

No. 58
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Thursday, June 16, 2005.

10:00 a.m.

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

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

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

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

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

Reverend A. Richard Doss I of Mask Memorial Christian Methodist Episcopal Church of Lansing offered the following invocation:

Eternal God, we give You thanks this morning as we pause to celebrate the freedom that comes with democracy. We thank You, Lord, for its rights and its privileges as we seek to serve the needs of all of our citizenry in the state of Michigan, but, most especially, as we are mindful of the least of these who struggle during these times of an economic challenge.

Lord, we ask Your blessings upon this Legislature today as they bring up debate and consider those things that would benefit the whole of the state and not just a select few. We ask, Lord, Your blessings on our Governor, Lieutenant Governor, and all our municipalities within this great state, and we thank You, Lord, for the blessings that come with living in a democratic society.

And then, Lord, we thank You for the grand occasion of Juneteenth whereby we celebrate the freedom of not only African Americans, but the freedom of all Americans on this great holiday.

For these things, we give You thanks. In the name of Jesus. Amen.

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

Motions and Communications

Senators Sanborn, Thomas, Kuipers and Jelinek entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 15:
House Bill Nos. 4465 4710 4711 4712 4713 4714 4715 4716 4729

The Secretary announced that the following official bills were printed on Wednesday, June 15, and are available at the legislative website:

Senate Bill Nos. 580 581 582
House Bill Nos. 4918 4919 4920 4921 4922 4923 4924 4925 4926 4927 4928 4929 4930 4931
4932 4933 4934 4935 4936 4937 4938 4939

Messages from the House

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

Senate Bill No. 352
House Bill No. 4434
Senate Bill No. 189
Senate Bill No. 514
Senate Bill No. 515
Senate Bill No. 516
Senate Bill No. 517
Senate Bill No. 518

The motion prevailed.

Senator Schauer moved that Senators Barcia and Clarke be temporarily excused from today's session.

The motion prevailed.

Senate Bill No. 384, entitled

A bill to designate the third Saturday in June as Juneteenth National Freedom Day; and to designate November 26 of each year as Sojourner Truth Day in the state of Michigan.

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

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 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.

Recess

Senator Hammerstrom moved that the Committee of the Whole recess subject to the call of the Chairperson. The motion prevailed, the time being 10:39 a.m.

10:55 a.m.

The Committee of the Whole was called to order by the Chairperson, Senator Kuipers.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 272, entitled

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

Substitute (S-2).

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

1. Amend page 13, line 8, by striking out "15,369,000" and inserting "15,869,000".
2. Amend page 13, following line 11, by inserting:
"IDG from department of corrections..... 500,000".
3. Amend page 14, line 10, by striking out "10,288,600" and inserting "9,788,600".
4. Amend page 14, by striking out all of lines 18 and 19.
5. Amend page 27, line 13, after "compliance—" by striking out "339.0" and inserting "399.0".
6. Amend page 27, line 13, by striking out "29,494,900" and inserting "34,494,900".
7. Amend page 28, line 8, by striking out "4,125,600" and inserting "9,125,600" and adjusting the subtotals, totals, and section 201 accordingly.
8. Amend page 57, line 8, after "legislative" by striking out "council" and inserting "auditor general".
9. Amend page 57, line 9, after "legislative" by striking out "council" and inserting "auditor general".
10. Amend page 91, following line 14, by inserting:
"Sec. 941. In addition to the funds appropriated in part 1, there is appropriated up to \$570,000.00 from standardized audit schedules recovered delinquent tax collection revenues for the support of standardized audit schedule project expenses. The funding shall be used to exclusively support business tax audits related to sales tax, use tax, withholding, single business tax, and motor fuel tax obligations. Any unexpended funds at the end of the fiscal year shall lapse to the general fund."
11. Amend page 92, following line 8, by inserting:
"Sec. 947. (1) Of the additional \$5,000,000.00 included in part 1 for tax compliance, \$3,000,000.00 shall be used for additional support for auditing functions. The \$3,000,000.00 shall only be used to hire state classified civil service positions and none of the funds may be used to contract out services.
(2) The \$2,000,000.00 balance of the \$5,000,000.00 shall be used for principal residence audits. Revenue generated to the state from principal residence audits shall be used to reimburse the state general fund for the \$2,000,000.00 appropriation prior to any other allocation."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 276, entitled

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

Substitute (S-2).

