

No. 74
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Wednesday, August 31, 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 not present.

Allen—present
Barcia—present
Basham—present
Bernero—present
Birkholz—present
Bishop—present
Brater—present
Brown—present
Cassis—excused
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—excused
Thomas—present
Toy—present
Van Woerkom—present

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

Heavenly Father, thank You for bringing us all safely back together as we again convene to do the people's work here in our beautiful Capitol. We return refreshed and invigorated and are appreciative of the time we were able to spend this summer in our districts and with our families. It was a beautiful summer, and we delighted in being able to get out and enjoy the beauty of the world which You created.

We know there may be rocky times ahead as we strive to balance a budget and work on other difficult issues. We ask that You provide us patience and respect for differing opinions in the upcoming debates, as well as the wisdom to do what is right in Your eyes.

Lord, today we also pray for the victims of Hurricane Katrina. Be with them in their time of need. Provide them the strength and resolve to rebuild their communities and comfort them in the days ahead. We also pray that our fellow citizens open up their hearts and pocketbooks to assist those who are hurting in any way we can.

We ask this in Your holy name. Amen.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:28 a.m.

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

During the recess, Senators Barcia, Bishop, Hardiman, McManus, Brown, Jelinek, Stamas, Van Woerkom, Johnson, Toy, Patterson, Sikkema, Kuipers, Allen, Cropsey, Goschka, Garcia, Birkholz and George entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

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

Senate Bill No. 246

Senate Bill No. 318

The motion prevailed.

Senator Hammerstrom moved that Senator Cassis be excused from today's session.

The motion prevailed.

Senator Schauer moved that Senator Switalski be excused from today's session.

The motion prevailed.

The following communication was received and read:

Office of the Senate Majority Leader

June 13, 2005

Pursuant to Public Act 224 of 2004 (MCL 600.1082), we are making the following appointments to the State Drug Treatment Court Advisory Committee:

Mr. Lawrence Belen, 9182 West OP Avenue, Mattawan, Michigan 49071, representing law enforcement in a jurisdiction that has had a drug or alcohol treatment court for at least two years, for a term of three years,

Judge Patrick Bowler, P.O. Box 3527, Grand Rapids, Michigan 49501, representing the Michigan association of drug court professionals, for a term of two years,

Ms. Kathleen Brickley, 731 North Shore Drive, South Haven, Michigan 49090, representing defense attorneys who have worked for at least two years with drug or alcohol treatment courts, for a term of three years,

Mr. Andrew Konwiak, 1095 Roslyn, Grosse Pointe Woods, Michigan 48236, representing drug treatment providers who have worked for at least two years with a drug or alcohol treatment court, for a term of three years,

Ms. Constance Laine, 223 South Lauderdale, Kalamazoo, Michigan 49006, representing a court administrator who has worked for at least two years with a drug or alcohol treatment court, for a term of four years,

Judge Brian Mackenzie, 40640 Eight Mile Road, Novi, Michigan 48167, representing a circuit or district court judge who has presided for at least two years over an alcohol treatment court, for a term of four years,

Ms. Beth Morrison, 700 Seymour Lake Road, Oxford, Michigan 48371, representing domestic violence service provider programs that receive funding from the state domestic violence prevention and treatment board, for a term of two years,

Judge William Rush, 300 Russell #5, Mt. Pleasant, Michigan 48858, representing a district court judge who has presided for at least two years over a drug treatment court, for a term of four years,

Mr. Jeffrey Sauter, 2682 Walnut Grove, Grand Ledge, Michigan 48837, representing a prosecuting attorney who has worked for at least two years with a drug or alcohol treatment court, for a term of three years,

Judge William Schma, 4725 Carver Drive, Kalamazoo, Michigan 49009, representing a circuit court judge who has presided for at least two years over a drug treatment court, for a term of four years,

Mr. Terrence Sizeland, 5761 S. Ainger Road, Olivet, Michigan 49076, representing an individual who has successfully completed a drug treatment court program, for a term of three years,

Mr. Homer Smith, 1615 Holbrook, Holt, Michigan 48842, representing an individual who is an advocate for the rights of crime victims, for a term of two years,

Judge Edward Sosnick, 4585 Kirkcaldy, Bloomfield Hills, Michigan 48304, representing a judge of the family division of circuit court who has presided for at least two years over a juvenile drug treatment court program, for a term of four years,

Mr. Chuck Spence, 6244 Hampton Street, Portage, Michigan 49024, representing an individual representing a substance abuse coordinating agency, for a term of two years.

Respectfully,

Ken Sikkema
Senate Majority Leader

Craig M. DeRoche
Speaker of the House

June 15, 2005

Pursuant to MCL 399.73, I am making the following appointment to the Michigan Iron Industry Museum Advisory Board:

Mr. Dennis Takalo of P.O. Box 79, Skandia, Michigan 49885, county of Marquette, for a term commencing June 15, 2005 and expiring December 31, 2006.

If you have any questions please call Bill Sullivan in my office at 373-0797.

June 29, 2005

Pursuant to Public Act 489 of 2004, I am recommending the following individuals for appointment to the Ronald Wilson Reagan memorial monument fund commission:

John Arundel, 1287 Chartwell Carriage Way North, East Lansing, Michigan 48823

Clark Durant, 430 Chalfonte Avenue, Grosse Pointe Farms, Michigan 48236

If you have any questions please contact Bill Sullivan in my office at 3-0797.

Respectfully,
Ken Sikkema
Senate Majority Leader

August 4, 2005

Pursuant to Public Act 224 of 2004 (MCL 600.1082) we are making the following appointment to the State Drug Treatment Court Advisory Committee:

Mr. Ken Aud, 16682 Huntington Woods Drive, Macomb Township, Michigan 48042, representing a probation officer who has worked for at least two years for a drug or alcohol treatment court.

Respectfully,

Ken Sikkema
Senate Majority Leader

Craig M. DeRoche
Speaker of the House

The communications were referred to the Secretary for record.

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

June 30, 2005

Pursuant to Senate Rule 3.203b, I am hereby re-referring House Bill 4834 from the Banking and Financial Institutions Committee to the Economic Development, Small Business and Regulatory Reform Committee.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received and read:
Office of the Senate Majority Leader

July 14, 2005

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Technology and Energy Committee hold a hearing on the appointment of Monica Martinez to the Michigan Public Service Commission, and make a written recommendation to the Government Operations Committee on this appointment.

August 3, 2005

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Local, Urban and State Affairs Committee hold a hearing on the appointment of Lisa Webb Sharpe to Director of the Department of Management and Budget, and make a written recommendation to the Government Operations Committee on this appointment.

Sincerely,
Senator Ken Sikkema, Chairman
Senate Government Operations Committee

The communications were referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

INDEPENDENT ACCOUNTANT'S REVIEW REPORT

June 9, 2005

We have reviewed the accompanying statement of the proportion of total State spending from State sources paid to units of local government (legal basis) of the State of Michigan for the fiscal year ended September 30, 2004 in accordance with *Statements on Standards for Accounting and Review Services* issued by the American Institute of Certified Public Accountants. All information included in the accompanying statement is the representation of the State's management.

A review consists principally of inquiries of agency personnel and analytical procedures applied to financial data. It is substantially less in scope than an audit in accordance with auditing standards generally accepted in the United States of America, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, we do not express such an opinion.

As described in Note 1, the accompanying statement was prepared in accordance with Sections 18.1115(5), 18.1303 - 18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the *Michigan Compiled Laws*, which provide statutory language to implement Article IX, Section 30 of the State Constitution. Accordingly, the financial statement is not intended to be presented in conformity with accounting principles generally accepted in the United States of America.

Based on our review, we are not aware of any material modifications that should be made to the accompanying statement of the proportion of total State spending from State sources paid to units of local government (legal basis) of the State of Michigan for the fiscal year ended September 30, 2004 in order for it to be in conformity with the basis of accounting described in Note 1.

This report is intended for the information and use of the Legislature, the Governor, and the State's management. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Attorney General for the period October 1, 2002 through September 30, 2004.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Michigan Economic Development Corporation for the period October 1, 2002 through September 30, 2004.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of History, Arts, and Libraries for the period October 1, 2002 through September 30, 2004.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Labor and Economic Growth for the period October 1, 2003 through September 30, 2004 and the Michigan Department of Career Development for the period October 1, 2002 through September 30, 2003.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Michigan Strategic Fund for the period October 1, 2002 through September 30, 2004.

June 30, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Michigan Department of Transportation for the period October 1, 2002 through September 30, 2004.

July 8, 2005

Enclosed is a copy of the following audit report:

Performance audit of the Sex Offender Registries, Michigan Department of State Police.

July 15, 2005

Enclosed is a copy of the following audit report:

Performance audit of the Bureau of Substance Abuse and Addiction Services, Department of Community Health.

July 28, 2005

Enclosed is a copy of the following audit report:

Performance audit of Selected Community Colleges' Reporting of Activities Classification Structure Data for the colleges' fiscal year 2003-04.

July 28, 2005

Enclosed is a copy of the following audit report:

Performance audit of Michigan State University.

August 5, 2005

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Agriculture for the period October 1, 2002 through September 30, 2004.

August 12, 2005

Enclosed is a copy of the following audit report:

Performance audit of Charles Stewart Mott Community College.

August 17, 2005

Enclosed is a copy of the following audit report:
Performance audit of the Children's Foster Care Program, Department of Human Services.

August 18, 2005

Enclosed is a copy of the following audit report:
Performance audit of the Prisoner Education Program, Department of Corrections.

August 18, 2005

Enclosed is a copy of the following audit report:
Performance audit of the Procurement Card Program, Office of Financial Services, Department of Management and Budget.

August 19, 2005

Enclosed is a copy of the following audit report:
Performance audit of Northern Michigan University.

August 23, 2005

Enclosed is a copy of the following audit report:
Performance audit of the Vital Records and Health Data Statistics, Bureau of Epidemiology, Department of Community Health.

August 24, 2005

Enclosed is a copy of the following audit report:
Performance audit of Muskegon Community College.

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

The communications were referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

June 14, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:40 p.m. this date, administrative rule (05-06-01) for the Department of Labor and Economic Growth, Public Service Commission entitled "*Services Supplied by Water Utilities*," effective immediately upon filing with the Secretary of State.

June 14, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:42 p.m. this date, administrative rule (05-06-02) for the Department of Labor and Economic Growth, Public Service Commission entitled "*Telecommunications Services*," effective immediately upon filing with the Secretary of State.

June 17, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of

Administrative Hearings and Rules filed at 2:00 p.m. this date, administrative rule (05-06-03) for the Department of Labor and Economic Growth, Director's Office entitled "*Part 664. Telecommunications Industry,*" effective immediately upon filing with the Secretary of State.

June 21, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:55 p.m. this date, administrative rule (05-06-04) for the Department of Environmental Quality, Water Bureau entitled "*Sanitation Standards for Schools,*" effective immediately upon filing with the Secretary of State.

June 21, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 2:58 p.m. this date, administrative rule (05-06-05) for the Department of Military Affairs, Military Family Relief Fund entitled "*Michigan Military Family Relief Fund,*" effective immediately upon filing with the Secretary of State.

June 24, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:25 a.m. this date, administrative rule (05-06-06) for the Department of State Police, Director's Office entitled "*Test for Breath Alcohol,*" effective immediately upon filing with the Secretary of State.

June 24, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:27 a.m. this date, administrative rule (05-06-07) for the Department of Labor and Economic Growth, Director's Office entitled "*Vocational Rehabilitation,*" effective immediately upon filing with the Secretary of State.

June 24, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 11:30 a.m. this date, administrative rule (05-06-08) for the Department of Community Health, Director's Office, entitled "*Board of Social Work-General Rules,*" effective immediately upon filing with the Secretary of State.

July 22, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:20 p.m. this date, administrative rule (05-07-01) for the Department of Labor and Economic Growth, Director's Office, entitled "*Occupational Health Standards (OH 3304),*" effective immediately upon filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Manager
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communications were received:
Department of Human Services

June 16, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Zone 1 Adoption Program	CP210263343

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

July 19, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Baraga County DHS	CP070200958
Interim	Charlevoix/Emmet County DHS	CP240201034
Interim	Marquette County DHS	CP520201281

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

July 26, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Bay Pines Center	CS210200969

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules of Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

August 2, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Woodland Center	2005C0207013	CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules of Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

August 10, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation	Arbor Heights Community Justice	2005C02070014	CS810200952

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

August 10, 2005

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

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Otsego/Crawford Co. DHS	CP690201347
Interim	Houghton Co. DHS	CP310201180

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

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

Sincerely,
Marianne Udow

The communications were referred to the Secretary for record.

