

**No. 32**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
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**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Wednesday, March 29, 2006.

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  
Birkholz—present  
Bishop—present  
Brater—present  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present  
Emerson—present

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

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

Brother Robert Carnaghi of De Le Salle Christian Brothers Collegiate High School of Warren offered the following invocation:

Gracious and all-powerful God, Your gifts are countless and Your goodness infinite. You guide and govern everything with order and love. Accept these prayers we offer for the leaders of our country, and fill them with the spirit of Your wisdom that they may assure justice and equality for all the citizens of our great nation.

Look upon this august body of Senators and guide them in fulfilling their responsibilities admirably so that the people of Michigan may enjoy freedom, security, and peace. Help us all to understand the challenges of serving You and Caesar both and to discover our higher loyalties in the face of our lesser obligations.

Arouse in our hearts the hunger for justice and peace, and grant this peace in our days, peace to individuals, peace to families, peace to our country, and peace among nations. Establish Your reign in our hearts, and bring us to full citizenship in the kingdom of Heaven where You live and reign forever and ever. Amen.

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

### Recess

Senator Schauer moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:05 a.m.

11:33 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Sanborn.

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

A quorum of the Senate was present.

### Motions and Communications

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

**Senate Bill No. 246**

The motion prevailed.

The following communication was received:  
Department of Human Services

March 21, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, 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	Arbor Heights Community Justice	SIR#2006C0207002	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 and Information" at the following address: <http://www.michigan.gov/dhs/>.

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 communication was referred to the Secretary for record.

The following communication was received:  
Department of Transportation

March 22, 2006

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2005.

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

Sincerely,  
Kirk T. Steudle  
Director

The communication was referred to the Secretary for record.

The following communication was received:  
Office of the Auditor General

March 28, 2006

Enclosed is a copy of the following audit report:

Performance audit of the Statewide Cost Allocation Plan, Department of Management and Budget.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 28:  
**House Bill Nos. 5408 5638**

### Messages from the Governor

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

**Senate Bill No. 272**

**Senate Bill No. 271**

**Senate Bill No. 264**

**Senate Bill No. 274**

**Senate Bill No. 281**

**Senate Bill No. 175**

**Senate Bill No. 236**

**Senate Bill No. 892**

**Senate Bill No. 893**

**Senate Bill No. 956**

**Senate Bill No. 957**

**Senate Bill No. 179**

**Senate Bill No. 1026**

**Senate Bill No. 1027**

**Senate Bill No. 1028**

The motion prevailed.

The following message from the Governor was received:

Date: March 28, 2006

Time: 10:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 318 (Public Act No. 81), being**

An act to amend 1964 PA 154, entitled "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending section 4 (MCL 408.384), as amended by 1997 PA 2.

(Filed with the Secretary of State on March 28, 2006, at 10:55 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received and read:

March 28, 2006

I respectfully submit to the Senate, pursuant to Section 6, Article 5 of the Michigan Constitution of 1963, the following appointment 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. Tamara D. Vander Ark of 13077 Stonegate Lane, Grand Haven, Michigan 49417, county of Ottawa, succeeding Elaine A. Crawford, whose term has expired, representing organized labor, for a term commencing March 28, 2006 and expiring December 19, 2007.

March 28, 2006

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 6 of the Michigan Tobacco Settlement Finance Authority Act, 2005 PA 226, MCL 129.266:

**Michigan Tobacco Settlement Finance Authority Board of Directors**

Mr. Jerry Campbell of 9000 Page Avenue, Jackson, Michigan 48104, county of Jackson, appointed to represent individuals nominated by the Speaker of the House of Representatives with knowledge, skill, or experience in the business or financial fields, for a term commencing March 28, 2006 and expiring December 15, 2008.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

**Messages from the House**

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

**Senate Bill No. 242**

The motion prevailed.

**Senate Bill No. 327, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 328, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11f (MCL 388.1611f), as amended by 2004 PA 351.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 11f (MCL 388.1611f), as amended by 2005 PA 155.