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

1. Amend page 16, line 7, by striking out "580,100" and inserting "680,100".
2. Amend page 16, line 15, by striking out "471,892,400" and inserting "471,992,400".
3. Amend page 17, line 19, by striking out "32,548,100" and inserting "32,648,100".
4. Amend page 18, line 23, by striking out "2,732,400" and inserting "2,827,100".
5. Amend page 18, line 24, by striking out "21,446,400" and inserting "21,351,700".
6. Amend page 19, line 2, by striking out:
"Van Andel institute good manufacturing practice facility 1,500,000".
7. Amend page 19, line 4, by striking out "188,878,600" and inserting "187,378,600".
8. Amend page 19, line 15, by striking out "40,073,200" and inserting "38,573,200".
9. Amend page 59, line 15, after "technology." by inserting "Of the funds allocated for life sciences technology, \$1,500,000.00 shall be allocated to a private research institute that has received a specific federal appropriation prior to 2005 for the creation of a good manufacturing practice facility. The facility shall be used for the production of drugs approved for use in clinical trials, as approved by the United States food and drug administration, and shall work to market the core technology alliance for the purposes of commercialization and providing access to advanced technologies to researchers affiliated with universities, private research institutes, and biotech or pharmaceutical firms. It is the intent of the legislature that \$1,500,000.00 shall be made available for these purposes in fiscal year 2007.".
10. Amend page 63, line 13, after "item," by striking out "\$594,700.00" and inserting "\$500,000.00" and adjusting the subtotals, totals, and section 201 accordingly.
11. Amend page 63, line 17, by striking out all of section 525 and inserting:
"Sec. 525. (1) Contingent upon the failure of Senate Joint Resolution C to be ratified by the electors in this state on November 8, 2005, there is appropriated for the technology tri-corridor: life sciences initiative \$30,000,000.00 general fund/general purpose revenue for the fiscal year ending September 30, 2006. All funding for the areas of homeland security, automotive initiative and alternative energy shall be funded from the Indian casino revenue or other federal sources. The program shall be administered by the Michigan economic development corporation.
(2) A technology tri-corridor steering committee, appointed by the governor, shall consist of 19 members including the CEO, the director, the state treasurer, a member from Michigan State University, the University of Michigan, Wayne State University, Western Michigan University, and the Van Andel Institute, 2 members representing the legislature, 1 of whom is chosen by the speaker of the house of representatives and 1 of whom is chosen by the majority leader of the senate, and 2 members actively engaged in each of the 3 targeted business sectors. The remaining members shall be appointed at large and may include members from the private sector, public sector, or other Michigan universities. Committee members are authorized to designate alternate members. The purpose of the steering committee is to provide advice and oversight of the initiative, including the development of criteria for the awards to qualifying universities, institutions, companies, or individuals. The steering committee will make decisions regarding distribution of these funds.
(3) Of the funds appropriated, \$1,500,000.00 shall be allocated to a private research institute that has received a specific federal appropriation prior to 2005 for the creation of a good manufacturing practice facility. The facility shall be used for the production of drugs approved for use in clinical trials, as approved by the United States Food and Drug Administration and shall work to market the core technology alliance for the purposes of commercialization and providing access to advanced technologies to researchers affiliated with universities, private research institutes, and biotech or pharmaceutical firms. It is the intent of the legislature that \$1,500,000.00 shall be made available for these purposes in fiscal year 2007.
(4) Of the funds appropriated, up to \$2,500,000.00 may be used for administering the life sciences initiative including the monitoring of previous years' awards. Not less than \$5,000,000.00 shall be used to support a competitive business commercial development fund to support business commercialization research opportunities in Michigan. In allocating funding to the business commercial development fund, the steering committee shall give maximum priority to supporting all potential commercialization opportunities that appear to have merit. Funds appropriated for the life science initiative may be allocated for basic research, applied research, and commercialization. All applications shall be peer reviewed and funds shall be allocated on a competitive basis.
(5) Repayment of any funds received as a result of awards made under 1999 PA 120, 2000 PA 292, 2001 PA 80, 2002 PA 517, 2003 PA 169, 2004 PA 354, or this act, including, but not limited to, funds received as interest or return on investment, shall be deposited in the business commercial development fund. These funds are authorized for expenditure upon receipt and shall not lapse to the general fund.

(6) The records of the steering committee involving a proposal submitted by an eligible entity that are of a scientific, technical, or proprietary nature, the release of which could cause competitive harm to the eligible entity as determined by the steering committee, are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.”.

12. Amend page 63, line 22, by striking out all of section 526.

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

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

Senate Bill No. 273, entitled

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

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.

During the Committee of the Whole, Senators Emerson and 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:

Senate Bill No. 272

Senate Bill No. 276

Senate Bill No. 273

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

Senator Schauer moved that Senator Scott be excused from the balance of today’s session.

The motion prevailed.

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

The motion prevailed.

Senator Emerson’s statement is as follows:

I rise because today is the last day of session before one of my staff moves on to bigger and better things—she hopes. She is Katie DeBoer, who handles higher education issues for our caucus, and is going to work for Western Michigan University starting next week. Tomorrow is her last day, but today is the last day that we’re in session. Katie used to work in my office. I found her invaluable as an administrative assistant. She has been working for the last year on our central staff handling higher education issues.

I’ve encouraged Western Michigan to stop raiding my staff since this is the second person they’ve taken. We are really happy for Katie. We think she is going to do a terrific job for Western Michigan, and we wish her nothing but the best in her future endeavors. I have a tribute that I would like to present her with and a signed seal that I have here and would ask the Senate to recognize her efforts on our behalf for the last four years.

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

Senate Bill No. 272, entitled

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

The above bill was read a third time.

The question being on the passage of the bill,

Senator Schauer offered the following amendments:

1. Amend page 27, line 13, by striking out “34,494,900” and inserting “35,094,900”.
2. Amend page 28, line 8, by striking out “9,125,600” and inserting “9,725,600” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 253

Yeas—34

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

Nays—2

Barcia	Patterson
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Excused—2

Clarke	Scott
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.

The question being on the motion to reconsider,

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

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 276, entitled

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

The 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. 254

Yeas—34

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Sikkema

Bernero	Garcia	Kuipers	Stamas
Birkholz	George	Leland	Switalski
Bishop	Gilbert	McManus	Thomas
Brater	Goschka	Olshove	Toy
Brown	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman		

Nays—2

Cassis	Patterson
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Excused—2

Clarke	Scott
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.

The question being on the motion to reconsider,

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

The motion prevailed.

Protest

Senator Cassis, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 276.

Senator Cassis' statement is as follows:

I'm rising for my "no" vote explanation on the DLEG budget, Senate Bill No. 276. It was just to be consistent with the previous "no" vote on the one-billion-dollar bonding proposal. There is one amendment in the DLEG bill that really caused me concern, and that was to include \$30 million in case the bond fails.

Here are my concerns. There was no identified funding source. Secondly, it once again creates a bureaucracy. And thirdly, in my opinion in policy and philosophy, I would prefer broad-based tax relief rather than government intervention and taking taxpayer risks. Just free the entrepreneurial spirit.