The following communication was received:
Office of the State Budget

June 24, 2005

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2003-2004, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2003-2004 is 62.08%, which is 13.11% in excess of the minimum required 48.97%.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Mary A. Lannoye
State Budget Director

The communication was referred to the Secretary for record.

The following communication was received:
Department of Environmental Quality

June 29, 2005

I am pleased to present the Department of Environmental Quality's (DEQ's) status report on the implementation of the Great Lakes Water Quality Bond. This report is being submitted to the Legislature in accordance with Section 501 of Public Act 350 of 2004, the Fiscal Year 2005 Appropriation Bill for the DEQ.

The report summarizes recent activities in two programs, the State Revolving Fund (SRF) and the Surface Water Quality Initiatives Fund (SWQIF), which provide low interest rate loans to municipalities for water quality improvement projects.

I trust the members of the Senate will find this report informative. If you have comments or questions about this report, please contact Ms. Amy A. Butler, Chief, Environmental Science and Services Division, at 517-241-0490, or you may contact me.

Sincerely,
Steven E. Chester
Director
517-373-7917

The communication was referred to the Secretary for record.

The following communication was received:
Department of State Police

July 11, 2005

I am writing to inform you that the FY04 Annual Report and Evaluation for the Secondary Road Patrol (SRP) and Traffic Accident Prevention Program mailed to you in April has been revised due to a reporting error.

The number of SRP deputies originally reported to the Office of Highway Safety Planning was 201. The correct number was actually 182. This over-reporting negatively affected the statistics of the activities per SRP officer in the annual report.

Please replace your prior copy with the enclosed corrected version of the FY04 SRP Annual Report. The corrected report has also been placed on the Office of Highway Safety Planning website at <http://www.michigan.gov/ohsp>.

Sincerely,
 JULIE BOTSFORD
 Program Coordinator
 Secondary Road Patrol Program
 Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The following communication was received:
 Joint Committee on Administrative Rules

Waiver of Remaining Session Days

July 20, 2005

Pursuant to MCL 24.245a(1) the Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days for the following rule set: Department of Labor and Economic Growth—Public Service Commission—Telecommunication Services (2005-006 LG.)

According to MCL 24.245a(2), if the Committee waives the remaining session days, the State Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,
 Representative Jim Marleau
 Chair

Senator Michael Bishop
 Alternate Chair

The communication was referred to the Secretary for record.

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Wednesday, July 20, 2005, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Bishop (C), Jelinek and Kuipers

Excused: Senators Thomas and Barcia

The following communication was received:
 Department of State

July 29, 2005

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.1 et seq, (the "Act"), the various dollar figures specified in section 46 have been reviewed in light of the changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

The Consumer Price Index for August 2004 was 186.8, which represents an increase in prices of 3.26% since August of 2002. Since October of 2002 there has been a 5.40% increase in the number of registered voters in the state from 6,797,293 to 7,164,047.

The first column of figures (Current) is the dollar amounts included in current law. The second column (CPI) reflects the current amounts as adjusted by the Consumer Price Index. The third column (CPI and Voters) is adjusted to show the change in the number of registered voters as well as the change in the CPI.

Sincerely,
 Terri Lynn Land
 Secretary of State

The communication was referred to the Secretary for record.

The following communication was received:
 Emergency Telephone Service Committee

August 2005

2004 was a very productive and busy year for the Emergency Telephone Service Committee. In August of 2004 a new state 9-1-1 administrator's office was created. That office assisted in facilitating the activities of the ETSC,

including certifying all eighty-three counties as compliant with Phase I wireless 9-1-1 services and working on the progress of Phase II wireless 9-1-1.

To illustrate Michigan's progress on wireless 9-1-1 service I would like to reference an article printed in the Wall Street Journal on May 12, 2005. The Article compared the ten most populous states in the nation in regard to their ability to process wireless 9-1-1 calls. Michigan ranked first among the top ten populated states with 70.8% of our counties processing Phase II wireless emergency calls. Since that article was published, more Phase II deployments have occurred in Michigan and that figure is now at 86.7%.

In addition to moving forward in wireless 9-1-1, throughout the year the members of the ETSC and its subcommittees provided informational training sessions to 9-1-1 practitioners and local officials on 9-1-1 funding sources, proper use, and accounting practices; revised the ETSC web site; issued a consumer alert regarding 9-1-1 and Voice over Internet Protocol (VoIP); processed dispatcher training fund distribution; and advocated key state 9-1-1 issues at the national level.

The ETSC also devoted time on important projects requiring a great deal of collaboration between the public safety community and communications providers. The ETSC helped to shape a vision for the future of Michigan's 9-1-1 by adopting a position paper in December 2004. The paper identifies the major issues facing 9-1-1 in our state. These issues include the need to extend the sunset of the current legislation, inclusion of pre-paid wireless service in the wireless surcharge, and perhaps, foremost, the evaluation of Michigan's current 9-1-1 funding mechanism.

As the chair of the ETSC, I believe the goals set before the ETSC and its subcommittees are both challenging and exciting. The ETSC is committed to ensure all 83 counties in Michigan are fully Phase II wireless 9-1-1 compliant in 2006. Additionally, in the months ahead we plan to research 9-1-1 emergency dispatcher training standards, explore "next generation" 9-1-1 network technology, examine the current wireless surcharge, and work diligently to craft a funding mechanism for 9-1-1 that is stable and reliable for all aspects of our 9-1-1 system.

As an advisory board we will certainly look to you, the policy makers for the State of Michigan, to help us carryout this 9-1-1 vision for the safety and welfare of every resident of and visitor to our great state. The accomplishment of our state being a leader in the nation in delivering wireless 9-1-1 service is due to the commitment, professionalism, and dedication of the staff and directors of the 183 dispatch centers throughout Michigan, the communication service providers, and you - the elected leaders of Michigan.

The ETSC looks forward to working with you in the year ahead to maintain the high level of 9-1-1 service we all enjoy in Michigan.

Sincerely,
Dale Gribler, Sheriff
Chair, Emergency Telephone Service Committee

The communication was referred to the Secretary for record.

The following communication was received:
Department of Corrections

August 9, 2005

Michigan Compiled Laws 791.220g requires the Department of Corrections to report to the Senate and House committees responsible for legislation concerning corrections and to the Clerk of the House of Representatives and the Secretary of the Senate, on the operation of the Michigan Youth Correctional Facility. Attached is a copy of that report as required by statute.

If you have questions regarding this report, or request additional information, please feel free to contact me.

Heidi Washington
Administrative Assistant

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 30:
House Bill Nos. 4803 4916 4917

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, July 13:
House Bill Nos. 4643 4673 4674 4865 4866

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, June 30, for her approval the following bill:

Enrolled Senate Bill No. 551 at 1:36 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, July 5, for her approval the following bills:

Enrolled Senate Bill No. 79 at 10:07 a.m.

Enrolled Senate Bill No. 167 at 10:09 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, July 12, for her approval the following bills:

Enrolled Senate Bill No. 352 at 10:45 a.m.
Enrolled Senate Bill No. 189 at 10:47 a.m.
Enrolled Senate Bill No. 302 at 10:49 a.m.
Enrolled Senate Bill No. 303 at 10:51 a.m.
Enrolled Senate Bill No. 211 at 10:53 a.m.
Enrolled Senate Bill No. 212 at 10:55 a.m.
Enrolled Senate Bill No. 213 at 10:57 a.m.
Enrolled Senate Bill No. 215 at 10:59 a.m.
Enrolled Senate Bill No. 279 at 11:01 a.m.
Enrolled Senate Bill No. 306 at 11:03 a.m.
Enrolled Senate Bill No. 406 at 11:05 a.m.
Enrolled Senate Bill No. 407 at 11:07 a.m.
Enrolled Senate Bill No. 408 at 11:09 a.m.
Enrolled Senate Bill No. 410 at 11:11 a.m.
Enrolled Senate Bill No. 411 at 11:13 a.m.
Enrolled Senate Bill No. 446 at 11:15 a.m.
Enrolled Senate Bill No. 447 at 11:17 a.m.
Enrolled Senate Bill No. 482 at 11:19 a.m.
Enrolled Senate Bill No. 507 at 11:21 a.m.
Enrolled Senate Bill No. 136 at 11:23 a.m.
Enrolled Senate Bill No. 525 at 11:25 a.m.
Enrolled Senate Bill No. 257 at 11:27 a.m.
Enrolled Senate Bill No. 522 at 11:29 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, July 14, for her approval the following bill:

Enrolled Senate Bill No. 513 at 11:32 a.m.

The Secretary announced that the following official bills were printed on Thursday, June 30, and are available at the legislative website:

Senate Bill Nos.	650	651	652	653	654	655	656	657	659	660	661	662	663	664
	665	666	667	668	669									
House Bill Nos.	5008	5009	5010	5011	5012	5013	5014	5015	5016	5017	5018	5019	5020	5021
	5022	5023	5024	5025	5026	5027	5028	5029						

The Secretary announced that the following official bills were printed on Friday, July 1, and are available at the legislative website:

Senate Bill Nos.	670	671	672	673	674	675	676	677	678	679	680	681	682	683
	684	685	686	687										
House Bill Nos.	5030	5031	5032	5033	5034	5035	5036	5037	5038					

The Secretary announced that the following official bills were printed on Thursday, July 7, and are available at the legislative website:

House Bill Nos. 5039 5040 5041 5042 5043 5044 5045 5046 5047 5048

The Secretary announced that the following official bills and joint resolution were printed on Thursday, July 14, and are available at the legislative website:

House Bill Nos. 5049 5050 5051 5052 5053 5054 5055 5056 5057 5058 5059
House Joint Resolution M

The Secretary announced that the following official bills were printed on Thursday, July 21, and are available at the legislative website:

House Bill Nos. 5060 5061 5062 5063 5064

The Secretary announced that the following official bills were printed on Thursday, July 28, and are available at the legislative website:

House Bill Nos. 5065 5066 5067 5068 5069 5070 5071

The Secretary announced that the following official bills were printed on Thursday, August 4, and are available at the legislative website:

House Bill Nos. 5072 5073 5074 5075 5076 5077 5078 5079 5080

The Secretary announced that the following official bills were printed on Thursday, August 11, and are available at the legislative website:

House Bill Nos. 5081 5082 5083 5084 5085 5086 5087 5088 5089 5090

The Secretary announced that the following official bills were printed on Thursday, August 18, and are available at the legislative website:

House Bill Nos. 5091 5092 5093 5094 5095 5096 5097 5098

The Secretary announced that the following official bills were printed on Thursday, August 25, and are available at the legislative website:

House Bill Nos. 5099 5100 5101 5102 5103 5104 5105 5106 5107 5108 5109

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

House Bill No. 4934

House Bill No. 4937

Senate Bill No. 616

Senate Bill No. 617

House Bill No. 4402

House Bill No. 4928

House Bill No. 4930

House Bill No. 4932

House Bill No. 4991

House Bill No. 4936

House Bill No. 4958

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

Senator Hammerstrom moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

House Bill No. 4541

The motion prevailed.

Messages from the Governor

The following messages from the Governor were received:

Date: June 30, 2005

Time: 2:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 282 (Public Act No. 56), being

An act to amend 1994 PA 451, entitled “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,” (MCL 324.101 to 324.90106) by adding section 9115a.

(Filed with the Secretary of State on June 30, 2005, at 3:52 p.m.)

Date: June 30, 2005
Time: 3:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 73 (Public Act No. 57), being

An act to amend 1994 PA 451, entitled “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,” by amending section 5505 (MCL 324.5505).

(Filed with the Secretary of State on June 30, 2005, at 3:54 p.m.)

Date: June 30, 2005
Time: 3:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 551 (Public Act No. 58), being

An act to amend 2004 PA 591, entitled “An act to amend 1991 PA 179, entitled “An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date,” by amending section 213 (MCL 484.2213), as amended by 2000 PA 295; and to repeal acts and parts of acts,” by repealing enacting section 1.

(Filed with the Secretary of State on June 30, 2005, at 3:56 p.m.)

Date: July 7, 2005
Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 512 (Public Act No. 60), being

An act to amend 1989 PA 24, entitled “An act to provide for the establishment and maintenance of district libraries; to provide for district library boards; to define the powers and duties of certain state and local governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 2, 3, 4, 11, 12, 15, 19, 20, 21, 23, and 24 (MCL 397.172, 397.173, 397.174, 397.181, 397.182, 397.185, 397.189, 397.190, 397.191, 397.193, and 397.194), sections 2 and 3 as amended by 2001 PA 64, section 11 as amended by 2002 PA 159, section 12 as amended by 2002 PA 540, and section 15 as amended by 1994 PA 114, and by adding sections 3a and 3b.

(Filed with the Secretary of State on July 7, 2005, at 9:57 a.m.)

