chair: Birkholz

The President, Lieutenant Governor Cherry, resumed the Chair.

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4772, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 7, 13, 27, 33, 35, and 42a (MCL 552.607, 552.613, 552.627, 552.633, 552.635, and 552.642a), section 7 as amended by 2002 PA 572, section 13 as amended by 1998 PA 334, section 27 as amended by 2001 PA 106, sections 33 and 35 as amended by 2002 PA 567, and section 42a as added by 2002 PA 568.

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. 436****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4773, entitled**

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 17, 17b, and 19 (MCL 552.517, 552.517b, and 552.519), sections 17 and 17b as amended by 2002 PA 571 and section 19 as amended by 2002 PA 569.

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. 437****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0****Excused—1**

Toy

**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 revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4774, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2 and 3a (MCL 552.602 and 552.603a), section 2 as amended by 2002 PA 572 and section 3a as amended by 2003 PA 276, and by adding section 3d.

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. 438**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4775, entitled**

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending section 7 (MCL 722.717), as amended by 2001 PA 109.

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. 439**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4776, entitled**

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending sections 2, 2a, 3, 4, 4a, 7, and 9 (MCL 552.502, 552.502a, 552.503, 552.504, 552.504a, 552.507, and 552.509), sections 2, 2a, and 9 as amended by 2002 PA 571, section 3 as amended by 1996 PA 365, sections 4 and 4a as added by 1996 PA 366, and section 7 as amended by 1996 PA 144, and by adding section 7a.

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. 440**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn

Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4792, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” (MCL 552.601 to 552.650) by adding section 5e.

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. 441**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5232, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20920, 20921, and 20923 (MCL 333.20920, 333.20921, and 333.20923), as amended by 2000 PA 375.

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. 442**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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.

Senator Jacobs offered to amend the title to read as follows:

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 sections 16181, 20910, 20920, 20921, and 20923 (MCL 333.16181, 333.20910, 333.20920, 333.20921, and 333.20923), section 16181 as amended by 2000 PA 256 and sections 20910, 20920, 20921, and 20923 as amended by 2000 PA 375.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

**House Bill No. 5243, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8d (MCL 125.2688d), as added by 2003 PA 266.

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. 443**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5807, entitled**

A bill to amend 1923 PA 238, entitled “An act authorizing the formation of corporations for the purpose of generating, manufacturing, producing, gathering, storing, transmitting, distributing, transforming, selling and supplying electric energy or gas, either artificial or natural, or both electric energy and gas, to the public generally, or to public utilities or natural gas companies, and providing for and giving to such corporations and also to corporations heretofore lawfully organized, among other things, for such purposes; to corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility in the state of Michigan; and to foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for such purposes, and duly authorized to carry on business in the state of Michigan, the right to condemn private property for the uses provided for herein,” by amending section 3 (MCL 486.253) and by adding section 5.

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. 444**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

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

The following bill was read a third time:

**House Bill No. 5808, entitled**

A bill to amend 1995 PA 30, entitled "Electric transmission line certification act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 15 (MCL 460.562, 460.563, 460.564, 460.565, 460.566, 460.567, 460.568, 460.569, 460.570, 460.571, 460.573, and 460.575).

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. 445**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 regulate the location and construction of certain electric transmission lines; to prescribe powers and duties of the Michigan public service commission and to give precedence to its determinations in certain circumstances; and to prescribe the powers and duties of certain local units of government and officials of those local units of government."

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1120, entitled**

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

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. 446**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn

Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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. 4710, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 311 (MCL 206.311), as amended by 1987 PA 254.

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. 447**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; 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. 5492, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 514a.