Senator Clarke entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 273, entitled

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

The question being on the passage of the bill,

Senator Scott offered the following amendments:

1. Amend page 5, line 11, by striking out "203,570,400" and inserting "215,463,300".
2. Amend page 5, line 12, by striking out "203,570,400" and inserting "215,463,300".
3. Amend page 5, line 14, by striking out "203,570,400" and inserting "215,463,300" and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Prusi offered the following amendments:

1. Amend page 4, line 4, by striking out “40,474,300” and inserting “45,083,600”.
2. Amend page 4, line 5, by striking out “40,474,300” and inserting “45,083,600”.
3. Amend page 4, line 7, by striking out “40,474,300” and inserting “45,083,600” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Emerson offered the following amendments:

1. Amend page 2, following line 15, by striking out all of sections 102 through 116 and inserting:

“Sec. 102. CENTRAL MICHIGAN UNIVERSITY

Operations.....	\$ 78,507,600
GROSS APPROPRIATION	\$ 78,507,600

Appropriated from:

Special revenue funds:

Michigan merit award trust fund	538,440
State general fund/general purpose	\$ 77,969,160

Sec. 103. EASTERN MICHIGAN UNIVERSITY

Operations.....	\$ 75,938,400
GROSS APPROPRIATION	\$ 75,938,400

Appropriated from:

State general fund/general purpose	\$ 75,938,400
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Sec. 104. FERRIS STATE UNIVERSITY

Operations.....	\$ 48,108,900
GROSS APPROPRIATION	\$ 48,108,900

Appropriated from:

State general fund/general purpose	\$ 48,108,900
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Sec. 105. GRAND VALLEY STATE UNIVERSITY

Operations.....	\$ 56,887,300
GROSS APPROPRIATION	\$ 56,887,300

Appropriated from:

Special revenue funds:

Michigan merit award trust fund	5,000,000
State general fund/general purpose	\$ 51,887,300

Sec. 106. LAKE SUPERIOR STATE UNIVERSITY

Operations.....	\$ 12,462,100
GROSS APPROPRIATION	\$ 12,462,100

Appropriated from:

State general fund/general purpose	\$ 12,462,100
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Sec. 107. MICHIGAN STATE UNIVERSITY

Operations.....	\$ 282,466,900
Agricultural experiment station.....	33,163,800
Cooperative extension service.....	28,604,300
GROSS APPROPRIATION	\$ 344,235,000

Appropriated from:

State general fund/general purpose	\$ 344,235,000
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Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY

Operations.....	\$ 47,867,400
GROSS APPROPRIATION	\$ 47,867,400

Appropriated from:

State general fund/general purpose	\$ 47,867,400
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Sec. 109. NORTHERN MICHIGAN UNIVERSITY

Operations.....	\$ 44,971,500
GROSS APPROPRIATION	\$ 44,971,500

Appropriated from:

State general fund/general purpose	\$ 44,971,500
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Sec. 110. OAKLAND UNIVERSITY

Operations.....	\$ 47,261,300
GROSS APPROPRIATION	\$ 47,261,300

Appropriated from:	
Special revenue funds:	
Michigan merit award trust fund	1,941,768
State general fund/general purpose	\$ 45,319,532
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 25,681,200
GROSS APPROPRIATION	\$ 25,681,200
Appropriated from:	
Special revenue funds:	
Michigan merit award trust fund	2,019,792
State general fund/general purpose	\$ 23,661,408
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 315,030,900
GROSS APPROPRIATION	\$ 315,030,900
Appropriated from:	
State general fund/general purpose	\$ 315,030,900
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 24,256,400
GROSS APPROPRIATION	\$ 24,256,400
Appropriated from:	
State general fund/general purpose	\$ 24,256,400
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 20,855,200
GROSS APPROPRIATION	\$ 20,855,200
Appropriated from:	
State general fund/general purpose	\$ 20,855,200
Sec. 115. WAYNE STATE UNIVERSITY	
Operations.....	\$ 214,284,600
GROSS APPROPRIATION	\$ 214,284,600
Appropriated from:	
State general fund/general purpose	\$ 214,284,600
Sec. 116. WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 108,900,500
GROSS APPROPRIATION	\$ 108,900,500
Appropriated from:	
State general fund/general purpose	\$ 108,900,500".

2. Amend page 6, line 11, by striking out "34,630,500" and inserting "48,995,000".
3. Amend page 6, line 20, by striking out "224,243,800" and inserting "238,608,300".
4. Amend page 6, line 27, by striking out "83,743,800" and inserting "98,108,300" and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.
 Senator Schauer requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 255

Yeas—16

Basham	Clark-Coleman	Jelinek	Prusi
Bernero	Clarke	Leland	Schauer
Brater	Emerson	Olshove	Switalski
Cherry	Jacobs	Patterson	Thomas

Nays—21

Allen	Cropsey	Hammerstrom	Sanborn
Barcia	Garcia	Hardiman	Sikkema

Birkholz
Bishop
Brown
Cassis

George
Gilbert
Goschka

Johnson
Kuipers
McManus

Stamas
Toy
Van Woerkom

Excused—1

Scott

Not Voting—0

In The Chair: President

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. 256

Yeas—23

Allen
Barcia
Bernero
Birkholz
Bishop
Brater

Brown
Cassis
Cropsey
Garcia
Gilbert
Goschka

Hammerstrom
Hardiman
Jacobs
Jelinek
Kuipers
McManus

Sanborn
Sikkema
Stamas
Toy
Van Woerkom

Nays—14

Basham
Cherry
Clark-Coleman
Clarke

Emerson
George
Johnson
Leland

Olshove
Patterson
Prusi

Schauer
Switalski
Thomas

Excused—1

Scott

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.
The question being on the motion to reconsider,
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.
The motion prevailed.

Protests

Senators Schauer, Cherry and Johnson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 273.

Senators Schauer and Cherry moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Schauer’s statement is as follows:

I rise to oppose this higher education budget bill. The majority party has certainly done a good job of picking winners and losers with this budget. I think in many cases students will lose, some communities will lose, and I think efforts to jump-start our economy will lose as well.

I heard a previous speaker speaking to the Emerson amendment talk about how this budget values education, or engineering education, and education that would support jobs of the future. But as I look at the Senate Fiscal Agency’s spreadsheet, I notice a 22.3 percent increase for Grand Valley University, Oakland University at 8.8 percent, and Saginaw Valley at 8.6 percent. I look at institutions that I know, specifically, are doing incredible work in the areas mentioned, particularly in engineering, like Michigan Tech University.