Date: July 7, 2005
Time: 9:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 514 (Public Act No. 61), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 4 and 5 (MCL 380.4 and 380.5), as amended by 2003 PA 299.

(Filed with the Secretary of State on July 7, 2005, at 9:59 a.m.)

Date: July 7, 2005
Time: 9:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 515 (Public Act No. 62), being

An act to amend 1966 PA 331, entitled “An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 38, 58, and 152 (MCL 389.38, 389.58, and 389.152), as amended by 2003 PA 306.

(Filed with the Secretary of State on July 7, 2005, at 10:01 a.m.)

Date: July 7, 2005
Time: 9:18 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 516 (Public Act No. 63), being

An act to amend 1909 PA 278, entitled “An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies,” (MCL 78.1 to 78.28) by adding section 24d.

(Filed with the Secretary of State on July 7, 2005, at 10:03 a.m.)

Date: July 7, 2005
Time: 9:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 517 (Public Act No. 64), being

An act to amend 1909 PA 279, entitled “An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,” (MCL 117.1 to 117.38) by adding section 3b.

(Filed with the Secretary of State on July 7, 2005, at 10:05 a.m.)

Date: July 7, 2005
Time: 9:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 518 (Public Act No. 65), being

An act to amend 1895 PA 3, entitled “An act to provide for the government of certain villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages subject to this act; to define the powers and duties of certain state and local officers and entities; to define the application of this act and provide for its amendment by villages subject to this act; to validate prior amendments and certain prior actions taken and bonds issued by villages subject to this act; to provide for the disincorporation of villages; and to prescribe penalties and provide remedies,” (MCL 61.1 to 74.25) by adding section 5a to chapter II.

(Filed with the Secretary of State on July 7, 2005, at 10:07 a.m.)

Date: July 7, 2005
Time: 9:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 2 (Public Act No. 66), being

An act to amend 1982 PA 239, entitled “An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to

provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3, 4, 15, 19, and 21 (MCL 287.653, 287.654, 287.665, 287.669, and 287.671), sections 3, 15, 19, and 21 as amended by 1998 PA 299 and section 4 as amended by 1993 PA 228.

(Filed with the Secretary of State on July 7, 2005, at 10:09 a.m.)

Date: July 7, 2005

Time: 9:26 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 412 (Public Act No. 67), being

An act to amend 1964 PA 183, entitled “An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations,” by amending sections 1, 1a, 3, and 7 (MCL 830.411, 830.411a, 830.413, and 830.417), sections 1 and 7 as amended by 1994 PA 252 and sections 1a and 3 as amended by 1988 PA 248.

(Filed with the Secretary of State on July 7, 2005, at 10:11 a.m.)

Date: July 11, 2005

Time: 10:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 79 (Public Act No. 69), being

An act to amend 1967 (Ex Sess) PA 7, entitled “An act to provide for interlocal public agency agreements; to provide standards for those agreements and for the filing and status of those agreements; to permit the allocation of certain taxes or money received from tax increment financing plans as revenues; to permit tax sharing; to provide for the imposition of certain surcharges; to provide for additional approval for those agreements; and to prescribe penalties and provide remedies,” by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

(Filed with the Secretary of State on July 11, 2005, at 11:22 a.m.)

Date: July 11, 2005

Time: 10:33 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 167 (Public Act No. 70), being

An act to provide for occupational regulatory agencies to allow the use of on-line or other electronic continuing education and continuing competency programs under certain circumstances; to provide for certain powers and duties for certain state regulatory agencies; and to provide for the promulgation of rules.

(Filed with the Secretary of State on July 11, 2005, at 11:24 a.m.)

Date: July 14, 2005

Time: 4:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 513 (Public Act No. 71), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of

candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 31, 301, 302, 312, 370, 381, 476, 498, 500b, 501, 507, 509m, 509q, 509gg, 523, 552, 641, 642a, 653a, 699, 761, 766, 767, 792a, 961, 961a, and 963 (MCL 168.31, 168.301, 168.302, 168.312, 168.370, 168.381, 168.476, 168.498, 168.500b, 168.501, 168.507, 168.509m, 168.509q, 168.509gg, 168.523, 168.552, 168.641, 168.642a, 168.653a, 168.699, 168.761, 168.766, 168.767, 168.792a, 168.961, 168.961a, and 168.963), sections 31 and 961a as amended by 1999 PA 220, section 301 as amended by 2004 PA 286, sections 302 and 312 as added and sections 370, 509gg, and 963 as amended by 2003 PA 302, section 381 as amended by 2004 PA 290, sections 476 and 961 as amended by 1999 PA 219, section 498 as amended by 1984 PA 89, sections 500b and 507 as amended by 1989 PA 142, section 509m as amended by 2004 PA 92, section 509q as added by 1994 PA 441, sections 523 and 792a as amended by 1996 PA 583, section 552 as amended by 2003 PA 188, section 641 as amended by 2003 PA 298, section 642a as amended by 2004 PA 294, section 653a as added by 1982 PA 2, section 699 as amended by 2004 PA 297, and section 761 as amended by 1996 PA 207, and by adding sections 302a and 509hh; and to repeal acts and parts of acts

(Filed with the Secretary of State on July 14, 2005, at 4:12 p.m.)

Date: July 19, 2005

Time: 7:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 189 (Public Act No. 87), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 17766e.

(Filed with the Secretary of State on July 20, 2005, at 9:46 a.m.)

Date: July 19, 2005

Time: 7:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 352 (Public Act No. 73), being

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

circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 17752 (MCL 333.17752).

(Filed with the Secretary of State on July 19, 2005, at 10:48 a.m.)

Date: July 19, 2005

Time: 7:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 211 (Public Act No. 77), being

An act to amend 1994 PA 451, entitled "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," by amending section 41301 (MCL 324.41301), as added by 2003 PA 270.

(Filed with the Secretary of State on July 19, 2005, at 10:56 a.m.)

Date: July 19, 2005

Time: 7:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 212 (Public Act No. 78), being

An act to amend 1994 PA 451, entitled "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," by amending section 41303 (MCL 324.41303), as added by 2003 PA 270.

(Filed with the Secretary of State on July 19, 2005, at 10:58 a.m.)

Date: July 19, 2005

Time: 7:34 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 213 (Public Act No. 79), being

An act to amend 1994 PA 451, entitled "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," by amending section 41305 (MCL 324.41305), as added by 2003 PA 270, and by adding section 41306.

(Filed with the Secretary of State on July 19, 2005, at 11:00 a.m.)

Date: July 19, 2005

Time: 7:36 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 215 (Public Act No. 80), being

An act to amend 1994 PA 451, entitled "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,” (MCL 324.101 to 324.90106) by adding sections 41311 and 41313.

(Filed with the Secretary of State on July 19, 2005, at 11:02 a.m.)

Date: July 19, 2005

Time: 7:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 507 (Public Act No. 81), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2003 PA 269.

(Filed with the Secretary of State on July 19, 2005, at 11:04 a.m.)

Date: July 19, 2005

Time: 9:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 446 (Public Act No. 83), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent

insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

(Filed with the Secretary of State on July 19, 2005, at 11:08 a.m.)

Date: July 19, 2005

Time: 9:15 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 447 (Public Act No. 84), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

(Filed with the Secretary of State on July 19, 2005, at 11:10 a.m.)

Date: July 20, 2005

Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 302 (Public Act No. 90), being

An act to amend 1988 PA 112, entitled “An act to provide competitive opportunity in state procurements of goods, services, and construction for businesses owned by persons with disabilities; to provide powers and duties of the governor; to prescribe powers and duties of certain state departments and agencies; and to provide penalties,” by amending section 3 (MCL 450.793), as amended by 1998 PA 73.

(Filed with the Secretary of State on July 20, 2005, at 9:52 a.m.)

Date: July 20, 2005

Time: 9:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 303 (Public Act No. 91), being

An act to amend 1984 PA 431, entitled “An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

(Filed with the Secretary of State on July 20, 2005, at 9:54 a.m.)

Date: July 20, 2005
Time: 9:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 406 (Public Act No. 92), being

An act to prescribe the procedures, terms, and conditions for the qualification or approval of school bonds and other bonds; to authorize this state to make loans to certain school districts for the payment of certain bonds and to authorize schools to borrow from this state for that purpose; to prescribe the terms and conditions of certain loans to school districts; to prescribe the powers and duties of certain state agencies and certain state and local officials; to provide for certain fees; to prescribe certain penalties; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 20, 2005, at 9:56 a.m.)

Date: July 20, 2005
Time: 9:18 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 407 (Public Act No. 93), being

An act to amend 1985 PA 227, entitled “An act to create the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain powers to political subdivisions of the state and water suppliers regarding, and allow certain agreements regarding obligations of political subdivisions of this state and water suppliers purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; to grant powers and impose duties on officers and agencies of the state, political subdivisions of this state, and water suppliers; to accept and expend certain appropriations; and to repeal acts and parts of acts,” by amending the title and sections 3, 7, and 8 (MCL 141.1053, 141.1057, and 141.1058), the title and sections 3 and 7 as amended by 2000 PA 416 and section 8 as amended by 2003 PA 109, and by adding section 16c.

(Filed with the Secretary of State on July 20, 2005, at 9:58 a.m.)

Date: July 20, 2005
Time: 9:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 408 (Public Act No. 94), being

An act to amend 1961 PA 112, entitled “An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation,” by amending sections 2 and 4 (MCL 388.982 and 388.984), section 2 as amended by 2000 PA 245 and section 4 as amended by 1991 PA 64.

(Filed with the Secretary of State on July 20, 2005, at 10:00 a.m.)

Date: July 20, 2005
Time: 9:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 410 (Public Act No. 95), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 17a (MCL 388.1617a), as amended by 2002 PA 71.

(Filed with the Secretary of State on July 20, 2005, at 10:02 a.m.)

Date: July 20, 2005
Time: 9:24 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 411 (Public Act No. 96), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2004 PA 418. (Filed with the Secretary of State on July 20, 2005, at 10:04 a.m.)

Date: July 20, 2005
Time: 9:26 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 257 (Public Act No. 97), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending sections 525, 531, and 543 (MCL 436.1525, 436.1531, and 436.1543), section 525 as amended by 2004 PA 266 and sections 531 and 543 as amended by 2004 PA 191.

(Filed with the Secretary of State on July 20, 2005, at 10:06 a.m.)

Date: July 21, 2005
Time: 4:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 279 (Public Act No. 98), being

AN ACT to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 11a, 11j, 22a, 22b, 51a, and 51c (MCL 388.1611, 388.1611a, 388.1611j, 388.1622a, 388.1622b, 388.1651a, and 388.1651c), sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, and sections 11j, 22a, 22b, and 51c as amended by 2004 PA 351.

(Filed with the Secretary of State on July 22, 2005, at 10:39 a.m.)

Date: July 21, 2005
Time: 4:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 306 (Public Act No. 99), being

An act to authorize the department of management and budget to convey certain parcels of state owned property in Eaton county; to prescribe conditions for the conveyances; to provide for certain powers and duties of the department of management and budget in implementing those conveyances; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

(Filed with the Secretary of State on July 22, 2005, at 10:41 a.m.)

Date: July 21, 2005
Time: 4:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 136 (Public Act No. 100), being

An act to prohibit the issuance or manufacture of false academic credentials; and to provide remedies.

(Filed with the Secretary of State on July 22, 2005, at 10:43 a.m.)

Date: July 21, 2005
Time: 4:56 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 482 (Public Act No. 101), being

An act to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,” by amending sections 2, 4, 13, and 15 (MCL 125.2652, 125.2654, 125.2663, and 125.2665), section 2 as amended by 2003 PA 277, section 4 as amended by 2000 PA 145, section 13 as amended by 2003 PA 259, and section 15 as amended by 2003 PA 283.

(Filed with the Secretary of State on July 22, 2005, at 10:45 a.m.)

Date: July 21, 2005
Time: 4:58 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 525 (Public Act No. 102), being

An act to amend 2003 PA 296, entitled “An act to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies,” by amending sections 3, 5, 15, 17, 19, and 23 (MCL 125.2233, 125.2235, 125.2245, 125.2247, 125.2249, and 125.2253).

(Filed with the Secretary of State on July 22, 2005, at 10:47 a.m.)

Date: July 21, 2005
Time: 5:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 522 (Public Act No. 103), being

An act to amend 1925 PA 368, entitled “An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon,

over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act," by amending section 13 (MCL 247.183), as amended by 2002 PA 151.