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

**Senate Bill No. 329, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2004 PA 351, and by adding section 34.

The House of Representatives has substituted (H-6) the bill.

The House of Representatives has passed the bill as substituted (H-6), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 20 (MCL 388.1620), as amended by 2005 PA 155, and by adding section 34.

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

**Senate Bill No. 330, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 31a (MCL 388.1631a), as amended by 2004 PA 593.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 31a (MCL 388.1631a), as amended by 2005 PA 155.

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

**Senate Bill No. 932, entitled**

A bill to amend 1990 PA 187, entitled "An act to regulate the equipment, maintenance, operation, and use of school buses and pupil transportation vehicles; to prescribe the qualifications of school bus and pupil transportation vehicle drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties," by amending sections 41, 43, 49, 51, 53, 55, 57, 61, 67, 69, 70, and 73 (MCL 257.1841, 257.1843, 257.1849, 257.1851, 257.1853, 257.1855, 257.1857, 257.1861, 257.1867, 257.1869, 257.1870, and 257.1873), section 49 as amended by 1994 PA 309, section 53 as amended by 2004 PA 131, section 55 as amended by 2004 PA 231, and section 57 as amended by 1996 PA 170.

The House of Representatives has concurred in the Senate substitute (S-2) to the House substitute (H-2).

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

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

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

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Bishop as Chairperson.

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. 582, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 46 and 49 (MCL 24.246 and 24.249), section 46 as amended by 1999 PA 262 and section 49 as amended by 2004 PA 23.

**House Bill No. 5813, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2005 PA 71.

**Senate Bill No. 1184, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1752. 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. 1084, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (S-1).

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

1. Amend page 46, following line 8, by inserting:

"Sec. 909. The department, in conjunction with efforts to implement the MPRI, shall cooperate with the department of community health to begin the process of data and information sharing as it relates to inmates and hepatitis C. By April 1, 2007, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the results of its work with the department of community health under this section."

2. Amend page 46, line 13, after "facility" by striking out the balance of the section and inserting "except those areas which house prisoners with special medical needs."

3. Amend page 51, following line 4, by inserting:

"Sec. 1013. The department shall impose a 35% surcharge on all items purchased by prisoners in state facilities. The 35% surcharge is in addition to any other surcharge or mark-up imposed on those items before the effective date of this section. The department may increase the maximum amount of money or scrip that prisoners are allowed to spend, in accordance with this section. The department shall remit the total of the surcharges imposed under this section quarterly to the state treasurer for deposit in the trooper recruit school fund created under section 819b of the Michigan vehicle code, 1949 PA 300, MCL 257.819b. Any revenue not needed to meet the requirements of the trooper recruit school fund will be deposited in the Michigan state police retirement system."

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

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

**Senate Bill No. 1086, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Substitute (S-1).

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

1. Amend page 28, line 12, by striking out all of section 222 and inserting:

"Sec. 222. From the funds appropriated in part 1, the department shall conduct a study and establish an ongoing effort to benchmark its permitting, enforcement, and compliance efforts relative to the performance of comparable states in the region. By December 31, 2007, the department shall submit a report on the results of the benchmark study to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies. The report shall include a description of the department's ongoing program to benchmark its permitting, enforcement, and compliance efforts. Before adopting an initial benchmark study design, the department will consult with the environmental advisory council, an advisory body appointed by the director of the department that broadly represents interests regulated by the department including, at a minimum, representatives from the regulated community, local units of government, and citizen organizations. The department will adopt a study design by October 1, 2006. In order to complete the report, the department shall select and contract with the person or entity to perform the study according to the established state bidding process and procurement procedures, with the contract in place by January 31, 2007."

2. Amend page 31, line 12, by striking out all of section 503 and inserting:

"Sec. 503. From the funds appropriated in part 1, the department, in cooperation with the department of agriculture, shall publish by September 30, 2007 an environmental regulatory compliance guide for the fruit and

vegetable processing sector. This guide will cross-reference the updated 2006 edition of the "Michigan Manufacturers Guide to Environmental, Health and Safety Regulations". The department will develop by April 30, 2007 a plan and schedule to develop compliance guides for other small business categories. The guides shall provide information to assist small businesses in complying with state environmental regulatory requirements and shall explain in plain language the actions a small business in each sector is required to take to comply with state regulatory requirements, including how to obtain necessary permits."