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. 448****Yeas—36**

Allen	Cherry	Hardiman	Prusi
Barcia	Clark-Coleman	Jacobs	Sanborn
Basham	Clarke	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	Van Woerkom

**Nays—1**

Cropsey

**Excused—1**

Toy

**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 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:

**House Bill No. 4930, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 515 (MCL 436.1515).

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. 449**

**Yeas—36**

Allen	Cherry	Hardiman	Prusi
Barcia	Clark-Coleman	Jacobs	Sanborn
Basham	Clarke	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	Van Woerkom

**Nays—1**

Cropsey

**Excused—1**

Toy

**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 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.

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

The following bill was read a third time:

**House Bill No. 4232, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 531 (MCL 436.1531), as amended by 2002 PA 725.

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. 450**

**Yeas—35**

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

**Nays—1**

Cropsey

**Excused—2**

Emerson

Toy

**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 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.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 1123, entitled**

A bill to authorize the state administrative board to convey or transfer certain parcels of state owned property in Barry county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 451**

**Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1124, entitled**

A bill to authorize the state administrative board to convey or transfer certain state owned property in Alpena county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 452****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0****Excused—1**

Toy

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1297, entitled**

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for the disposal of certain buildings; to provide for certain powers and duties of certain state departments in regard to the parcels of property; and to provide for disposition of revenue derived from the conveyances.

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. 453****Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

**Nays—0**

**Excused—1**

Toy

**Not Voting—0**

In The Chair: President

Senator Prusi offered to amend the title to read as follows:

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for the disposal of certain buildings; to provide for certain powers and duties of certain state departments in regard to the parcels of property; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

By unanimous consent the Senate proceeded to the order of

**Resolutions**

Senator Hammerstrom moved that consideration of the following resolutions be postponed for today:

**Senate Resolution No. 175**

**Senate Resolution No. 139**

**Senate Resolution No. 241**

**Senate Concurrent Resolution No. 40**

The motion prevailed.

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

**Senate Resolution No. 276**

The resolution consent calendar was adopted.

Senators McManus, Jelinek, Hardiman, Brown, Birkholz, Cropsey, Sanborn, Gilbert, George, Cassis, Garcia, Stamas, Van Woerkom, Hammerstrom, Allen, Olshove, Bernero, Scott, Schauer, Cherry, Brater, Thomas, Prusi, Clark-Coleman, Basham, Clarke, Switalski, Jacobs, Bishop, Goschka, Patterson, Kuipers, Leland, Sikkema and Barcia offered the following resolution:

**Senate Resolution No. 276.**

A resolution to recognize and commemorate August 26, 2004, as the 25th Anniversary of the Northwest Michigan Horticultural Research Station.

Whereas, The Grand Traverse area of northwest Michigan's Lower Peninsula is known as "The Cherry Capital of the World." Northwest Michigan produces 120-150 million pounds of tart cherries annually and about 50 million pounds of sweet cherries. This represents over 50 percent of the state's tart cherry production and 80 percent of the sweet cherry production. Michigan produces 75 percent of the tart cherries in the U.S. and is one of the four major producers of sweet cherries; and

Whereas, Recognizing the need for research to help maintain a viable cherry industry, a group of fruit growers from the five northwest counties of Manistee, Benzie, Leelanau, Grand Traverse, and Antrim formed the Northwest Michigan Horticultural Research Foundation in 1978. The foundation board is administered by an elected nine-member board of directors from the five counties. The purpose of the foundation was to establish a field research station in this major cherry area since no other Michigan State University research facilities represent the unique northwest and west-central growing areas; and

Whereas, The foundation purchased an 80-acre farm near Bingham on County Road 633 in Leelanau County in November 1978. By the following summer, an office and storage facility had been built on the site. An open house in September 1979 marked the official start of operations at the station. Up to that point, all expenditures were from industry funds. The foundation leases the facility to Michigan State University for operations at no cost; and

Whereas, The Northwest Michigan Horticultural Research Station brings together a unique blend of Michigan State University research and extension programming combined with the active participation of the fruit industry and excellent support from the Michigan Department of Agriculture. This station puts the university at the focal point for information for both northwest Michigan's fruit industry and the tart cherry industry throughout Michigan, North America, and the world. There is a great sense of pride and support from the fruit industry in the research and extension activities conducted at the Northwest Michigan Horticultural Research Station; now, therefore, be it