(Filed with the Secretary of State on July 22, 2005, at 10:49 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

June 30, 2005

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of the Electrical Administrative Act, 1956 PA 217, MCL 338.882:

Electrical Administrative Board

Mr. Mark A. Bauer of 5019 Whispering Oak Circle, Midland, Michigan 48642, county of Midland, succeeding Cynthia Czarniecki-Brown, whose term has expired, representing master electricians serving as a supervisor, for a term commencing June 30, 2005 and expiring August 10, 2007.

Mr. Rowland E. Cornish III of 221 East Northrup Street, Lansing, Michigan 48911, county of Ingham, succeeding Phillip Smith, whose term has expired, representing electrical contractors operating in this state, for a term commencing June 30, 2005 and expiring August 10, 2006.

Mr. Ernest A. Harju of 1109 River Avenue, Iron Mountain, Michigan 49801, county of Dickinson, succeeding Dennis A. Chalmers, whose term has expired, representing electrical journeymen, for a term commencing June 30, 2005 and expiring August 10, 2007.

Mr. Clark S. Justin of 1200 Long Lake Drive, Brighton, Michigan 48114, county of Livingston, succeeding Randy J. Bouwens, whose term has expired, representing manufacturers primarily and actively engaged in producing material fittings, devices, appliances, fixtures, apparatus, and similar products, used as a part of, or in connection with, an electrical installation, for a term commencing June 30, 2005 and expiring August 10, 2006.

Mr. Richard W. Long of 6858 Longworth, Waterford, Michigan 48329, county of Oakland, succeeding Delvenia Beason, whose term has expired, representing the general public, for a term commencing June 30, 2005 and expiring August 10, 2006.

Mr. Joseph F. Reyes of 12438 Eldorado, Sterling Heights, Michigan 48312, county of Macomb, succeeding Debra Perkins, whose term has expired, representing electrical parts distributors, for a term commencing June 30, 2005 and expiring August 10, 2007.

June 30, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 1 of 1939 PA 3, MCL 460.1:

Michigan Public Service Commission

Ms. Monica Martinez, a Democrat, of 1431 Corbett, Lansing, Michigan 48910, county of Ingham, succeeding Robert B. Nelson, whose term expires July 2, 2005, appointed for a term commencing July 3, 2005 and expiring July 2, 2011.

June 30, 2005

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of 1964 PA 183, MCL 830.412:

State Building Authority Board of Trustees

Mr. Patrick J. Devlin of 15799 Southampton, Livonia, Michigan 48154, county of Wayne, succeeding Robert Rasmussen, who has resigned, representing the general public, for a term commencing June 30, 2005 and expiring August 21, 2006.

Mr. Mark E. Schlusel of 28755 Bell Road, Southfield, Michigan 48034, county of Oakland, succeeding Byron P. Gallagher, Jr., whose term has expired, representing the general public, for a term commencing June 30, 2005 and expiring August 21, 2008.

July 6, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 302 and 1202 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.1202:

Michigan Board of Cosmetology

Ms. Lydia Marie Price Griffin of 226 Arden Park, Detroit, Michigan 48202, county of Wayne, succeeding Christopher Flourney, whose term has expired, representing cosmetologists, for a term commencing July 6, 2005 and expiring December 31, 2008.

Ms. Gail T. Livingston-Scott of 20233 Beaverland, Detroit, Michigan 48219, county of Wayne, succeeding Cynthia Stramecky, whose term has expired, representing a cosmetologist actively engaged in the teaching of cosmetology, for a term commencing July 6, 2005 and expiring December 31, 2008.

Ms. Edith A. Marshall of 15304 Charles R, Eastpointe, Michigan 48021, county of Macomb, succeeding John Y. Karimalis, who has resigned, representing cosmetologists, for a term commencing July 6, 2005 and expiring December 31, 2005.

July 6, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Onion Marketing Program Committee

Mr. Mark J. Nail of 21705 O Drive North, Marshall, Michigan 49068, county of Calhoun, succeeding David Brink, whose term has expired, representing growers at-large, for a term commencing July 6, 2005 and expiring August 16, 2007.

Mr. Glenn J. Leep of 389 118th Avenue, Martin, Michigan 49070, county of Allegan, reappointed to represent growers at-large, for a term expiring August 16, 2007.

July 6, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 302 and 2402 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2402:

Residential Builders' and Maintenance and Alteration Contractors' Board

Ms. Jennifer Schoats Flack of 4489 Cranbrook Trail, Orchard Lake, Michigan 48323, county of Oakland, succeeding Gary Llewellyn, whose term has expired, representing the general public, for a term commencing July 6, 2005 and expiring on March 31, 2008.

Ms. Marilyn Lane of 16558 Wood Lane, Fraser, Michigan 48026, county of Macomb, succeeding David Pierce, whose term has expired, representing licensed residential builders, for a term commencing July 6, 2005 and expiring on March 31, 2007.

Mr. Kevin M. Lewand of 764 Lakeview, Birmingham, Michigan 48009, county of Oakland, succeeding Nancy Huntley, whose term has expired, representing licensed residential builders, for a term commencing July 6, 2005 and expiring on March 31, 2008.

Mr. Mark J. Zausmer of 2298 Locklin Lane, West Bloomfield, Michigan 48324, county of Oakland, succeeding Denise Ketchmark, whose term has expired, representing the general public, for a term commencing July 6, 2005 and expiring on March 31, 2008.

July 11, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 18 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1018:

Construction Safety Standards Commission

Mr. D. Lynn Coleman of 8562 South McClelland Road, Ashley, Michigan 48806, county of Gratiot, succeeding Andrew R. Lang, whose term has expired, representing labor and persons actively engaged in construction operations on the employee level, for a term commencing July 11, 2005 and expiring March 18, 2008.

Mr. Ram Gunabalan, M.D., of 4320 Newcastle Drive, Clarkston, Michigan 48348, county of Oakland, succeeding Kris Mattilla, whose term has expired, representing the general public, for a term commencing July 11, 2005 and expiring March 18, 2007.

Mr. Gregg A. Newsom of 553 Florence Court, Milford, Michigan 48381, county of Oakland, succeeding Daniel J. Corbat, whose term has expired, representing labor and persons actively engaged in construction operations on the employee level, for a term commencing July 11, 2005 and expiring March 18, 2008.

Mr. Donald V. Staley of 350 Sagamore Trail, Lowell, Michigan 49331, county of Kent, succeeding Edward W. Tanzini, whose term has expired, representing management and persons actively engaged in construction operations on the management level, for a term commencing July 11, 2005 and expiring March 18, 2008.

Ms. Valerie J. Warren of 379 River Woods Drive, Flushing, Michigan 48433, county of Genesee, succeeding Cheryl L. Hughes, whose term has expired, representing management and persons actively engaged in construction operations on the management level, for a term commencing July 11, 2005 and expiring March 18, 2007.

July 11, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 67 of the Michigan Code of Military Justice of 1980, 1980 PA 523, MCL 32.1067:

Military Appeals Tribunal

Ms. Judy E. Bregman of 17262 Sandgate Place, West Olive, Michigan 49460, county of Ottawa, succeeding Michael Marston, whose term has expired, appointed for a term commencing July 11, 2005 and expiring April 16, 2007.

Mr. John P. Charters of 777 Great Oaks Drive, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding Stephen F. Pereira, whose term has expired, appointed for a term commencing July 11, 2005 and expiring April 16, 2007.

Mr. James K. Naddeo of 13448 Chateau Cove Drive, Holly, Michigan 48442, county of Oakland, succeeding Ralph Wilbur, whose term has expired, appointed for a term commencing July 11, 2005 and expiring April 16, 2008.

Mr. Charles A. Palmer of 15043 Classic, Bath, Michigan 48808, county of Clinton, reappointed for a term expiring April 16, 2007.

July 14, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment under Sections 21 and 22 of the Tax Tribunal Act, 1973 PA 186, MCL 205.721 and 205.722:

Michigan Tax Tribunal

Mr. John S. Gilbreath of 3410 Deward, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding Patricia Halm, who has resigned, representing members at-large, for a term commencing August 29, 2005 and expiring June 30, 2007.

Ms. Patricia L. Halm of 5521 McCourt, Lansing, Michigan 48911, county of Ingham, succeeding Kimball R. Smith III, whose term has expired, representing attorneys, for a term commencing August 29, 2005 and expiring June 30, 2009.

Ms. Judith R. Trepeck of 7412 Sherwood Creek Court, West Bloomfield, Michigan 48322, county of Oakland, reappointed to represent certified public accountants, for a term expiring June 30, 2009.

July 15, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 5 of the Forensic Polygraph Examiners Act, 1972 PA 295, MCL 338.1705:

State Board of Forensic Polygraph Examiners

Mr. Steven R. Briney of 53164 Clarion Drive, Macomb, Michigan 48042, county of Macomb, succeeding Charles Allen, whose term has expired, representing public examiners, for a term commencing July 15, 2005 and expiring May 15, 2009.

Mr. David G. Curtis of 450 Eagle Point Road, Clark Lake, Michigan 49234, county of Jackson, reappointed to represent private examiners, for a term expiring May 15, 2009.

July 15, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Sections 16121 and 17221 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17221:

Michigan Board of Nursing

Mr. John H. Hale III of 18484 Scarsdale Street, Detroit, Michigan 48223, county of Wayne, succeeding Ester L. Wyatt, who has resigned, representing the general public, for a term commencing July 15, 2005 and expiring June 30, 2007.

Ms. Sandra M. Larson of 17315 Lakeview Circle, Northville, Michigan 48167, county of Wayne, succeeding Susan M. Johnson, whose term has expired, representing the general public, for a term commencing July 15, 2005 and expiring June 30, 2007.

Ms. Brenda J. Lewis, L.P.N., of 2254 Fenner Road, Muskegon, Michigan 49445, county of Muskegon, succeeding Rosemarie A. DeLoof, whose term has expired, representing licensed practical nurses, for a term commencing July 15, 2005 and expiring June 30, 2007.

Ms. Nina A. Bugbee, R.N., of 7177 Johnson Road, Flushing, Michigan 48433, county of Genesee, reappointed to represent registered professional nurses with a baccalaureate degree engaged in nursing practice or nursing administration, for a term expiring June 30, 2009.

Ms. Amy M. Perry, R.N., M.S.N., of 2923 Atterberry Drive, Ann Arbor, Michigan 48103, county of Washtenaw, reappointed to represent registered professional nurses with a baccalaureate degree engaged in nursing practice or nursing administration, for a term expiring June 30, 2009.

July 15, 2005

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

Michigan Board of Pharmacy

Ms. Laura A. Shaw, RPh, of 4256 Blain Island, Waterford, Michigan 48329, county of Oakland, reappointed to represent pharmacists, for a term expiring June 30, 2009.

July 15, 2005

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Sections 302 and 2502 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2502:

Board of Real Estate Brokers and Salespersons

Mr. Daniel C. Samson of 10764 Borgman, Huntington Woods, Michigan 48070, county of Oakland, succeeding Sally Bloom, whose term has expired, representing real estate brokers and salespersons, for a term commencing July 15, 2005 and expiring June 30, 2009.

Mr. Michael M. Glasson of 3240 Misty Morning, Flushing, Michigan 48433, county of Genesee, succeeding Kathleen Dalton, whose term has expired, representing real estate brokers and salespersons, for a term commencing July 15, 2005 and expiring June 30, 2009.

July 15, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 18505 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18505:

Michigan Board of Social Work

Mr. Mark D. Smith of 5135 Davis Highway, Grand Ledge, Michigan 48837, county of Ingham, succeeding Cathy M. Longo, whose term has expired, representing the general public, for a term commencing July 15, 2005 and expiring December 31, 2008 .

July 20, 2005

I respectfully submit to the Senate, pursuant to Sections 3 and 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office:

Director, Department of Management and Budget

Ms. Lisa R. Webb Sharpe of 2109 Woodfield Road, Okemos, Michigan 48864, county of Ingham, succeeding Mitch Irwin, who has resigned, appointed for a term commencing August 1, 2005 and expiring at the pleasure of the Governor.

July 22, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 3a of the Stille-DeRossett Single State Construction Code Act, 1972 PA 230, MCL 125.1503a:

State Construction Code Commission

Mr. Robert A. DeBerardino of 421 North Denwood, Dearborn, Michigan 48128, county of Wayne, succeeding Kevin Varner, whose term has expired, representing municipal building inspection, for a term commencing July 22, 2005 and expiring January 31, 2007.

Mr. Kenneth G. Lawless of 531 Grape Street, Portland, Michigan 48875, county of Ionia, succeeding William Blumhardt, whose term has expired, representing industrial management, for a term commencing July 22, 2005 and expiring January 31, 2007.

Mr. Sean P. O'Neil of 14555 Gary Lane, Livonia, Michigan 48154, county of Wayne, succeeding Sondra Houlton, whose term has expired, representing the general public, for a term commencing July 22, 2005 and expiring January 31, 2006.