3. Amend page 33, following line 5, by inserting:

"Sec. 802. It is the intent of the legislature that the recommendations of the site review board, as established in section 11117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11117, are the final approval for each site construction permit application that is referred to the board by the department."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 777, entitled**

A bill to amend 1965 PA 329, entitled "Michigan seed law," (MCL 286.701 to 286.716) by amending the title, as amended by 1988 PA 455, and by adding section 14; and to repeal acts and parts of acts.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 1113, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12103 (MCL 333.12103), as amended by 1985 PA 17.

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. 1114, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20101 (MCL 324.20101), as amended by 1996 PA 383.

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. 1112, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 85a (MCL 125.485a), as added by 2003 PA 307.

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 following bills be placed at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1115**

**Senate Bill No. 1119**

**Senate Bill No. 1116**

**Senate Bill No. 1117**

**Senate Bill No. 1120**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1115, entitled**

A bill to prescribe certain duties of the department of state police with respect to certain illegal drug manufacturing laboratories.

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. 200**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**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. 1119, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2975.

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. 201**

**Yeas—38**

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



**Nays—0**

**Excused—0**

**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. 1116, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 8, and 17 (MCL 722.623, 722.628, and 722.637), section 3 as amended by 2002 PA 693, section 8 as amended by 2004 PA 195, and section 17 as added by 1997 PA 168.

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. 202**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**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. 1117, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8b (MCL 722.628b), as amended by 1998 PA 484.

The question being on the passage of the bill,

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

**Roll Call No. 203****Yeas—38**

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

**Nays—0****Excused—0****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. 1120, entitled**

A bill to amend 1957 PA 185, entitled “An act to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation,” by amending sections 13 and 25 (MCL 123.743 and 123.755), section 25 as amended by 2002 PA 407.

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. 204****Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Birkholz

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

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

**Senate Resolution No. 101.**

A resolution to memorialize the United States Congress to provide flexible funding to help states and local communities clean up and deal with the disastrous effects of clandestine methamphetamine labs.

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

Substitute (S-2).

The substitute was adopted.

The resolution, as substituted, was adopted.

**Senate Concurrent Resolution No. 40.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and St. Clair County Community College relative to the St. Clair County Community College General Campus Renovations.

The Assistant Secretary of the Senate made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 205**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

Senator McManus offered the following resolution:

**Senate Resolution No. 111.**

A resolution to urge the Department of Natural Resources and the Natural Resources Commission to designate the Lost Twin Lakes Pathway area in Roscommon County as an Old Growth Forest.

Whereas, The Lost Twin Lakes Pathway is a three-mile trail in the scenic Au Sable forest surrounded by magnificent white pines and maple trees. Recent generations of logging have respected the majestic trees and left the area untouched, allowing the trees to grow to be well over six feet in circumference; and

Whereas, The Lost Twin Lakes Pathway area is enjoyed and appreciated by many state residents for its beauty and the interesting variety of flora and fauna it has to offer; and

Whereas, The Department of Natural Resources is required to identify and protect old growth forests through the forest certification process. In order to promote biodiversity on state forestlands, it is imperative that old growth forests are protected from future logging activities; and

Whereas, The Lost Twin Lakes forest has many qualities that are similar to the original forestland, which have led to its identification as a potential old growth forest; now, therefore, be it

Resolved by the Senate, That we urge the Department of Natural Resources and the Natural Resources Commission to designate the Lost Twin Lakes Pathway area in Roscommon County as an Old Growth Forest; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the Department of Natural Resources and the Director of the Natural Resources Commission.

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Senators Allen, Birkholz and Jacobs were named co-sponsors of the resolution.