Resolved by the Senate, That we hereby recognize August 26, 2004, as the 25th Anniversary of the Northwest Michigan Horticultural Research Station. We applaud the efforts of all who have worked to create and expand knowledge through cutting-edge research on cherries and other fruits and to disseminate state-of-the-art information to the Michigan fruit industry and the public; and be it further

Resolved, That we continue to explore and develop new research and techniques to support the fruit industry as we head into the next 25 years; and be it further

Resolved, That a copy of this resolution be transmitted to the Northwest Michigan Horticultural Research Station as a token of our support.

#### **House Concurrent Resolution No. 49.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Plumbers and Pipefitters Building.

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

#### **Roll Call No. 454**

#### **Yeas—37**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn
Basham	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	Van Woerkom
Cherry			

#### **Nays—0**

#### **Excused—1**

Toy

#### **Not Voting—0**

In The Chair: Sanborn

**House Concurrent Resolution No. 53.**

A concurrent resolution to call upon the Michigan Department of Transportation to review the current status of alternatives to road salt based on information from existing studies, trials, and tests and to make recommendations for advancing the use of alternatives at the state and local level.

Whereas, Numerous studies and environmental assessments indicate that road salt is a factor in the corrosion of vehicles, roads, and bridges, and that road salt also is harmful to the environment and causes crop damage; and

Whereas, Road salt is accumulating in the Great Lakes in detectable levels; and

Whereas, In recent years, a number of new salt alternatives have been developed and are currently being tested by the Michigan Department of Transportation and many local road commissions; and

Whereas, Michigan has a compelling interest in preserving our environment, our agricultural base, and our infrastructure. Studies and trials have independently yielded a great deal of information on alternatives available to road salt; and

Whereas, We recognize that cost is a factor for the state and local road authorities in choosing a method to keep roads free of snow and ice; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call upon the Michigan Department of Transportation to review information gained from studies and trials and assess a number of factors that can advance the use of alternatives to road salt. The review should assess the feasibility of using alternative materials on a broad scale throughout the state, alone or in combination with road salt, with specific focus on the long-term cost effectiveness of alternatives with factors such as erosion, crop damage, and environmental damage taken into account; and be it further

Resolved, That we call upon the department to investigate road salt application strategies that result in a reduction of the amount of road salt used without compromising public safety; and be it further

Resolved, That we call upon the department to make recommendations on the practical usage of salt alternatives and reduction strategies by the state and by local road commissions in a manner that is both safe and effective and cost effective over the long-term; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

Senator Hammerstrom moved that the concurrent resolution be referred to the Committee on Transportation.

The motion prevailed.

Senators Allen, Birkholz, Brater, Cassis, Garcia, Gilbert, Goschka, Kuipers, Olshove, Switalski and Van Woerkom were named co-sponsors of the concurrent resolution.

Senator Birkholz offered the following resolution:

**Senate Resolution No. 277.**

A resolution to urge the Department of Environmental Quality to work with the Environmental Protection Agency to secure grants available to Michigan under the Beaches Environmental Assessment and Coastal Health Act.

Whereas, Michigan has taken strong steps to protect the quality and safety of its beaches. In addition to other programs that state and local agencies implement, 2002 PA 507 provides for notification procedures to let people know whether or not beaches have been tested and where test results can be found. These types of information are a reflection of the importance of beach safety to our citizens and visitors; and

Whereas, The federal government recently announced that grant money is available for beach monitoring and notification programs under the Beaches Environmental Assessment and Coastal Health Act of 2002. Of the \$10 million set aside for eligible coastal states, Michigan's allocation is expected to be nearly \$300,000. The formula that determines this amount is based upon the duration of the beach season, the miles of beaches, and the number of people who visit the beaches; and

Whereas, With the impact that tourism has on our state and the importance of public health, Michigan will be well-served by an expedited effort to apply for and utilize these funds. Our state's efforts to enhance the quality of our beaches dovetail nicely with the aims of this federal program; now, therefore, be it

Resolved by the Senate, That we urge the Department of Environmental Quality to work with the Environmental Protection Agency to secure grants available to Michigan under the Beaches Environmental Assessment and Coastal Health Act and the Clean Beach Plan; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Environmental Quality, the Office of the Great Lakes, and the Office of the Governor.