We get less than a 1 percent increase. Western Michigan University, in my area, in fact, the aviation college in my area—part of the Smart Zone, by the way—but they are doing incredible things. They built a new engineering college; they built a new business technology research park, and we just passed a statute to put in statute for a life sciences corridor to support their business technology and commercialization center. Western would get .3 percent increase, less than a half percent increase.

What are we doing to our economic development efforts? This budget makes no sense at all. There are a few glimmers of good work in that the tuition grant program is largely kept whole. I support that for sure, but these other winners and losers, really, I think this is bad for our economy.

I will vote “no” and urge my colleagues to vote “no.”

Senator Cherry’s statement is as follows:

I urge that my colleagues vote “no” on this budget. This budget treats various universities unfairly. Specifically, the two that are cut hardest are Wayne State and Northern Michigan. It is based on a formula that I believe is flawed, and it does little, I also believe, in terms of improving access.

I believe that this budget could be much better. We’ve talked a lot about how we could have spread these dollars a little more fairly and not created such a division in terms of what universities are getting compared to what they get now. We might have had the opportunity to increase financial aid even more, but we’ve decided not to do that.

So because of these reasons, I will be voting “no,” and I hope members will also join me in that.

Senator Johnson’s statement is as follows:

Had I known what I was voting on, I would have voted “yes.”

Senators Clark-Coleman, Hardiman and Goschka asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clark-Coleman’s statement is as follows:

This amendment would restore the 5 percent cut to Wayne State University. It is unjustifiable that one institution receives a 22 percent increase and another is given a 5 percent cut. After years of funding cuts to Wayne State University, they simply cannot afford this further cut in state appropriations. Budgets have already been formulated, and this cut will hinder the university’s ability to provide crucial services. Students and families would be forced to shoulder the burden through higher tuition rates, and in that community, they certainly cannot afford to do that. This cut does little to further the state’s goals of increasing accessibility to higher education.

Wayne State serves a unique, diverse community and provides this state with well-rounded graduates; graduates we need for our new economy, such as myself, who is a graduate of Wayne State University with both bachelor’s and master’s degrees. Furthermore, not only will Wayne State and their students suffer, but the community around it will be negatively affected as well. This community needs uplifting, not deeper and deeper cuts.

While I understand the desire to provide a fair and level playing field for all of our higher education institutions, I believe that this plan falls short. Correcting a perceived political wrong with this solution is punitive and unfair. I urge my colleagues to support this amendment.

Senator Hardiman's statement is as follows:

I rise in support of Senate Bill No. 273, and more specifically, I rise to thank the chairman for his hard and thoughtful work on this budget. There have been some controversies, and whether or not you agree with the direction, I think that it is very obvious that he has put a lot of thought into putting together this budget bill and placing that before the subcommittee, which I serve on.

I would like to point out a couple things. We've had a lot of discussion on which university gains and which university loses. Those are important discussions. Some would say, yes, there ought to be some changes, but let's do them over a longer period of time. The chairman has looked at this and decided to move forward right now.

I would like to point out a couple of other things. There is a formula here that I think is very important. There is floor funding, which I believe is important for all universities in this state and all residents to have that kind of support behind them at the higher education level. But there are also rewards for graduating students and also placing students in good jobs, as well as many other elements. These are important in a new economy.

I do appreciate the hard work. I'm not pleased with every element of this budget. The cut to the tuition grant program is something I'm not pleased with, but I can support the bill and will support the bill.

I want to thank the chairman for his hard work and the other committee members for their work.

Senator Goschka's first statement is as follows:

I rise in opposition to this amendment. I appreciate the comments of the previous speaker, and I will say that, clearly, Wayne State University is one of the premier universities not only in our state, but, I think, throughout the country. They perform a remarkable service for higher education, something of which we all can be proud. Unfortunately, during a decline in enrollment in the '80s, there was no substantive decline in the funding to match the decline in enrollment, and hence, the funding per student is dramatically higher. In fact, the highest-funded school in the state per student is Wayne State University. What the reduction in the budget has done is to bring them much more in line with their peer schools within our state.

Again, I can't say enough good about Wayne State University. They are a wonderful university. They perform an excellent service. This is not in any way punitive, and contrary to the earlier remarks, this is by no means to right a perceived political wrong. It is, however, to reassess how we could justify so many dollars per student going to one university, really, at the expense of others. It can't be justified. On that basis, I would urge rejection of this amendment.

Senator Goschka's second statement is as follows:

I rise in opposition to this amendment. Northern Michigan University is another university that we all can be proud of. It does a very good job and is a quality school in the state of Michigan; one that, with its peers, has stepped up to the plate and done a very good job. Again, this is not in any fashion to be punitive. The previous speaker did talk about, "We'll do this at another time when there is money available." What is the "We'll do this?" That is making things right as they should have been decades ago.

Northern, again, and in a moment, I will cite certain enrollment numbers. I could do the same with Wayne, but for time's sake, take note that it applies to both schools. At a time when Northern has been losing its enrollment, the state never lowered their funding. So, in effect, their funding per student continued to rise. Take note that in 1977, Northern had an enrollment of 8,055. A year later, they were down to 7,804. In 1984, they were down to 6,704; a year later, down to 6,411; by 1986, 6,207. Take note again they were at 8,055. And now, in just nine years, they are down to 6,207. They've lost about 1,800 students by then. Funding continued to either go up markedly or in slight amounts. The previous speaker is not wrong when he cites percentages, but percentages can tell a certain story depending on what we want it to say.

The bottom line is what are the enrollment numbers; what is the funding per student? That is what we have to concern ourselves with today. By 1996, they were at 6,243.

So the issue here is that over a period of time when the enrollment had gone down, funding had gone up for this school, so it inherently increased their funding per student. In fact, if this bill were to be adopted into law, as it is currently written with the 10 percent decrease to Northern Michigan University, to adopt the floor that we've put into this bill for floor funding to give Grand Valley, for instance, their 22.3 percent increase. Again, they are funded right now at \$3,072 per student. Their peer school Northern receives \$5,415 per student. It is way overdue to correct this wrong.