Mr. Dale G. Stevens of 3942 Havenhill Lane, Williamsburg, Michigan 49690, county of Grand Traverse, succeeding J. David Lather, whose term has expired, representing municipal building inspection, for a term commencing July 22, 2005 and expiring January 31, 2007.

August 2, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Sections 16121 and 16621 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16621:

Michigan Board of Dentistry

Mr. Lawrence M. Haber, D.D.S., of 3300 Mimosa, Commerce Township, Michigan 48390, county of Oakland, succeeding Irene Lazarchuk, whose term has expired, representing dentists, for a term commencing August 2, 2005 and expiring June 30, 2009.

Ms. Joanne A. Hodder of 2060 Lamont Avenue, N.W., Grand Rapids, Michigan 49544, county of Kent, succeeding Mary Frances Byers-Johnson, whose term has expired, representing dental hygienists, for a term commencing August 2, 2005 and expiring June 30, 2009.

Mr. Charles L. Marinelli, D.D.S., of 4651 Burnley Drive, Bloomfield Hills, Michigan 48304, county of Oakland, reappointed to represent dentists, for a term expiring June 30, 2009.

August 3, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Cherry Marketing Program Committee

Mr. John P. Bull of 3642 Orchard Highway, Manistee, Michigan 49660, county of Manistee, succeeding Calvin Lutz, Jr., whose term has expired, representing district 1 tart cherry growers, for a term commencing August 3, 2005 and expiring February 1, 2008.

Mr. Paul D. Hubbell of 10937 Elk Lake Road, Williamsburg, Michigan 49690, county of Grand Traverse, succeeding Bernard Kroupa, whose term has expired, representing district 1 sweet cherry growers, for a term commencing August 3, 2005 and expiring February 1, 2008.

Mr. Daryl K. Peterson of 6115 West Olmstead Road, Ludington, Michigan 49431, county of Mason, succeeding David Hackert, whose term has expired, representing district 2 sweet cherry growers, for a term commencing August 3, 2005 and expiring February 1, 2007.

Mr. Todd M. Fox of 1456 South 36th Avenue, Shelby, Michigan 49455, county of Oceana, reappointed to represent district 2 tart cherry growers, for a term expiring February 1, 2007.

Mr. Michael R. VanAgtmael of 2102 North 144th Avenue, Hart, Michigan 49420, county of Oceana, reappointed to represent district 2 tart cherry growers, for a term expiring February 1, 2008.

August 3, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 7 of the Farm Produce Insurance Act, 2003 PA 198, MCL 285.317:

Farm Produce Insurance Authority Board of Directors

Mr. Carl J. Bednarski of 2740 West Elmwood Road, Caro, Michigan 48723, county of Tuscola, reappointed to represent producers from the largest Michigan organization representing general farm interests in Michigan, for a term expiring June 20, 2006.

August 3, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Executive Order 2002-6, MCL 256.571:

Governor's Traffic Safety Advisory Commission

Mr. Steven M. Puuri of 6480 Zeeb Road, Dexter, Michigan 48130, county of Washtenaw, succeeding Edwin Tatem, who has resigned, representing local units of government, for a term commencing August 3, 2005 and expiring May 27, 2006.

Mr. David E. Stamm II of 7126 McCandlish Road, Grand Blanc, Michigan 48439, county of Genesee, reappointed to represent local units of government, for a term expiring May 27, 2008.

August 11, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 202 of The Judges Retirement Act of 1992, 1992 PA 234, MCL 38.2202:

Michigan Judges Retirement Board

The Honorable Alton T. Davis of 8190 Insley Avenue, Grayling, Michigan 49738, county of Crawford, succeeding the Honorable Judy A. Hartsfield, who has resigned, representing judges, for a term commencing August 11, 2005 and expiring March 31, 2009.

August 11, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 22 of The Public School Employees Retirement Act of 1979, 1980 PA 300, MCL 38.1322:

Public School Employees' Retirement Board

Mr. Gary W. Allen of 1225 Buckingham Place, Mt. Pleasant, Michigan 48858, county of Isabella, reappointed to represent school superintendents, for a term expiring March 30, 2009.

Ms. Diana R. Osborn of 134 Starling Drive, Muskegon, Michigan 49442, county of Muskegon, reappointed to represent active or retired noncertified educational support positions, for a term expiring March 30, 2009.

Ms. Martha K. Pichla of 39111 Lorien, Sterling Heights, Michigan 48313, county of Macomb, reappointed to represent members serving as classroom teachers or as other certified school personnel, for a term expiring March 30, 2009.

August 16, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 1 of 1913 PA 271, MCL 399.1:

Michigan Historical Commission

Mr. Thomas M. Farrell of 1639 Pepper Hill Drive, Lansing, Michigan 48917, county of Eaton, succeeding Thomas Truscott, whose term has expired, representing the general public, for a term commencing August 16, 2005 and expiring May 21, 2009.

Ms. Debra K. Knooihuisen of 13355 South Elm Street, Sand Lake, Michigan 49343, county of Newaygo, succeeding Robert Danhof, whose term has expired, representing the general public, for a term commencing August 16, 2005 and expiring May 21, 2008.

August 17, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 302 and 721 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.721:

State Board of Accountancy

Mr. Richard G. David, CPA, of 4660 Ravine Drive, Bloomfield Hills, Michigan 48301, county of Oakland, succeeding Richard M. Gabrys, whose term has expired, representing certified public accountants, for a term commencing August 17, 2005 and expiring June 30, 2009.

Mr. Thomas R. Weirich, Ph.D., CPA, of 829 Ashland Drive, Mt. Pleasant, Michigan 48858, county of Isabella, succeeding Edward Kisscorni, whose term has expired, representing certified public accountants, for a term commencing August 17, 2005 and expiring June 30, 2009.

August 18, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Executive Order 2003-18, MCL 445.2011:

Workers' Compensation Appellate Commission

Mr. Gregory A. Przybylo of 4281 Farm Meadows Court, Okemos, Michigan 48864, county of Ingham, reappointed for a term expiring September 30, 2009.

Mr. Granner S. Ries of 41454 Lore Drive, Clinton Township, Michigan 48038, county of Macomb, reappointed for a term expiring September 30, 2009.

August 19, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 16121 and 17221 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17221:

Michigan Board of Nursing

Mr. Earl G. Auty, CRNA, MS, of 942 Bedford, Grosse Pointe Park, Michigan 48230, county of Wayne, succeeding Mary Jean Yablonky, whose term has expired, representing nurse anesthetists, for a term commencing August 19, 2005 and expiring June 30, 2009.

Ms. Laurice M. Bray, LPN, of 33796 Pickford Street, Livonia, Michigan 48152, county of Wayne, succeeding Karol A. Cain, whose term has expired, representing licensed practical nurses, for a term commencing August 19, 2005 and expiring June 30, 2008.

Mr. Christopher E. Hermann, MSN, APRN, BC, NP-C, of 6592 Silvery Lane, Dearborn Heights, Michigan 48127, county of Wayne, succeeding Jonnie Hamilton, whose term has expired, representing nurse practitioners, for a term commencing August 19, 2005 and expiring June 30, 2009.

Ms. Kathleen A. V. Lavery, CNM, of 4521 Sid Drive, Jackson, Michigan 49201, county of Jackson, succeeding Constance Powe-Watts, whose term has expired, representing nurse midwives, for a term commencing August 19, 2005 and expiring June 30, 2009.

Ms. Mary M. MacEachern, LPN, of 601 Stimson Street, Cadillac, Michigan 49601, county of Wexford, succeeding Nancy Adams, whose term has expired, representing licensed practical nurses, for a term commencing August 19, 2005 and expiring June 30, 2009.

Ms. Donica M. Stubbs, RN, of 165 John Daly, Inkster, Michigan 48141, county of Wayne, succeeding Raquel Banks, who has resigned, representing registered professional nurses with a baccalaureate degree engaged in nursing practice or nursing administration, for a term commencing August 19, 2005 and expiring June 30, 2008

August 26, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Corn Marketing Program Committee

Mr. Frank J. Lipinski of 10991 M-37, Buckley, Michigan 49620, county of Grand Traverse, succeeding Philip Block, whose term has expired, representing district 9 growers, for a term commencing August 26, 2005 and expiring March 5, 2007.

Mr. Scott J. Lonier of 8415 Doe Pass, Lansing, Michigan 48917, county of Eaton, succeeding Kenneth Wadsworth, whose term has expired, representing district 6 growers, for a term commencing August 26, 2005 and expiring March 5, 2007.

Mr. Bruce D. Noel of 3660 Meridian, Leslie, Michigan 49251, county of Ingham, reappointed to represent district 5 growers, for a term expiring March 5, 2007.

August 30, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 4 of the Child Abuse and Neglect Prevention Act, 1982 PA 250, MCL 722.604:

State Child Abuse and Neglect Prevention Board

Ms. Abby B. Dart of 659 Pine Street, Harbor Springs, Michigan 49740, county of Emmet, succeeding Jenna Marr, whose term has expired, representing parents, for a term commencing August 30, 2005 and expiring December 19, 2007.

Mr. Paul N. Shaheen of 8118 Cutler Road, Bath, Michigan 48808, county of Ingham, succeeding Christine Nelson, whose term has expired, representing professional providers of child abuse and neglect prevention services, for a term commencing August 30, 2005 and expiring December 19, 2007.

Mr. Scott M. Stevenson of 1093 Wild Ginger Trail, Haslett, Michigan 48840, county of Ingham, succeeding Michael Bouchard, whose term has expired, representing volunteers in child abuse and neglect prevention services, for a term commencing August 30, 2005 and expiring December 19, 2007.

Bishop Nathaniel W. Wells of 717 Bridgeview Bay Lane, Muskegon, Michigan 49441, county of Muskegon, succeeding Ira Combs, Jr., whose term has expired, representing the religious community, for a term commencing August 30, 2005 and expiring December 19, 2007.

August 30, 2005

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Executive Order 2002-3, MCL 12.192:

Michigan Public Educational Facilities Authority

Mr. David S. Mittleman, a Democrat, of 1700 Old Mill Road, East Lansing, Michigan 48823, county of Ingham, succeeding Eldon Hancock, whose term has expired, appointed for a term commencing August 30, 2005 and expiring March 18, 2009.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

July 7, 2005

Due to an error on the July 6, 2005 letter filed with your office pursuant to Sections 302 and 2402 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2402, please be advised of the following correction:

Residential Builders' and Maintenance and Alteration Contractors' Board

Ms. Jennifer Schoats Flack of 4489 Cranbrook Trail, Orchard Lake, Michigan 48323, county of Oakland, succeeding Gary Llewellyn, whose term has expired, representing the general public, for a term commencing July 6, 2005 and expiring on March 31, 2008.

Ms. Marilyn Lane of 16558 Wood Lane, Fraser, Michigan 48026, county of Macomb, succeeding **David Pierce Williams**, whose term has expired, representing licensed residential builders, for a term commencing July 6, 2005 and expiring on March 31, 2007.

Mr. Kevin M. Lewand of 764 Lakeview, Birmingham, Michigan 48009, county of Oakland, succeeding Nancy Huntley, whose term has expired, representing licensed residential builders, for a term commencing July 6, 2005 and expiring on March 31, 2008.

Mr. Mark J. Zausmer of 2298 Locklin Lane, West Bloomfield, Michigan 48324, county of Oakland, succeeding Denise Ketchmark, whose term has expired, representing the general public, for a term commencing July 6, 2005 and expiring on March 31, 2008.

August 17, 2005

As a result of Attorney General Opinion No. 7178 issued on August 2, 2005, the following appointment filed with your office on September 12, 2003 pursuant to Section 1 of 1913 PA 271, MCL 399.1, should read as follows:

Michigan Historical Commission

Mr. Steven K. Hamp of 1520 Harding Road, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding Ms. Marge Greiner, whose term has expired, representing the general public, for a term commencing September 12, 2003 and expiring **May 21, 2007**.

August 29, 2005

Due to an error on the August 3, 2005 letter filed with your office pursuant to Section 7 of the Farm Produce Insurance Act, 2003 PA 198, MCL 285.317, please be advised of the following correction:

Farm Produce Insurance Authority Board of Directors

Mr. Carl J. Bednarski of 2740 West Elmwood Road, Caro, Michigan 48723, county of Tuscola, reappointed to represent producers, from the largest Michigan organization representing general farm interests in Michigan for a term expiring June 20, **2008**.

Sincerely,
Jennifer M. Granholm
Governor

The messages were referred to the Committee on Government Operations.