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 Natural Resources and Environmental Affairs.

The motion prevailed.

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

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

#### **Senate Bill No. 1317, entitled**

A bill to create the Ronald Wilson Reagan memorial monument fund commission to govern the Ronald Wilson Reagan memorial monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission.

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

Senators Stamas, Kuipers, Garcia, Basham, Birkholz, Allen, Gilbert, McManus, Brown and Hardiman introduced

#### **Senate Bill No. 1318, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending sections 1 and 7 (MCL 691.1401 and 691.1407), section 1 as amended by 2001 PA 131 and section 7 as amended by 2000 PA 318, and by adding section 7c.

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

Senators Van Woerkom, Garcia and Birkholz introduced

#### **Senate Bill No. 1319, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1 and 6 (MCL 400.231 and 400.236), section 1 as amended by 2002 PA 564 and section 6 as added by 1999 PA 161.

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

#### **House Bill No. 5977, entitled**

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 6 (MCL 397.556), as amended by 2001 PA 65.

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 Appropriations.

#### **House Bill No. 5990, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 301 (MCL 168.301), as added by 2003 PA 302.

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. 5991, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 305 (MCL 168.305), as added by 2003 PA 302.

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. 5992, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 309. 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. 5993, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 311 (MCL 168.311), as added by 2003 PA 302.

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. 5994, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 316. 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. 5995, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2003 PA 302.

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. 5996, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 500f (MCL 168.500f), as amended by 2003 PA 302.

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. 5997, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642 (MCL 168.642), as added by 2003 PA 302.

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. 5998, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644g (MCL 168.644g), as amended by 2003 PA 302.

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. 5999, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as added by 2003 PA 302.

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. 6000, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 646a (MCL 168.646a), as amended by 2003 PA 302.

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. 6001, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as added by 2003 PA 302.

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. 6002, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699).

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. 6003, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 972 (MCL 168.972), as amended by 2003 PA 302.

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. 6005, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1 and 5 of chapter II and section 1 of chapter III (MCL 62.1, 62.5, and 63.1), as amended by 2003 PA 305.

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. 6011, entitled**

A bill to designate February 6 of each year as Ronald Wilson Reagan day in the state of Michigan.

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

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

### Statements

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

The motion prevailed.

Senator George's statement is as follows:

I want to draw something to the Senate's attention that is a natural phenomenon that is nearing its completion. It's been in the news media a little bit the last few weeks, and that is it's nearing the end of the hatching of Brood X of the 17-year Cicada (*Magicicada septendecim*). You may have seen news reports of the hatching of this creature in Washington, D.C., and then Ohio and Pennsylvania, and in fact, it has moved to Michigan. Michigan is just on the northwestern margin of the distribution of the 17-year Cicada Brood X hatch. Last week, 17-year Cicadas hatched in Michigan, in the Ann Arbor area, and in southeast Michigan. I wanted to comment a little bit on their life cycle and some of the things we can learn perhaps from the 17-year Cicada.