In fact, Central Michigan University, which is a peer school with Northern, if we were to bring them into the very same funding per student under this plan, we would have given Northern a 20.6 percent reduction—20.6 percent. They are still \$1,113 per student ahead of Central in this plan. They are \$1,106 still—if this plan goes into effect—ahead of Eastern per student; \$512 more per student than Western; \$985 per student more than Eastern. I will tell you that there are universities all across this state that would love to take the situation as it is and trade places with Northern, at a drop of the hat. So we did exercise restraint, frankly, in limiting it to a 10 percent cut. But even if this goes into effect, take note that with all of its peer schools, Northern is still a \$1,000-plus ahead of any other school, other than Western and Eastern, again, at \$985, but they're more than \$1,000 ahead per student even if this plan goes into effect.

With that, I respectfully ask this body to reject this amendment.

Senator Goschka's third statement is as follows:

I respectfully rise to oppose this amendment. Other than restoring Wayne and Northern to their amounts, it actually does reduce in this budget the amounts given to the other 13 universities. It literally destroys the floor funding model that has been constructed in this bill. It destroys the bill as it is written. I appreciate the intent, but it is lacking, and I would urge that we vote this amendment down.

Senator Goschka's fourth statement is as follows:

What we have before us is a bill that establishes floor funding at \$3,750 per student. Regardless of where you go to a university in this state, it would seem appropriate that a student would be able to count on from the state a minimum amount of dollars toward their education. Right now, Grand Valley is at \$3,072. The highest-funded school currently is Wayne State University at \$9,665; clearly a disparity.

This bill does not call for parity of all schools. It recognizes the different missions that schools have. Some have medical schools, some have law schools, some are in engineering and the health field, and so many other areas. We recognize those differences.

Another important part of this bill is it restores most of the Michigan tuition grant dollars, but we know that they will be left whole for next year as Senate Fiscal has shared in terms of the numbers to give them the opportunity to still give \$2,000 scholarships to students who are eligible for that program. They are Michigan kids and it's need-based.

It fully restores the agricultural experiment station and the cooperative extension service—very vital in this state. I fully believe that part of the puzzle in turning our state around economically is to stand up for our universities. They are the economic hub, the economic engine in so many cases in their local areas and for our entire state.

This is a budget of which I am most proud, and I would urge adoption of Senate Bill No. 273, the higher education bill.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 12:04 p.m.

12:24 p.m.

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

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

Senate Bill No. 279, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 107b, 147, 158b, and 164c (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632j, 388.1637, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1707, 388.1707b, 388.1747, 388.1758b, and 388.1764c), sections 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 147, and 158b as amended and sections 22d and 107b as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 20d as amended by 1997 PA 93, section 31a as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, and section 164c as added by 1995 PA 130, and by adding sections 22e, 26b, and 103; and to repeal acts and parts of acts.

Substitute (S-1).

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

1. Amend page 22, line 6, after “OF” by striking out “\$31,716,500.00” and inserting “\$53,216,500.00”.
2. Amend page 55, following line 19, by inserting:

“(21) FOR A DISTRICT IN WHICH THE SCHOOL ELECTORS VOTED IN 1993 ON A PROPOSAL TO OVERRIDE A MILLAGE REDUCTION REQUIRED UNDER SECTION 31 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 OF 4.38 MILLS FOR OPERATING PURPOSES BUT DID NOT APPROVE THE PROPOSAL, THE DISTRICT’S COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL SHALL BE RECALCULATED AS IF THAT MILLAGE REDUCTION DID NOT OCCUR AND, BEGINNING IN 2005-2006, THE DISTRICT’S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF ITS 1994-1995 FOUNDATION ALLOWANCE HAD BEEN CALCULATED USING THE RECALCULATED 1993-1994 COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL AS A BASE. A DISTRICT IS NOT ENTITLED TO ANY RETROACTIVE PAYMENTS FOR FISCAL YEARS BEFORE 2004-2005 DUE TO THIS SUBSECTION. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$50.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT.

(22) FOR A DISTRICT THAT LEVIED 1.9 MILLS IN 1993 TO FINANCE AN OPERATING DEFICIT, THE DISTRICT’S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF THOSE MILLS WERE INCLUDED AS OPERATING MILLS IN THE CALCULATION OF THE DISTRICT’S 1994-1995 FOUNDATION ALLOWANCE. A DISTRICT IS NOT ENTITLED TO ANY RETROACTIVE PAYMENTS FOR FISCAL YEARS BEFORE 2005-2006 DUE TO THIS SUBSECTION. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$50.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT.

(23) FOR A DISTRICT IN WHICH 4.91 MILLS LEVIED IN 1992 FOR SCHOOL OPERATING PURPOSES IN THE 1992-93 SCHOOL YEAR WERE NOT RENEWED IN 1993 FOR SCHOOL OPERATING PURPOSES IN THE 1993-94 SCHOOL YEAR, THE DISTRICT’S COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL SHALL BE RECALCULATED AS IF THAT MILLAGE REDUCTION DID NOT OCCUR AND, BEGINNING IN 2005-2006, THE DISTRICT’S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF ITS 1994-95 FOUNDATION ALLOWANCE HAD BEEN CALCULATED USING THAT RECALCULATED 1993-94 COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL AS A BASE. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$50.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT.” and renumbering the remaining subsections.

3. Amend page 57, line 14, by striking out “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE” and inserting “The”.

4. Amend page 57, line 20, after “allowance.” by striking out the balance of the subsection.

5. Amend page 64, line 3, by striking out “\$3,175,020,300.00” and inserting “\$3,192,200,150.00”.

6. Amend page 73, line 23, by striking out “\$292,700,000.00” and inserting “\$314,200,000.00” and adjusting the totals in section 11 and enacting section 1 accordingly.