By unanimous consent the Senate returned to the order of
Motions and Communications

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

House Bill No. 4957

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

Messages from the House

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

Senate Bill No. 356

Senate Bill No. 419

Senate Bill No. 130

The motion prevailed.

Senate Bill No. 513, entitled

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 31, 301, 302, 312, 370, 381, 476, 498, 500b, 501, 507, 509m, 509q, 509gg, 523, 552, 641, 642a, 653a, 699, 761, 766, 767, 792a, 961, 961a, and 963 (MCL 168.31, 168.301, 168.302, 168.312, 168.370, 168.381, 168.476, 168.498, 168.500b, 168.501, 168.507, 168.509m, 168.509q, 168.509gg, 168.523, 168.552, 168.641, 168.642a, 168.653a, 168.699, 168.761, 168.766, 168.767, 168.792a, 168.961, 168.961a, and 168.963), sections 31 and 961a as amended by 1999 PA 220, section 301 as amended by 2004 PA 286, sections 302 and 312 as added and sections 370, 509gg, and 963 as amended by 2003 PA 302, section 381 as amended by 2004 PA 290, sections 476 and 961 as amended by 1999 PA 219, section 498 as amended by 1984 PA 89, sections 500b and 507 as amended by 1989 PA 142, section 509m as amended by 2004 PA 92, section 509q as added by 1994 PA 441, sections 523 and 792a as amended by 1996 PA 583, section 552 as amended by 2003 PA 188, section 641 as amended by 2003 PA 298, section 642a as amended by 2004 PA 294, section 653a as added by 1982 PA 2, section 699 as amended by 2004 PA 297, and section 761 as amended by 1996 PA 207, and by adding sections 302a and 509hh; and to repeal acts and parts of acts.

The House of Representatives has concurred in the Senate amendments to the House substitute (H-1) and agreed to the title as amended.

Pursuant to a previous order, the bill was referred to the Secretary for enrollment printing and presentation to the Governor on July 13, 2005.

House Bill No. 4831, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2006; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Hummel, Pastor and Whitmer as conferees.

The message was referred to the Secretary for record.

House Bill No. 4887, entitled

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

388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32d, 32j, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, and section 164c as added by 1995 PA 130, and by adding sections 26b, 32l, 33, 54a, 91, 99a, and 99b; and to repeal acts and parts of acts.

The House of Representatives has nonconcurrent in the Senate substitute (S-2) and appointed Reps. Moolenaar, Farhat and Plakas as conferees.

The message was referred to the Secretary for record.

Senate Bill No. 170, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV, section 16a of chapter IX, section 22 of chapter XVI, and sections 15g, 16m, and 16s of chapter XVII (MCL 764.1a, 769.16a, 776.22, 777.15g, 777.16m, and 777.16s), section 1a of chapter IV as amended by 1994 PA 70, section 16a of chapter IX as amended by 2004 PA 220, section 22 of chapter XVI as amended by 2001 PA 194, section 15g of chapter XVII as added by 2002 PA 206, section 16m of chapter XVII as amended by 2001 PA 166, and section 16s of chapter XVII as amended by 2004 PA 519.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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

The Senate agreed to the full title.

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

Senate Bill No. 335, 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," (MCL 722.111 to 722.128) by adding section 17a.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect. Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 348, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 51 (MCL 211.51), as amended by 1992 PA 97.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 51 (MCL 211.51), as amended by 2005 PA 24.

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

House Bill No. 4825, entitled

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

The House of Representative has amended the Senate amendments as follows:

1. Amend Senate Amendment No. 1, page 2, line 13, after "and" by striking out "**LESS**" and inserting "**EXCLUDING**".

The House of Representatives has concurred in the Senate amendments as amended and ordered that the bill be given immediate effect.

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

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 Bishop 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 11:27 a.m.

11:39 a.m.

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

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

Senate Bill No. 501, entitled

A bill to repeal enacting section 5 of 1999 PA 123; and to repeal acts and parts of acts.

Senate Bill No. 658, entitled

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

The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 347, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 21a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4071, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4145, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43540c.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 569, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2001 PA 70.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 570, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 39c (MCL 208.39c), as amended by 2001 PA 69.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4679, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1, 3, 4, and 7 (MCL 125.1651, 125.1653, 125.1654, and 125.1657), sections 1 and 3 as amended by 2005 PA 13, section 4 as amended by 1987 PA 66, and section 7 as amended by 2004 PA 196.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4934, entitled

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

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4937, entitled

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

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4957, 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.

Substitute (S-1).

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

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

Substitute (S-2).

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

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

Substitute (S-4).

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

1. Amend page 3, following line 16, by inserting:

"(B) THE INDIVIDUAL IS NOT MORE THAN 26 YEARS OF AGE AND ATTENDS A SPECIAL EDUCATION PROGRAM, AND RESIDES WITH HIS OR HER PARENT OR GUARDIAN OR RESIDES IN A GROUP HOME OR ASSISTED LIVING FACILITY. HOWEVER, AN INDIVIDUAL DESCRIBED IN THIS SUBDIVISION SHALL NOT INITIATE OR MAINTAIN CONTACT WITH A MINOR WITHIN THAT STUDENT SAFETY ZONE. THE INDIVIDUAL SHALL BE PERMITTED TO INITIATE OR MAINTAIN CONTACT WITH A MINOR WITH WHOM HE OR SHE ATTENDS A SPECIAL EDUCATION PROGRAM IN CONJUNCTION WITH THAT ATTENDANCE." and relettering the remaining subdivisions.

2. Amend page 4, line 17, after "**SEC. 36.**" by striking out "**SECTIONS**" and inserting "**(1) SUBJECT TO SUBSECTION (2), SECTIONS**".

3. Amend page 6, following line 1, by inserting:

"(2) AN INDIVIDUAL WHO IS CONVICTED OF MORE THAN 1 OFFENSE DESCRIBED IN SUBSECTION (1) IS INELIGIBLE FOR EXEMPTION 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.

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

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d. Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4932, 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.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4991, 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.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4936, 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 sections 5c, 5d, and 5e.

Substitute (S-1).

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

1. Amend page 12, line 9, after "**SECTIONS**" by inserting "**5**,".
2. Amend page 13, line 16, after "**(1)**" by striking out the balance of the line through "**CENTER**" on line 17 and inserting "**A CHILD CARE CENTER OR DAY CARE CENTER LICENSEE**".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4958, 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.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4402, entitled

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

Substitute (S-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.

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

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

House Bill No. 4934
House Bill No. 4937
House Bill No. 4957
Senate Bill No. 616
Senate Bill No. 617
House Bill No. 4402
House Bill No. 4930
House Bill No. 4932
House Bill No. 4991
House Bill No. 4936
House Bill No. 4958

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

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

House Bill No. 4934, 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 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. 357

Yeas—36

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

Nays—0

Excused—2

Cassis Switalski

Not Voting—0

In The Chair: Birkholz

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

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

“An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4937, 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 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. 358

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide

for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4957, 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 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. 359

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

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

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide

for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 360

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 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 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. 361

Yeas—36

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	Clarke	Jacobs	Sanborn

Basham	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Scott
Birkholz	Garcia	Kuipers	Sikkema
Bishop	George	Leland	Stamas
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—2

Cassis Switalski

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4402, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1230 (MCL 380.1230), as amended by 1993 PA 284, and by adding section 1230c.

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. 362

Yeas—36

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

Nays—0

Excused—2

Cassis Switalski

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4932, 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 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. 364

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

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

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

“An act to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4991, 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.

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. 365

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

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

The following bill was read a third time:

House Bill No. 4936, 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 sections 5c, 5d, and 5e.

The question being on the passage of the bill,

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

Roll Call No. 366**Yeas—36**

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

Nays—0**Excused—2**

Cassis Switalski

Not Voting—0

In The Chair: Birkholz

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

The following bill was read a third time:

House Bill No. 4958, 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 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. 367**Yeas—36**

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

Nays—0

Excused—2

Cassis

Switalski

Not Voting—0

In The Chair: Birkholz

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

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 50**Senate Resolution No. 51**

The resolution consent calendar was adopted.

Senator Thomas offered the following resolution:

Senate Resolution No. 50.

A resolution commemorating Saturday, September 17, 2005, as Reflex Sympathetic Dystrophy Syndrome Awareness Day in the state of Michigan.

Whereas, Reflex Sympathetic Dystrophy Syndrome (RSDS) is a debilitating and progressively chronic condition that affects about 1 million people nationwide. It is characterized by a disturbance in the sympathetic nervous system that causes severe burning pain, pathological changes in bone and skin, excessive sweating, tissue swelling, and extreme sensitivity to touch; and

Whereas, Today, RSDS is often misdiagnosed because this condition is either unknown or is poorly understood. The prognosis for patients suffering from RSDS is generally much better when the condition is identified and treated as early as possible; and

Whereas, If untreated or undiagnosed, RSDS can spread to all extremities making rehabilitation more difficult. A day of recognition in the state of Michigan would allow others to learn of the disease and be properly diagnosed at an early stage; now, therefore, be it

Resolved by the Senate, That the members of this legislative body commemorate Saturday, September 17, 2005, as Reflex Sympathetic Dystrophy Syndrome Awareness Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Reflex Sympathetic Dystrophy Syndrome Association. Senators Barcia, Birkholz, Cherry, Clark-Coleman, Clarke, Garcia, George, Goschka, Hardiman, Jacobs, Leland, Olshove, Prusi, Schauer, Scott and Toy were named co-sponsors of the resolution.

Senator Jacobs offered the following resolution:

Senate Resolution No. 51.

A resolution recognizing Friday, September 16, 2005, as National POW/MIA Recognition Day in Michigan.

Whereas, Prisoners of war, soldiers captured by enemy soldiers during times of conflict, are casualties that are too often forgotten. The image of graves lined in neat rows at Arlington National Cemetery and other national cemeteries remind us of the high cost of freedom. Scars of wounds and missing limbs of our veterans quickly remind us of the sacrifices of those who have fought for freedom. It is impossible to forget those who have been wounded or killed in action because the evidence of their sacrifice is ever before us; and

Whereas, The same cannot be said for those who are missing in action or who may have been taken prisoner of war by the enemy. Since World War I, over 200,000 American soldiers have been listed as prisoners of war (POW) or missing in action (MIA). More than 125,000 of these Americans have never been repatriated; and

Whereas, To honor these brave men and women, Congress has set aside the third Friday of September each year as National POW/MIA Recognition Day; now, therefore, be it

Resolved by the Senate, That we hereby recognize Friday, September 16, 2005, as POW/MIA Recognition Day in Michigan. In observance of this day, we will further honor all of America's POW/MIA and highlight the sacrifices made by Michigan's POW/MIA—they are not forgotten; and be it further

Resolved, That copies of this resolution be transmitted to Rolling Thunder - Michigan Chapter, city of Lathrup Village, Sol Baltimore, and Tom Brainbridge with our highest esteem.

Senators Barcia, Bernero, Birkholz, Brown, Cherry, Clark-Coleman, Clarke, Cropsey, Garcia, George, Goschka, Hardiman, Leland, Olshove, Prusi, Schauer, Scott and Toy were named co-sponsors of the resolution.

Senator Johnson offered the following concurrent resolution:

Senate Concurrent Resolution No. 26.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Kinross Correctional Facility New Power Plant.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Kinross Correctional Facility New Power Plant, which is located in Chippewa County (the "Facility"), is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Kinross Correctional Facility New Power Plant shall not exceed \$6,000,000 (the Authority share is \$5,999,900 and the State General Fund/General Purpose share is \$100), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$5,999,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$411,000 and \$538,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senators Barcia, Birkholz, Clarke, Goschka, Hardiman, Jacobs, Prusi and Toy were named co-sponsors of the concurrent resolution.

Senator Hammerstrom moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 52

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

Senator Sikkema offered the following resolution:

Senate Resolution No. 52.

A resolution of tribute offered as a memorial for N. Lorraine Beebe, former member of the Michigan Senate.

Whereas, With the passing of Lorraine Beebe, Michigan and the cause of women's rights have lost a genuine pioneer and a leader who touched many lives. Her spirit of unselfishness, courage, and strength influenced many people in our state, who remember her and are most grateful for her service to others in several capacities; and

Whereas, Born in Kalamazoo, Lorraine Beebe earned her bachelor's degree at Western Michigan University and her master's degree in psychology at Wayne State University and engaged in graduate studies at the University of Michigan. A teacher and guidance counselor, she worked with young people in Dearborn schools and at Henry Ford Community College. She also was involved in numerous civic, political, and community groups. This concern for her community and its future led her to seek public office. With her election to the Michigan Senate in 1966, she became only the third woman in the state's history to serve in this chamber; and

Whereas, As a lawmaker, Lorraine Beebe fought for women's rights, reform in women's prisons, sex education, and tougher drunk driving legislation. In many ways, she was a person ahead of her time. Literally a lone voice as the only woman in the Senate at the time, Lorraine Beebe had a significant impact on subsequent generations of women seeking to build a stronger state. Clearly, she continues to be a source of inspiration in public service; now, therefore, be it

Resolved by the Senate, That we offer this expression of our respect for the memory of N. Lorraine Beebe, who served this legislative body from 1967 to 1970; and be it further

Resolved, That copies of this resolution be transmitted to her family as evidence of our sincere condolences.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

A moment of silence was observed in memory of former Senator N. Lorraine Beebe.