**Introduction and Referral of Bills**

Senator Switalski introduced

**Senate Bill No. 1197, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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

Senators Scott, Clark-Coleman, Jacobs, Brater, Prusi, Olshove, Cherry and Schauer introduced

**Senate Bill No. 1198, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 1111.

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

Senators Gilbert, Cropsey, Van Woerkom, Toy, Garcia, Patterson, Birkholz, Basham, Olshove, Bishop and Allen introduced

**Senate Bill No. 1199, entitled**

A bill to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties.

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

Senator Van Woerkom introduced

**Senate Bill No. 1200, 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.

**House Bill No. 5408, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43510, 43511, 43513, and 43516 (MCL 324.43510, 324.43511, 324.43513, and 324.43516), sections 43510 and 43516 as amended by 2004 PA 129, section 43511 as added by 1995 PA 57, and section 43513 as amended by 1998 PA 129.

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

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

**House Bill No. 5638, entitled**

A bill to enter into the midwest interstate passenger rail compact to promote intergovernmental coordination aimed at development and promotion of intercity passenger rail transportation; to promote long-range planning for high-speed rail passenger service in the midwest; to describe the powers and duties of certain commissions; and to provide for ratification and a method of termination.

The House of Representatives has passed the bill.

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

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 Assistant President pro tempore, Senator Sanborn, 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:

**Senate Bill No. 1088, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Substitute (S-1).

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

1. Amend page 18, line 26, after "390.1189." by inserting "The Michigan higher education assistance authority shall include a master's degree in a nursing program as eligible for the funds appropriated in part 1 for nursing scholarship and grant programs. An individual receiving a scholarship for a master's degree in a nursing program is subject to the same employment, repayment, and other obligations imposed on nursing scholarship recipients under the Michigan nursing scholarship act, 2002 PA 591, MCL 390.1181 to 390.1189."

2. Amend page 30, following line 1, by inserting:

"Sec. 712. Not later than February 1, 2007, each of Michigan's public universities shall submit to the state budget director, members of the house of representatives and the senate, and the house and senate fiscal agencies a report on all of the following for academic year 2005-2006 for the university:

- (a) The amount of private, state, and federal research funding sought after, pledged, or received.
- (b) The number of businesses, companies, or organizations that used technology developed at the university.
- (c) How many of those businesses, companies, or organizations are domiciled in the state of Michigan and whose primary business location is the state of Michigan.
- (d) How many jobs were created in Michigan as a direct result of any new businesses, companies, or organizations that were created or any businesses, companies, or organizations that expanded.

- (e) The length of time it took for the university to transfer its technology outside the university.
- (f) The number of patents obtained by the university and the number of those patents that were used commercially within the state of Michigan.
- (g) Intellectual property rights policies.
- (h) The number of jobs created or retained in the state of Michigan that are directly attributable to research and technology transfer at the university.
- (i) The number of students who graduated from the university with an advanced degree in mathematics, science, health care, or engineering, and the number of those graduates that remained in Michigan to work and how long and in what capacity they plan to work.”.

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

**Senate Bill No. 1084**

**Senate Bill No. 1086**

**Senate Bill No. 1088**

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

The President, Lieutenant Governor Cherry, resumed the Chair.

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

**Senate Bill No. 1088, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The above bill was read a third time.

The question being on the passage of the bill,  
 Senator Cherry offered the following amendments:

1. Amend page 2, line 26, by striking out “77,511,100” and inserting “77,628,100”.
2. Amend page 2, line 27, by striking out “77,511,100” and inserting “77,628,100”.
3. Amend page 3, line 2, by striking out “77,511,100” and inserting “77,628,100”.
4. Amend page 3, line 16, by striking out “12,731,400” and inserting “12,988,600”.
5. Amend page 3, line 17, by striking out “12,731,400” and inserting “12,988,600”.
6. Amend page 3, line 19, by striking out “12,731,400” and inserting “12,988,600”.
7. Amend page 3, line 21, by striking out “288,837,400” and inserting “289,404,900”.
8. Amend page 3, line 24, by striking out “350,605,500” and inserting “351,173,100”.
9. Amend page 3, line 26, by striking out “350,605,500” and inserting “351,173,100”.
10. Amend page 4, line 1, by striking out “48,883,100” and inserting “48,880,400”.
11. Amend page 4, line 2, by striking out “48,883,100” and inserting “48,880,400”.
12. Amend page 4, line 4, by striking out “48,883,100” and inserting “48,880,400”.
13. Amend page 4, line 6, by striking out “45,862,500” and inserting “45,879,000”.
14. Amend page 4, line 7, by striking out “45,862,500” and inserting “45,879,000”.
15. Amend page 4, line 9, by striking out “45,862,500” and inserting “45,879,000”.
16. Amend page 4, line 25, by striking out “322,063,100” and inserting “322,695,900”.
17. Amend page 4, line 26, by striking out “322,063,100” and inserting “322,695,900”.
18. Amend page 5, line 1, by striking out “322,063,100” and inserting “322,695,900”.
19. Amend page 5, line 3, by striking out “25,184,500” and inserting “25,286,900”.
20. Amend page 5, line 4, by striking out “25,184,500” and inserting “25,286,900”.
21. Amend page 5, line 6, by striking out “25,184,500” and inserting “25,286,900”.
22. Amend page 5, line 8, by striking out “21,279,400” and inserting “21,420,100”.
23. Amend page 5, line 9, by striking out “21,279,400” and inserting “21,420,100”.
24. Amend page 5, line 11, by striking out “21,279,400” and inserting “21,420,100”.
25. Amend page 5, line 13, by striking out “218,530,300” and inserting “218,959,600”.

26. Amend page 5, line 14, by striking out “218,530,300” and inserting “218,959,600”.

27. Amend page 5, line 16, by striking out “218,530,300” and inserting “218,959,600” and adjusting the subtotals, totals, and section 201 accordingly.

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

Senator Switalski offered the following amendments:

1. Amend page 6, line 18, by striking out “4,000,000” and inserting “4,250,000”.

2. Amend page 6, line 24, by striking out “258,162,400” and inserting “258,412,400”.

3. Amend page 7, line 3, after “fund” by inserting “and carry forward funds from fiscal year 2005-2006”.

4. Amend page 7, line 3, by striking out “138,300,000” and inserting “138,550,000” and adjusting the subtotals, totals and section 201 accordingly.

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

Senators Van Woerkom and McManus offered the following amendments:

1. Amend page 3, line 22, by striking out “33,163,800” and inserting “33,827,100”.

2. Amend page 3, line 23, by striking out “28,604,300” and inserting “29,176,400”.

3. Amend page 3, line 24, by striking out “350,605,500” and inserting “351,840,900”.

4. Amend page 3, line 26, by striking out “350,605,500” and inserting “351,840,900” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

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

**Roll Call No. 206**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

The question being on the motion to reconsider,

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

The motion prevailed.

Senators McManus, Van Woerkom, Goschka and Cherry asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McManus' statement is as follows:

I, too, rise in support of this amendment. I think it is critical for our economy to recognize that agriculture plays a critical role in revitalizing it. By separating extension and agriculture experiment and research stations out and then providing them with the adequate funding, I think that can go a long way.

I would just like to thank the chair of the higher education budget for understanding this concern. I would also like to thank the Majority Leader and the chair of the Appropriations Committee for their stewardship on this particular item.

I would ask for the body's support.

Senator Van Woerkom's statement is as follows:

This amendment adds a 2 percent increase to the agricultural experiment station and to the cooperative extension service. These two entities have been flat for the last couple of years. They are really getting into a very difficult position as far as accomplishing their mission in our rural communities. The experiment station is involved in research. We have a number of issues in agriculture with diseases that require special attention. We are concerned about the advances that we can make there.

The cooperative extension service has played a role in many of the lives of families in our rural communities. We urge your support on this so that these two entities can do their job well.

Senator Goschka's first statement is as follows:

I rise in very strong support of the Van Woerkom amendment. I appreciate his leadership in standing up for the agricultural experiment stations and cooperative extension. This is a 2 percent increase that he is proposing.