7. Amend page 153, line 15, after “2005-2006.” by inserting “IN ADDITION, A DISTRICT THAT HAD A DECLARATION OF FINANCIAL EMERGENCY IN PLACE UNDER THE LOCAL GOVERNMENT FISCAL RESPONSIBILITY ACT, 1990 PA 72, MCL 141.1201 TO 141.1291, AND FOR WHICH THAT DECLARATION WAS REVOKED DURING 2005 MAY OPERATE A PROGRAM UNDER THIS SECTION INDEPENDENTLY OF A CONSORTIUM OR MAY JOIN OR FORM A CONSORTIUM TO OPERATE A PROGRAM UNDER THIS SECTION.”.

8. Amend page 153, line 20, after “2003-2004” by inserting “OR, FOR A DISTRICT FOR WHICH A DECLARATION OF FINANCIAL EMERGENCY WAS REVOKED DURING 2005, BASED ON THE AMOUNT THE DISTRICT RECEIVED UNDER THIS SECTION USING A 3-YEAR AVERAGE OF THE 3 MOST RECENT FISCAL YEARS THE DISTRICT RECEIVED FUNDING UNDER THIS SECTION”.

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.

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

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

Senate Bill No. 279

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

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

Senate Bill No. 279, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 107, 147, 158b, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632j, 388.1637, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 3, 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, and section 164c as added by 1995 PA 130, and by adding sections 26b and 32l; and to repeal acts and parts of acts.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Cherry offered the following amendments:

1. Amend page 11, line 11, after "12." by striking out the balance of the subdivision.
2. Amend page 22, line 6, after "OF" by striking out "\$31,716,500.00" and inserting "\$37,716,500.00".
3. Amend page 64, line 3, by striking out "\$3,175,020,300.00" and inserting "\$3,181,020,300.00" and adjusting the totals in section 11 and enacting section 1 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 257

Yeas—18

Barcia	Clark-Coleman	Leland	Schauer
Bernero	Clarke	Olshove	Thomas
Birkholz	Emerson	Patterson	Toy
Brater	Jacobs	Prusi	Van Woerkom
Cherry	Kuipers		

Nays—19

Allen	Cropsey	Hammerstrom	Sanborn
Basham	Garcia	Hardiman	Sikkema
Bishop	George	Jelinek	Stamas
Brown	Gilbert	Johnson	Switalski
Cassis	Goschka	McManus	

Excused—1

Scott

Not Voting—0

In The Chair: President

Senator Clarke offered the following amendment:

1. Amend page 76, line 17, by striking out “10%” and inserting “15%”.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 258

Yeas—33

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

Nays—4

Clark-Coleman	Emerson	Leland	Thomas
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Excused—1

Scott

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Clark-Coleman, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 279.

Senator Clark-Coleman’s statement is as follows:

I’d like to thank my colleagues for their support and their hard work on the school aid budget. Restoration of 20j money is critical to the survival of some of our districts. However, the denial of additional help to at-risk youth is unacceptable. This budget does not include the increase in at-risk funding recommended by the Governor.

Statewide, more of our youth come from single-parent households and need early childhood development and after-school activities, as well as additional learning opportunities to keep pace with their classmates.

The Governor also recommended a \$50 increase in per pupil funding for high school students. Again, a sensible suggestion was not adopted. We all know that it takes more money to educate a child in high school than it does a child in elementary school. Also it does not include an increase for the ISDs.

The future of our state is in our hands now. We must be careful to avoid politicizing the learning process of our youth. We must provide all of the elements necessary to ensure student success. Who wants to be held accountable for erecting barriers to education in this state? I don’t and I hope you don’t either.

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

Senate Bill No. 271, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 899.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 268, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 888.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 269, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 890.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 280, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 891.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 277, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 894.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 281, entitled

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

(This bill was passed on June 15 and the motion to reconsider the vote postponed. See Senate Journal No. 57, p. 896.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

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

Senate Bill No. 102

The motion prevailed.

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

Senate Bill No. 274, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 857.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 278, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 858.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 267, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 859.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 270, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 865.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 264, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 870.)

The question being on the motion to reconsider the vote by which the bill was passed, Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 275, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 871.)

The question being on the motion to reconsider the vote by which the bill was passed, Senator Hammerstrom withdrew the motion.

The following bill was announced:

Senate Bill No. 266, entitled

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

(This bill was passed on June 14 and the motion to reconsider the vote postponed. See Senate Journal No. 56, p. 871.)

The question being on the motion to reconsider the vote by which the bill was passed, Senator Hammerstrom withdrew the motion.

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

Senate Bill No. 276, entitled

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

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 910.)

The question being on the motion to reconsider the vote by which the bill was passed, Senator Hammerstrom withdrew the motion.

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

Senate Bill No. 273, entitled

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

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 911.)

The question being on the motion to reconsider the vote by which the bill was passed, Senator Hammerstrom withdrew the motion.

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

Senate Bill No. 272, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2006; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain

funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 909.)

The question being on the motion to reconsider the vote by which the bill was passed,
Senator Hammerstrom withdrew the motion.

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

House Bill No. 4444, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9101, 9105, 9106, 9110, and 9113 (MCL 324.9101, 324.9105, 324.9106, 324.9110, and 324.9113), section 9101 as amended by 2001 PA 227 and sections 9105, 9106, 9110, and 9113 as amended by 2000 PA 504.

The above bill was read a third time.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 259

Yeas—37

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

Nays—0

Excused—1

Scott

Not Voting—0

In The Chair: President

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

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

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

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 387, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35d.

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. 260

Yeas—36

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

Nays—1

Emerson

Excused—1

Scott

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Cassis’ statement is as follows:

Well, I see this bill as certainly well-intended. There seems to be some missing pieces, and that is when you provide a tax credit for further training. Is it the kind of training that is a one-on-one correspondence to what our current economy and the new economy is creating in terms of jobs?

Education for education-sake certainly is valuable, but we understand that Michigan’s economy right now is dead last. Are we certain that these approaches are ones that will actually encourage, if you will, productivity overall within the economy, which is so badly needed? Or should we be focusing on broad-based tax relief across the board?