Senator Hammerstrom moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 53

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

Senator Sikkema offered the following resolution:

Senate Resolution No. 53.

A resolution offered as a memorial for Beryl Kenyon, former Secretary of the Senate.

Whereas, The members of the Michigan Senate were saddened to learn of the passing of Beryl Kenyon, a gentleman who served his country, his home state, and this legislative body with great distinction over many years. His impact as an individual of integrity, commitment, and professionalism continues to be felt at the Capitol; and

Whereas, A native of Jackson, Beryl Kenyon was part of the "Greatest Generation." He served his country in some of its darkest hours as a gunner on B-29 missions in the Pacific in World War II and later again in Korea. That type of unshakeable belief in service to others marked his entire life, including his work as a police sergeant in Grand Rapids and his public service in Lansing; and

Whereas, Beryl Kenyon's career with the Michigan Senate spanned a total of 24 years and included the development of the Michigan Legislature as a modern institution under the *Constitution of 1963*. To his responsibilities as the Secretary of the Senate from 1962 to 1965 and from 1967 to 1975, he brought a sense of fairness and an even-handed approach every bit as memorable as his total tenure as one of the longest-serving-Secretaries of the Senate in the state's history. This example remains prominent among his many contributions to our state and nation; now, therefore, be it

Resolved by the Senate, That we unite in honoring the memory of Beryl Kenyon, the Secretary of the Michigan Senate from 1962 to 1965 and from 1967 to 1975; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Kenyon's family as evidence of the esteem that will long be held for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote of the Senate.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

A moment of silence was observed in memory of former Secretary of the Senate Beryl Kenyon.

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

The motion prevailed.

Senator Sikkema's statement is as follows:

Just an announcement to the members because you will undoubtedly be hearing about this and I thought it important that you have this information. The situation in the South, particularly in Mississippi and Louisiana, is really a tragic situation. We can help in that regard. I know there are independent and private relief efforts going on, but we've also made a decision that, I think, Friday of this week, we will be sending the Michigan National Guard to assist in these relief efforts.

The House is actually going to put some money into a supplemental today that they will pass over to us next week. It is a first-house bill, so we wouldn't be able to act on it today. But next week I'm going to be asking you to support this supplemental so that we can provide some assistance to the relief efforts going on. Other states are doing this as well. The Governor is working on sort of a mutual-aid agreement with the state of Mississippi, which is my understanding of where 110 troops will be going and will probably be there for at least 14 days.

There will be, obviously, publicity about this today or tomorrow, and I wanted everyone to understand what our commitment is going to be and what I'm going to ask all of you to do next week.

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 Bishop as Chairperson.

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

House Bill No. 4928, 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, and by adding section 1230f.

Substitute (S-2).

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

1. Amend page 1, line 6, after "UNDER" by striking out "SECTION 1230A" and inserting "SECTIONS 1230A AND 1230G".

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

"SEC. 1230G. (1) NOT LATER THAN JULY 1, 2008, THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, OR THE GOVERNING BODY OF A NONPUBLIC SCHOOL SHALL DO BOTH OF THE FOLLOWING FOR EACH INDIVIDUAL WHO, AS OF JANUARY 1, 2006, IS EITHER A FULL-TIME OR PART-TIME EMPLOYEE OF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL OR IS ASSIGNED TO REGULARLY AND CONTINUOUSLY WORK UNDER CONTRACT IN ANY OF ITS SCHOOLS:

(A) REQUEST FROM THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE A CRIMINAL HISTORY CHECK ON THE INDIVIDUAL.

(B) REQUEST THE DEPARTMENT OF STATE POLICE TO CONDUCT A CRIMINAL RECORDS CHECK ON THE INDIVIDUAL THROUGH THE FEDERAL BUREAU OF INVESTIGATION. THE BOARD, BOARD OF DIRECTORS, OR GOVERNING BOARD SHALL REQUIRE THE INDIVIDUAL TO SUBMIT HIS OR HER FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE FOR THE PURPOSES OF THIS SUBDIVISION. THE DEPARTMENT OF STATE POLICE MAY CHARGE A FEE FOR CONDUCTING THE CRIMINAL RECORDS CHECK.

(2) FOR AN INDIVIDUAL EMPLOYED OR WORKING UNDER CONTRACT AS A SUBSTITUTE TEACHER, INSTEAD OF REQUESTING A CRIMINAL HISTORY CHECK AND CRIMINAL RECORDS CHECK UNDER SUBSECTION (1), A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL MAY USE RESULTS RECEIVED BY ANOTHER DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL OR MAINTAINED BY THE DEPARTMENT TO CONFIRM THAT THE INDIVIDUAL DOES NOT HAVE ANY CRIMINAL HISTORY. IF THAT CONFIRMATION IS NOT AVAILABLE, SUBSECTION (1) APPLIES TO THE INDIVIDUAL.

(3) IF AN INDIVIDUAL DESCRIBED IN SUBSECTION (1) IS EMPLOYED BY OR WORKING UNDER CONTRACT IN MORE THAN 1 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL AND IF THE INDIVIDUAL AGREES IN WRITING TO ALLOW A DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL TO SHARE THE RESULTS OF THE CRIMINAL HISTORY CHECK OR CRIMINAL RECORDS CHECK WITH ANOTHER DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL, THEN A DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL MAY SATISFY THE REQUIREMENTS OF SUBSECTION (1) BY OBTAINING A COPY OF THE RESULTS OF THE CRIMINAL HISTORY CHECK OR CRIMINAL RECORDS CHECK FROM ANOTHER DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL.

(4) AN INDIVIDUAL DESCRIBED IN SUBSECTION (1) SHALL GIVE WRITTEN CONSENT FOR THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE TO CONDUCT THE CRIMINAL HISTORY CHECK AND CRIMINAL RECORDS CHECK REQUIRED UNDER THIS SECTION AND SHALL SUBMIT HIS OR HER FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE FOR THE PURPOSES OF THE CRIMINAL RECORDS CHECK.

(5) A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL SHALL MAKE A REQUEST TO THE DEPARTMENT OF STATE POLICE FOR THE CRIMINAL HISTORY CHECK AND CRIMINAL RECORDS CHECK UNDER THIS SECTION ON A FORM AND IN A MANNER PRESCRIBED BY THE DEPARTMENT OF STATE POLICE.

(6) THE RESULTS OF A CRIMINAL HISTORY CHECK AND CRIMINAL RECORDS CHECK UNDER THIS SECTION SHALL BE USED BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL ONLY FOR THE PURPOSE OF EVALUATING AN INDIVIDUAL'S QUALIFICATIONS FOR EMPLOYMENT OR ASSIGNMENT IN HIS OR HER POSITION AND FOR THE PURPOSES OF SUBSECTIONS (2) AND (3). A MEMBER OF THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, OF THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY, OR OF THE GOVERNING BODY OF A NONPUBLIC SCHOOL OR AN EMPLOYEE OF A DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL SHALL NOT DISCLOSE THOSE RESULTS, EXCEPT ANY FELONY CONVICTION OR A MISDEMEANOR CONVICTION INVOLVING SEXUAL OR PHYSICAL ABUSE, TO ANY PERSON WHO IS NOT DIRECTLY

INVOLVED IN EVALUATING THE INDIVIDUAL'S QUALIFICATIONS FOR EMPLOYMENT OR ASSIGNMENT. HOWEVER, FOR THE PURPOSES OF SUBSECTIONS (2) AND (3), A PERSON DESCRIBED IN THIS SUBSECTION MAY PROVIDE A COPY OF THE RESULTS UNDER SUBSECTION (1) CONCERNING THE INDIVIDUAL TO AN APPROPRIATE REPRESENTATIVE OF ANOTHER DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL. A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$10,000.00, BUT IS NOT SUBJECT TO THE PENALTIES UNDER SECTION 1804.

(7) WITHIN 30 DAYS AFTER RECEIVING A PROPER REQUEST BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL FOR A CRIMINAL HISTORY CHECK AND CRIMINAL RECORDS CHECK ON AN INDIVIDUAL UNDER THIS SECTION, THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE SHALL DO BOTH OF THE FOLLOWING:

(A) CONDUCT THE CRIMINAL HISTORY CHECK AND, AFTER CONDUCTING THE CRIMINAL HISTORY CHECK AND WITHIN THAT TIME PERIOD, PROVIDE A REPORT OF THE RESULTS OF THE CRIMINAL HISTORY CHECK TO THE DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL. THE REPORT SHALL CONTAIN ANY CRIMINAL HISTORY RECORD INFORMATION ON THE INDIVIDUAL THAT IS MAINTAINED BY THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE.

(B) INITIATE THE CRIMINAL RECORDS CHECK THROUGH THE FEDERAL BUREAU OF INVESTIGATION. AFTER CONDUCTING THE CRIMINAL RECORDS CHECK REQUIRED UNDER THIS SECTION FOR A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY, THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE SHALL PROVIDE THE RESULTS OF THE CRIMINAL RECORDS CHECK TO THE DISTRICT OR PUBLIC SCHOOL ACADEMY. AFTER CONDUCTING THE CRIMINAL RECORDS CHECK REQUIRED UNDER THIS SECTION FOR A NONPUBLIC SCHOOL, THE CRIMINAL RECORDS DIVISION OF THE DEPARTMENT OF STATE POLICE SHALL NOTIFY THE NONPUBLIC SCHOOL OF WHETHER OR NOT THE CRIMINAL RECORDS CHECK DISCLOSED ANY CRIMINAL HISTORY THAT IS NOT DISCLOSED IN THE CRIMINAL HISTORY CHECK REPORT ON THE INDIVIDUAL PROVIDED TO THE NONPUBLIC SCHOOL UNDER SUBDIVISION (A).

(8) IF THE RESULTS RECEIVED BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL UNDER SUBSECTION (7) DISCLOSE THAT AN INDIVIDUAL HAS BEEN CONVICTED OF A LISTED OFFENSE, THEN THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL SHALL NOT EMPLOY THE INDIVIDUAL IN ANY CAPACITY, AS PROVIDED UNDER SECTION 1230C, AND SHALL NOT ALLOW THE INDIVIDUAL TO REGULARLY AND CONTINUOUSLY WORK UNDER CONTRACT IN ANY OF ITS SCHOOLS. IF THE RESULTS RECEIVED BY A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL UNDER SUBSECTION (7) DISCLOSE THAT AN INDIVIDUAL HAS BEEN CONVICTED OF A FELONY OTHER THAN A LISTED OFFENSE, THEN THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL SHALL NOT EMPLOY THE INDIVIDUAL IN ANY CAPACITY OR ALLOW THE INDIVIDUAL TO REGULARLY AND CONTINUOUSLY WORK UNDER CONTRACT IN ANY OF ITS SCHOOLS UNLESS THE SUPERINTENDENT OR CHIEF ADMINISTRATOR AND THE BOARD OR GOVERNING BODY OF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL EACH SPECIFICALLY APPROVE THE EMPLOYMENT OR WORK ASSIGNMENT IN WRITING. AS USED IN THIS SUBSECTION, "LISTED OFFENSE" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.722."

3. Amend page 8, line 2, after "COMPENSATION" by striking out the comma and "WITHOUT INTEREST".

4. Amend page 19, line 7, after "COMPENSATION" by striking out the comma and "WITHOUT INTEREST".

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 at the head of the Third Reading of Bills calendar:

House Bill No. 4928

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

The following bill was read a third time:

House Bill No. 4928, 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, and by adding section 1230f.

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. 368

Yeas—36

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

Nays—0

Excused—2

Cassis	Switalski
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Not Voting—0

In The Chair: Birkholz

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

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

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

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51, and by adding sections 1230f and 1230g.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

By unanimous consent the Senate proceeded to the order of

Statements

Senators George, Schauer and Scott 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 have a memorial statement that I would like to read regarding a police officer who was killed in the line of duty in my district. His name is Scot Andrew Beyerstedt and it begins with an anonymous quote:

“The man who enriches life gives of himself
to others, rejoices in creation, and
serves humanity through his adherence
to truth, honesty, charity, and love.