Now, you may know that these are insects that when they hatch in the nymph form, they burrow under the ground, they find tree roots that they attach themselves to, and that's how they get their nutrition. The nymph of the Cicada lives underground for 17 years, and then they emerge from the ground, nearly simultaneously, and they do this related to the temperature. There is a temperature trigger. When they emerge, they shed their skin, and then they climb or fly to a tree, where the males begin to sing. As you know, the noise they emit is very loud. It may sound like a motorcycle or a lawn mower to us, but to the female Cicada this noise is an irresistible love song. They find this as a melodious call, and they seek out the male with the loudest and most beautiful voice. The adults then mate, the females lay their eggs, and the cycle begins anew. We are at the tail end of the cycle now.

By the way, the Greeks knew of the life cycle of the Cicadas. The Greek poet Xenarchus said of the Cicada, "Happy are the Cicadas for they have voiceless wives. It is only the male Cicadas that do the singing." I'm just quoting the Greek poet Xenarchus. There are some interesting parallels though. These are the longest-lived insects that we know of. They are teenagers when they emerge as adults, 17 years old. There are some interesting parallels to human teenagers that I've noted.

My teenagers, like the Cicada, oftentimes undergo long periods of dormancy. They lie in their nests for many hours, maybe seemingly for days, and they arise late in the day, disheveled and hungry, much like the new Cicada. And like the Cicada adult, leaving its skin behind, my teenagers often leave their clothes all over the house. Sometimes, even like a Cicada's skin, when you step on their discarded clothes, they may crunch.

Then finally, my teenagers—my human 17-year Cicada—when they emerge, they seek out other 17-year-olds and they gather in social gatherings and they play and make loud music that to us seems grating and hard to understand, but to other teenagers may seem interesting and melodious.

I think when trying to understand the Cicadas or our own teenagers, we should think back to when we were 17 and when the world seemed all anew and green and crisp and fresh, with fresh sounds and smells. Everything was a new experience. We should be thankful that God has given us the Cicada and the teenager, and it's just another illustration of the lush world and the diversity that He has created for us, that He would put here creatures as mysterious as the 17-year Cicada and as our own teenage children.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on their immediate passage:

**House Bill No. 5742**

**House Bill No. 5743**

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

By unanimous consent the Senate returned to the order of

#### **Third Reading of Bills**

Senator Hammerstrom moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 5742**

**House Bill No. 5743**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5742, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 205.

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

Substitute (S-1).

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

#### **Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

Well, it appears that we're getting some action in the Senate Banking and Financial Institutions Committee. Another hearing is scheduled for tomorrow. The agenda indicates that discussions will continue from the last committee hearing on insurance matters. I certainly want to thank the chair of the committee for allowing these discussions to continue. I trust that he shares my conviction in bringing a stop to our escalating insurance costs.

I know that we will never realize change in the insurance system without these necessary discussions at public hearings. I do hope that the committee chair will allow some time for the public—the citizens who are paying these exorbitant insurance premiums—to also testify.

I further hope that some attention is given to the hardship experienced by many citizens in the city of Detroit and elsewhere in having to pay skyrocketing homeowners and auto insurance simply because of where they live. There has to be room for compromise. We do it all the time right here on the Senate floor. We owe it to the people of Michigan to work out a system that provides equity and fairness to every Michigan citizen, regardless of where they reside.

### Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 5743, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 20513.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 5742, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 205.

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.

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Brater

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 Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, June 22, 2004, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Patterson, Van Woerkom, Brater and Basham

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, June 17, 2004, at 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), George, Cropsey, Prusi, Clarke and Cherry

Excused: Senator Goschka and Hardiman

### Scheduled Meetings

**Agriculture, Forestry and Tourism** - Thursday, June 24, 8:30 a.m., Room 110, Farnum Building (373-1635)

**Banking and Financial Institutions** - Thursday, June 24, 12:00 noon, Room 100, Farnum Building (373-2417)

**Education** - Thursday, June 24, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Families and Human Services** - Wednesday, June 30, 3:00 p.m., Room 110, Farnum Building (373-1801)

**Natural Resources and Environmental Affairs** - Tuesday, June 29, 3:00 p.m., Room 110, Farnum Building (373-3447)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 12:33 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Thursday, June 24, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