The following bill was read a third time:

Senate Bill No. 393, entitled

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

The 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. 261**Yeas—35**

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

Nays—2

Emerson	Jelinek
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Excused—1

Scott

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Cassis' statement is as follows:

Again, I rise to just raise questions about not the intent and not the hope of what these bills are trying to accomplish, but whether or not they actually will in return accomplish the expectation that has been put forth.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Olshove, Jacobs, Basham, Allen and Goschka introduced

Senate Bill No. 585, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9205a (MCL 333.9205a), as added by 2001 PA 163.

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

Senators Olshove, Cherry, Scott, Allen, Garcia, Brater, Barcia, Basham, Leland, Bernero, Jacobs, Goschka, Toy, Switalski, Schauer and Sanborn introduced

Senate Bill No. 586, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding sections 3185 and 3285.

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

Senator Switalski introduced
Senate Bill No. 587, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4d (MCL 205.94d), as amended by 2004 PA 172.

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

Senator Switalski introduced
Senate Bill No. 588, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 2004 PA 173.

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

Senator Switalski introduced
Senate Bill No. 589, entitled

A bill to amend 1974 PA 359, entitled "An act to authorize the department of natural resources to convey certain lands lying within the boundaries of the lakeshore zone and parkway location of the Sleeping Bear dunes national lakeshore park to the United States; to provide for cession of certain jurisdiction of this state and to determine the measure thereof over such lands; to authorize acceptance of relinquished jurisdiction over such lands or portions thereof; and to repeal certain acts and parts of acts," by repealing section 8 (MCL 3.908).

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

Senator Switalski introduced
Senate Bill No. 590, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2003 PA 140; and to repeal acts and parts of acts.

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

Senator Switalski introduced
Senate Bill No. 591, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2004 PA 172.

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

Senator Switalski introduced
Senate Bill No. 592, entitled

A bill to amend 2004 PA 175, entitled "Streamlined sales and use tax revenue equalization act," (MCL 205.171 to 205.191) by adding section 10.

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

Senator Switalski introduced
Senate Bill No. 593, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 2002 PA 669.

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

Senator Switalski introduced
Senate Bill No. 594, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4r (MCL 205.54r), as amended by 2004 PA 173.

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

Senator Switalski introduced
Senate Bill No. 595, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 2004 PA 172.

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

Senator Brater introduced

Senate Bill No. 596, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2004 PA 394.

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

Senator Brater introduced

Senate Bill No. 597, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 3 (MCL 205.303), as amended by 1996 PA 135.

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

Senator Brater introduced

Senate Bill No. 598, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 36 (MCL 206.36).

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

Senator George introduced

Senate Bill No. 599, entitled

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

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

Senators Emerson, Thomas, Switalski, Olshove, Gilbert, Clarke, Schauer, Barcia, Clark-Coleman, Brater, Sanborn, Basham, Bernero, Bishop, Scott, Cherry, Leland, Prusi and Goschka introduced

Senate Bill No. 600, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 113, 203, and 607 (MCL 436.1113, 436.1203, and 436.1607), section 203 as amended by 2000 PA 289.

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

Senators Van Woerkom, Patterson, Cassis, Gilbert, Allen, Sanborn, Stamas, Hardiman, Birkholz, Bishop, Toy, Jelinek and Brown introduced

Senate Bill No. 601, entitled

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

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

Senators Cherry, Prusi and Birkholz introduced

Senate Bill No. 602, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 1 (MCL 552.451), as amended by 2002 PA 8.

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

Senators Jelinek, Allen and Basham introduced

Senate Bill No. 603, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 28.

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

Senators Jelinek, Allen and Basham introduced

Senate Bill No. 604, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 28.

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

Senators Gilbert, Patterson, Van Woerkom, Toy, Cassis, Stamas, Jelinek and Brown introduced

Senate Bill No. 605, entitled

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

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

Senators Bishop, Toy, Patterson, Gilbert, Van Woerkom, Cassis, Allen, Stamas, Birkholz, Goschka and Brown introduced

Senate Bill No. 606, entitled

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

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

Senators Patterson, Cassis, Allen, Sanborn, Stamas, Birkholz, Bishop, Toy, Van Woerkom, Jelinek and Brown introduced

Senate Bill No. 607, entitled

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

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

Senators Cropsey, Birkholz and Goschka introduced

Senate Bill No. 608, entitled

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

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

Senators Kuipers, Birkholz and Goschka introduced

Senate Bill No. 609, entitled

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

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

Senator Kuipers introduced

Senate Bill No. 610, entitled

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

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

Senators Allen, Sanborn, Gilbert, Van Woerkom, Patterson, Cassis, Stamas, Hardiman, Birkholz, Bishop, Toy, Jelinek and Brown introduced

Senate Bill No. 611, entitled

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

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

Senators Johnson, Kuipers, Hammerstrom, Birkholz and Goschka introduced

Senate Bill No. 612, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d. The bill was read a first and second time by title and referred to the Committee on Education.

Senator Brown introduced

Senate Bill No. 613, entitled

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

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

Senators Hammerstrom, Birkholz and Goschka introduced

Senate Bill No. 614, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 5d and 5e. The bill was read a first and second time by title and referred to the Committee on Families and Human Services.

Senators Hardiman, Birkholz, Cropsey, Goschka and Brown introduced

Senate Bill No. 615, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 2004 PA 315, and by adding section 5c.

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

Senators Cassis, Patterson, Van Woerkom, Gilbert, Bishop, Toy, Allen, Stamas, Hardiman, Birkholz, Goschka and Brown introduced

Senate Bill No. 616, entitled

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

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

Senators Toy, Patterson, Birkholz, Gilbert, Cassis, Allen, Sanborn, Stamas, Hardiman, Goschka and Brown introduced

Senate Bill No. 617, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by amending the title, as amended by 2004 PA 237, and by adding headings for articles I and II and by adding article III.

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

House Bill No. 4465, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40111b.

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

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

House Bill No. 4710, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as added by 2003 PA 270.