—Anonymous

Let it be known, that it is with a profound sense of sadness for the deep loss to the Mattawan Community and the citizens of Michigan that we offer this tribute as a memorial for the life of Officer Scot Andrew Beyerstedt, and take this opportunity to honor his memory and express condolences to his family and friends. He was an outstanding citizen who graced us with his presence for a brief 21 years. He will be sorely missed and long remembered.

Scot Beyerstedt officially joined the Mattawan Police Department earlier this summer and just two weeks later, was killed in the line of duty. He took a courageous step when he chose his vocation. Of all the services offered in our communities, none are more important than those provided by our law enforcement professionals. In protecting our homes, places of business, and the lives of the public, police officers cope with on-the-job challenges that are truly unique. The tasks facing police officers require not only courage and hard work, but preparation and knowledge. The members of this unique profession are ever aware of the dangers they face but are strongly motivated by a commitment to protecting the safety of others.

Preceded in death by his mother, Scot leaves behind his father Larry Beyerstedt, sisters Ryan and Erin, and other extended family members, as well as his brothers and sisters in law enforcement. His many close friends and members of the Mattawan Community are left to mourn and try to make some sense of a light extinguished far too soon.

In Special Tribute, therefore, this memorial is offered as a symbol of our highest praise in honor of the brief life of Officer Scot Andrew Beyerstedt.”

Senator Schauer's statement is as follows:

I rise today to acknowledge the serious financial pain that Michigan consumers are feeling at the pump this summer, right now. Last August, the average price for gasoline in Michigan was \$1.71 a gallon; now it is nearing or is past \$3.00 a gallon. Many of Michigan's families are forced to pay upwards of \$40 to fill their gas tanks, sometimes two or three times a week.

Today a *Washington Post/ABC* poll indicates that two-thirds of Americans say gas prices are causing financial hardship for them and their families. Gas prices stand to go even higher after Hurricane Katrina's rampage through the oil-rich Gulf of Mexico. We support recent proposals for the state to encourage the development of new biodiesel fuels. We also thank the Governor for releasing \$1.3 million for additional gas inspectors to ensure that Michigan consumers are not being cheated by unscrupulous gas retailers. While these and other state proposals are helpful in the long run, we must acknowledge that state remedies are very limited. It is time to acknowledge that the hard work of dealing with the crisis at the pump is the responsibility of the President and Congress.

The most recent federal energy bill was filled with billions of dollars in tax cuts and loopholes for Big Oil. Consequently, energy producers are seeing record profits. Why are we asking families, our constituents, to bear the entire burden of this cost? Isn't it time for the President and Congress to ask Big Oil to share some of the hardship while our country weathers this national crisis?

We need the federal government to be more aggressive in providing relief to American consumers. Six of every ten Americans agree, according to this *Washington Post/ABC* poll, that there are steps the administration could take to reduce gas prices. We agree.

Long-term planning at the state level will eventually play a marginal part in lowering gas prices, but there is little the state can do in the short run. We are asking the federal government to take action immediately to mitigate the short-term effects of these record oil prices and the hardship borne by our constituents.

Senator Scott's statement is as follows:

I'm sure most of you heard or read today that Detroit has become the nation's most impoverished big city. Detroit has surpassed Cleveland as the nation's most impoverished big city, according to the U.S. Census Bureau's American Community Survey. As you all will recall, I said to you some months ago, maybe even a year ago, that you were making poor people poorer, and that is exactly what has happened in the city of Detroit. So it's a sad day when we know that there are so many people right here among us who are as troubled.

So I'm here before you again for you to help in one way and that is about redlining in Detroit. There are a few that I will read that comes from my insurance redlining, and this person says, "I am so frustrated with my insurance premiums. I pay a ton of money to live in Detroit. I have to pay \$1,500 to insure my house; \$400 to insure my two cars of which one is no-fault. That is more than the car note for the car and that is monthly. If I were to live in Troy, my premiums would be more than half of what I am paying." I'm sure she means less than what she is paying in Detroit.

“I was raised in Detroit and wanted to continue living here, but these outrageous premiums makes it difficult. When you are only making \$45,000 a year, your funds are stretched to the max. It is like if you live in Detroit, they only want you to have the bare minimum. This has to stop somewhere and I hope that legislators will finally take a stand for the citizens. Did I mention that I have a good driving record, yet I am being penalized for what others do based on where I live?”

Second one, “After switching my auto insurance to Farmers Insurance for a lower rate, my premium was doubled due to recent accidents that were not my fault. Farmers continued to put the blame on me, though, and refused to insure me unless I paid the double premium. I understand that when other drivers hit my car, my insurance goes up. Farmers is hitting me with sky-high increases by maintaining that they can’t tell these were not my fault when the state of Michigan clearly indicates that I was not at fault.

The final one, “I can’t afford good full coverage auto insurance when I went looking. I was told by one company that I should use my sister’s address in Sterling Heights.”

So do we want to continue to have people tell lies and do the wrong thing? I hope not. I hope that now we are back in session, let’s do something about these insurance rates.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Stamas introduced

Senate Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article X, to restrict the power of state or local government to take private property by eminent domain for the primary benefit of private entities.

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

Senators Prusi, Barcia, Basham and Cherry introduced

Senate Bill No. 688, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

Senators Stamas, Brown, Gilbert, Kuipers, Garcia, Allen, McManus and Barcia introduced

Senate Bill No. 689, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” (MCL 691.1401 to 691.1419) by adding section 7c.

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

Senator McManus introduced

Senate Bill No. 690, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3119, 3121, 3124, 5521, 5701, 5702, 5703, 5704, 5705, 5706, 5707, and 5708 (MCL 324.3119, 324.3121, 324.3124, 324.5521, 324.5701, 324.5702, 324.5703, 324.5704, 324.5705, 324.5706, 324.5707, and 324.5708), section 3119 as

amended and section 3121 as added by 2004 PA 91, section 3124 as added by 2004 PA 90, and section 5521 as amended by 1998 PA 245.

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

Senator Thomas introduced

Senate Bill No. 691, entitled

A bill to create the Detroit area regional transportation authority; to transfer certain powers of authorities to the Detroit area regional transportation authority; to provide regional transportation; to prescribe certain powers and duties of the authorities and of certain state agencies and officials; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments; 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 Transportation.

Senator Cassis introduced

Senate Bill No. 692, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 10e (MCL 211.10e), as added by 1986 PA 223.

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

Senator Brown introduced

Senate Bill No. 693, entitled

A bill to amend 1911 PA 149, entitled "An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms "public corporations," "state agencies" and "private property" as used herein," by amending section 3 (MCL 213.23).

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

Senator Brown introduced

Senate Bill No. 694, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 4 (MCL 213.54), as amended by 1996 PA 474.

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

Senator Thomas introduced

Senate Bill No. 695, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for

submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10c, 10h, 10l, and 10n (MCL 247.660c, 247.660h, 247.660l, and 247.660n), section 10c as amended by 2005 PA 45, section 10h as amended by 2002 PA 498, section 10l as amended by 1987 PA 234, and section 10n as amended by 2002 PA 329.

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

Senator Thomas introduced
Senate Bill No. 696, entitled

A bill to amend 1982 PA 432, entitled “Motor bus transportation act,” by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Senator Thomas introduced
Senate Bill No. 697, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1279h. The bill was read a first and second time by title and referred to the Committee on Education.

Senator Thomas introduced
Senate Bill No. 698, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7339 (MCL 333.7339), as added by 1999 PA 144.

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

Senator Thomas introduced
Senate Bill No. 699, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 475. The bill was read a first and second time by title and referred to the Committee on Education.

Senator Thomas introduced
Senate Bill No. 700, entitled

A bill to require the department of labor and economic growth to establish a jobs information service for urban residents and suburban employers.

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

Senator Brown introduced
Senate Bill No. 701, entitled

A bill to amend 1968 PA 319, entitled “An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority,” by amending section 8 (MCL 28.258), as amended by 2002 PA 718.

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

Senator Brown introduced
Senate Bill No. 702, entitled

A bill to prescribe the senior medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

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

Senator Brown introduced

Senate Bill No. 703, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 2004 PA 200.

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

Senator Brown introduced

Senate Bill No. 704, entitled

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

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

Senator Brown introduced

Senate Bill No. 705, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

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

Senators Brown and Cropsey introduced

Senate Bill No. 706, entitled

A bill to amend 1974 PA 369, entitled "Driver education and training schools act," by amending section 11 (MCL 256.611), as added by 2004 PA 70.

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

Senators Brown and Stamas introduced

Senate Bill No. 707, entitled

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

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

Senator Bishop introduced

Senate Bill No. 708, entitled

A bill to amend 2004 PA 241, entitled "Michigan children's protection registry act," by amending section 3 (MCL 752.1063).

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

Senator Stamas introduced

Senate Bill No. 709, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520b (MCL 750.520b), as amended by 2002 PA 714.

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

Senator Brown introduced

Senate Bill No. 710, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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

Senator Brown introduced

Senate Bill No. 711, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 62c (MCL 791.262c), as amended by 1988 PA 293.

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

Senator Brown introduced

Senate Bill No. 712, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 303a (MCL 750.303a), as added by 1996 PA 539.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senator Brown introduced

Senate Bill No. 713, entitled

A bill to establish a grant program to support sustained expansion of nursing school enrollment in this state; to provide for the administration of the grant program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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

Senator Birkholz introduced

Senate Bill No. 714, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 5, and 7 (MCL 722.22, 722.25, and 722.27), section 2 as amended by 2004 PA 542, section 5 as amended by 1993 PA 259, and section 7 as amended by 2001 PA 108.

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

Senator Patterson introduced

Senate Bill No. 715, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 102, 202, 304, 305, and 352 (MCL 484.2102, 484.2202, 484.2304, 484.2305, and 484.2352), section 102 as amended by 1998 PA 41, sections 202 and 305 as amended by 1995 PA 216, section 304 as amended by 2000 PA 295, and section 352 as added by 1995 PA 216; 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 Technology and Energy.

Senator Thomas introduced

Senate Bill No. 716, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 37a.

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

Senator Toy introduced

Senate Bill No. 717, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16y of chapter XVII (MCL 777.16y), as amended by 2000 PA 279.

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

Senator Gilbert introduced

Senate Bill No. 718, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2004 PA 218.

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

Senator Allen introduced

Senate Bill No. 719, entitled

A bill to amend 1972 PA 299, entitled "An act to provide for the assessment, collection and disposition of the costs of regulation of public utilities," by amending section 1 (MCL 460.111), as amended by 1992 PA 36.

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

House Bill No. 4643, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

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

House Bill No. 4673, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 317a.

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

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

House Bill No. 4674, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16p of chapter XVII (MCL 777.16p), as amended by 2000 PA 279.

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

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

House Bill No. 4803, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2001 PA 167.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 4865, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217f.

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

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

House Bill No. 4866, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2003 PA 16.

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

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

House Bill No. 4916, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 10 (MCL 125.2690), as amended by 2000 PA 259.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 4917, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 1998 PA 498.

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 Economic Development, Small Business and Regulatory Reform.

Senator Hammerstrom moved that when the Senate adjourns today, it stand adjourned until Tuesday, September 6, 2005. The motion prevailed.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 648, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 28.211, 28.212, 28.213, 28.214, and 28.215), section 4 as amended by 2000 PA 320, and by adding sections 1a and 3a; and to repeal acts and parts of acts.

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4934, entitled

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

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4937, entitled

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

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4957, entitled

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

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, August 30, 2005, at 2:00 p.m., Room 210, Farnum Building

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

The Committee on Education reported

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.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

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.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4402, 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.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4928, 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.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4930, entitled

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

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4932, 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.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

The Committee on Education reported

House Bill No. 4991, 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.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom and Leland

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Wednesday, August 31, 2005, at 8:00 a.m., Room 210, Farnum Building

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

Excused: Senators Cassis and Clark-Coleman

The Committee on Families and Human Services reported

House Bill No. 4936, 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 sections 5c, 5d, and 5e.

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

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

House Bill No. 4958, entitled

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

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

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Wednesday, August 31, 2005, at 8:30 a.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Clark-Coleman

Scheduled Meetings

Families and Human Services - Tuesday, September 6, 3:00 p.m., Room 210, Farnum Building (373-1801)

Legislative Retirement Board of Trustees - Wednesday, September 7, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Local, Urban and State Affairs - Thursday, September 8, 1:00 p.m., Room 110, Farnum Building (373-1707)

Michigan Capitol Committee - Thursday, September 15, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-0289)

Natural Resources and Environmental Affairs - Tuesday, September 6, 7:00 p.m., Northville Township Hall, Community Room, 44405 6 Mile Road, Northville (373-3447)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:55 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Birkholz, declared the Senate adjourned until Tuesday, September 6, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