Certainly, when we look at the very genuine hard work that these schools do, I think it is very vital that we, indeed, put these dollars directly into what will benefit us in terms of public health in so many other areas.

Again, I know talking to many colleagues on both sides of the aisle that the AES/CES has been an important priority. I certainly have heard you, and I am certainly glad that Senator Van Woerkom has stepped up to show his support by leading the charge.

I would urge adoption of this amendment.

Senator Goschka's second statement is as follows:

Just briefly, I do want to thank my colleagues for the hard work that they put in with me on this budget. I am very pleased that at the end of the day we were able to restore the Michigan Tuition Grant; that we were able to look at the initial proposal and working together to vastly improve this bill. It is my hope and intent that, as we hear about the May revenue estimating conference and see where we may be financially as a state, I hope that we are able to put more money into higher education. It is the best investment, I think, we can possibly do in terms of our young people in this state—to stand behind them at a time when our economy, frankly, is challenged, and to say with the resources that we have, we are going to put a sizable amount into your education. That is exactly the statement that we are making today here on the Senate floor in voting for this bill.

Again, I am very proud that we were able to work together and to have the support of leadership, and certainly, the colleagues on both sides of the aisle to make this a better bill. I hope that as we forge ahead on this work in progress that we are able to do the very best that we can for our greatest investment, and that's the children of Michigan.

Senator Cherry's statement is as follows:

I have to tell you that it is with great pleasure that for the first time in a few years that I want to vote for this bill. It's a bill that is a great compromise between both sides of the aisle. It invests in higher education, and it recognizes the role that the three research universities play in this state and the important role that they have in economic development. It also makes sure that the other universities get more of an increase than what was originally proposed in the Senate version.

I have to thank my colleagues for the work that they did and the willingness to work together to solve this issue. I am proud to support it.

The following bill was read a third time:

**Senate Bill No. 1084, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.



The question being on the passage of the bill,  
 Senator Bishop offered the following amendment:

1. Amend page 28, following line 21, by inserting:

“Sec. 504. The department shall develop and maintain a statewide waiting list for offenders referred for assessment for the assaultive offender program for parole eligibility and, if possible, shall transfer prisoners into facilities where assaultive offender programs are available in order to facilitate timely participation and completion prior to parole eligibility hearings. Nothing in this section should be deemed to make parole denial appealable in court.”.

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

The question being on the passage of the bill,

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

**Roll Call No. 207**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—1**

Leland

In The Chair: President

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

The following bill was read a third time:

**Senate Bill No. 1086, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The question being on the passage of the bill,  
 Senators McManus and Cropsey offered the following amendment:  
 1. Amend page 30, line 1, by striking out all of lines 1 through 5.  
 The amendment was adopted, a majority of the members serving voting therefor.

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

**Roll Call No. 208****Yeas—36**

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

**Nays—2**

Cropsey	Garcia
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**Excused—0****Not Voting—0**

In The Chair: President

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

**Protests**

Senators Garcia and Cropsey, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1086.

Senator Garcia's statement, in which Senator Cropsey concurred, is as follows:

I wish to reiterate again that I do wish that we maintain a state where we have clean air and clean water, but my "no" vote is one of the few tools that I have to express displeasure and a sign that I would like to see some things changed in the department. I'm willing to sit down with the department, talk with them some more, but until I think some things change in the department, I can't in good conscience support this budget. That is why I did vote against the budget.

Senator Cropsey's statement is as follows:

I'd like to state that the folks who are on the liberal side of the environmental issues, perhaps the director will meet with you. For those of us on the other side, when we have very real problems in our district and we've asked him to come and actually view the problems, it's kind of like he's too busy or he can't do it. For whatever reason, he won't be there. He'll send somebody else. That is totally unlike the Department of Corrections, where I've found the director has been in my office several times. I may not always agree with the director, but the director is very accessible and you can get things worked out.

I guess I'm just hugely disappointed in that department in that they try and hide behind that they're protecting the water, when I know that they're not in one of these instances; when they're protecting the environment, when I really

question that. Well, I think it's absolutely abysmal on the part of the department. If we are ever going to have the people have a say in this through their elected representatives, this department needs to start to respond.