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

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

House Bill No. 4711, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41303 (MCL 324.41303), as added by 2003 PA 270.

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

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

House Bill No. 4712, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41305 (MCL 324.41305), as added by 2003 PA 270, and by adding section 41306.

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

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

House Bill No. 4713, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 41311 and 41313.

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

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

House Bill No. 4714, entitled

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

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

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

House Bill No. 4715, entitled

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

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

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

House Bill No. 4716, entitled

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

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

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

House Bill No. 4729, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 4 (MCL 15.324).

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

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

The motion prevailed.

Senator George's statement is as follows:

I just wanted to alert my colleagues to an important anniversary tomorrow, June 17th. It's the 149th anniversary of the death of probably the single-most prominent political figure in Michigan history, which would be Territorial Governor and then-U.S. Senator Lewis Cass, whose portrait is behind me.

We live in the shadow of Lewis Cass when we work here in the Legislature. Lewis Cass had many of his principles adopted into the fabric of our state and into our state government. I'll give you a couple of examples. Lewis Cass was a promoter of establishing local governments. We have township governments all over our state, thanks to Lewis Cass. We had treaties with Native Americans that made Michigan safe for settlement, thanks to Lewis Cass. Lewis Cass was a great promoter of local elections. People ask why do we have elected drain commissioners in Michigan? Why did we have for many years an elected highway commissioner? Well, it really reflects really the legacy of Lewis Cass. He was Territorial Governor for 18 years leading up to Michigan's statehood. He became Territorial Governor with the court-martial of Governor and General Hall, who was court-martialed during the War of 1812. Lewis Cass succeeded him and then left Michigan to become the Secretary of War under President Jackson. Later he was the minister to France.

If you look at the Cass portrait in the House Chamber—they have one as well—you'll see next to Lewis Cass is a piece of paper and it says "protest quintuple treaty." Lewis Cass led the opposition to a sea-faring treaty that had to do with the rights of nations to inspect each other's vessels. He became very popular in protesting that when he was minister to France, and that lead to his being later a presidential candidate. In 1847, he resigned from the U.S. Senate, ran for President—he lost—and then returned as our U.S. Senator and served for several years.

He died tomorrow, colleagues, June 17, 1866, and we live in his shadow yet today.

Senator Birkholz's statement is as follows:

Today we had a guest early this morning at the Children's Caucus and then again a little while ago in the Gallery, Mr. Rob Grunewald from the Federal Reserve Bank in Minneapolis. He spoke for about a half-hour to the legislators who attended on the importance of early childhood development as far as economic development is concerned. In fact, the title of his paper is "Early Childhood Development: Economic Development with a High Public Return." He talked to us about the essential ingredients for economic growth in our state. He noted that countries with strong economic growth over the past 40 years have invested in human capital. States with a high percent of population with a college degree have higher levels of output per person, and wage premiums for a worker with a college degree has grown recently to 70 percent.

He quoted from a statement made by Alan Greenspan just a few months ago, "But for the past 20 years the real economic income of especially highly skilled workers has risen more than the average of all workers. Whereas, the real wage rate increase for lesser skilled workers has been below average. Indeed, virtually nonexistent. This difference in wage trends suggest that at least in relative terms we have developed a shortage of highly skilled workers and a surplus of lesser skilled workers"—a sad statement indeed for this country.

He talked about several studies and mentioned a couple, talking about the return on investment for quality childhood programs. I'm not talking about glorified babysitting; I'm talking about quality early childhood programs peer-reviewed. The cost benefit ratio was shown to be \$17-to-\$1. For every \$1 of investment, that area received a \$17 benefit; an estimated total annual return of approximately 18 percent. He noted that in that same time period, the stock market only gave us a rate of return from between 5 to 7 percent. Which would you choose—an 18 percent rate of return or a 5 to 7 percent rate of return? And that is for an investment in early childhood.

I did vote "yes" today on the K-12 budget, but it was with a great deal of consternation. We did cut out DK (developmental kindergarten), early 5s (or pre-K) by one-half. Fifty percent of their money we took away from them; programs that across this state have existed for 20 to 25 years because the schools, those parents did not want their children to flunk kindergarten. Can you imagine what a huge stigma that is on a child? But if they can go through a developmental kindergarten, a pre-K, and then go through a regular kindergarten, approximately 90 percent of those children end up being successful in first grade, successful readers. Those school people are not trying to scam our system. They are not trying to make money off these early childhood programs. They are trying to make sure those kids are successful in school; that they will go further; that more of them will graduate from high school; more of them will graduate from college, and they will be successful adults in our communities and add to the qualities of our communities.

So I urge you as legislators, as policymakers, to think about that when you talk about rate of return; when you think about how we can triple the rate of return that the stock market was giving us by investing in early childhood education.

Committee Reports

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Public hearing held on Friday, June 10, 2005, at 10:00 a.m., Jay's Sporting Goods, 8800 S. Clare Avenue, Clare

Present: Senator Cropsey (C)

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Public hearing held on Saturday, June 11, 2005, at 10:00 a.m., Bay de Noc Community College, Heirman Center, Room 952, Escanaba

Present: Senator Cropsey (C)

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Joint meeting held on Wednesday, June 15, 2005, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Joint meeting held on Wednesday, June 15, 2005, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Goschka (C), Cherry and Prusi

Excused: Senators Johnson and Hardiman

Scheduled Meetings**Appropriations -****Subcommittee -**

Judiciary and Corrections - Tuesday, June 21, 3:00 p.m., Senate Hearing Room, 1st Floor, Boji Tower (373-3760)

Health Policy - Wednesday, June 22, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

Judiciary - Tuesday, June 21, 1:00 p.m., Room 210, Farnum Building (373-3760)

Natural Resources and Environmental Affairs - Tuesday, June 21, 3:00 p.m., Room 110, Farnum Building (373-3447)

Technology and Energy - Wednesday, June 22, 3:00 p.m., Room 210, Farnum Building (373-7350)

Transportation - Tuesday, June 21, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 2:13 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, June 21, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