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

The motion prevailed.

Senator Garcia's first statement is as follows:

This amendment would take \$8.9 million from the Department of Environmental Quality from a variety of line items. The reason I am doing this is to express my extreme displeasure with the department in how they have carried out their duties, at least in my district. I have heard from a number of other members who have expressed their dissatisfaction as well. All I am going to do is relate the stories as I have seen them firsthand in my district.

Three stories very quickly I hope. One is a situation in downtown Howell where there was a development coming in. The department stepped in and basically prevented the project from going forward, even though it was \$2 million in state and federal dollars coming to help in this development. It was road improvement and a number of other things and they refused to let this go forward because there was some contamination on the site that was going to be developed. Well, there was a plan to clean it. There was a provision in there for it. Unfortunately, though, the department said, no, we couldn't do that because the owner of the facility where the contamination occurred had to pay for it. In fact, he had to sell the property at a loss and clean it up.

Now any person who operates a business would not sell property at a loss, especially if they were forced to do so; especially when there was a plan to clean up the property, and come to find out, he had not even committed the contamination. There was some leaded gasoline. As you know, we went away from leaded gasoline sometime in the '70s, and so he didn't even commit the contamination. It had been sold to him; at least it had been sold twice thereafter. It took the individual to hire a personal environmental attorney to prove to the department that he did not commit the contamination.

Again, everyone knew that the contamination was there. We had a plan to fix it up, but the department was completely unreasonable and refused to budge. It was only after we proved to them that he did not make the contamination that they finally backed off.

Second situation, a company had gotten a permit to release a little bit of chrome into the nearby waters, within regulation. They renewed that permit in 1997 and in 1999 or 2000. The department came back and said, "Oh, by the way, the regulations have changed and you are no longer to do that, and by the way, we are going to fine you \$1 million."

Well, the company took it to court. They finally came away with a settlement after much negotiation to about \$287,000, and the department then wanted them to pay it all right away. What would have happened is they would have put this company out of business and jobs would have been lost. Instead of trying to find a reasonable solution, a payment method, by which the company could continue to operate and let jobs continue, they wanted to basically put them out of business. Well, again they went to court, they got it resolved, and they are going to have an installment system.

Last, but not least, in another part of my district, a small restaurant that used to sit near a fire station was asked to test the groundwater because there had been some seepage. The company did the testing, the city did the testing, but it was not good enough. The regulations were changing and so the case was not closed. They wanted the city and the company to do even more testing outside the boundary they had originally set. In fact, it was a moving target, and would have cost the city another \$10,000, money which the city didn't have, especially in tight times.

My point in all of this is we have a department that all of a sudden thinks that they can run amuck among the state and be unreasonable, irresponsible, and unresponsive, and as a result, they are putting people out of work. I just want the director and the department to pay attention and to do things right. I am all for clean air. I am all for clean water. I certainly want to make polluters pay and do the right thing, but here is a department that needs to get its act together and do the right thing and be reasonable with people. That's all I ask, so I ask the members to support this amendment to send a message to the department.

Senator Garcia's second statement is as follows:

I want to thank those who spoke out in favor of the amendment and also those who have expressed their concern about this department and their actions out in the field. I wish I would not have had to offer an amendment like this. I would prefer to work with a department and others hand-in-hand to cooperate and find good solutions that everyone can live with. Unfortunately, this department has made it very difficult to do that.

However, I also want to add that the chairman of this committee has done a great job. She is aware of this problem. She has taken a number of steps to try to correct and corral the problems that are out there. So I applaud her for this, and I think, if I could borrow an analogy from the previous speaker, I'm going to put the pin back in the hand grenade. With leave of this body, I am going to withdraw this amendment because I believe the department has gotten the message that we are very unhappy with them.

However, if I find that there is retaliation attempted to any of my constituents, we will revisit this issue because I would rather work with the department than to work against them. We all want clean air, we all want clean water, and we all want to make sure that the environment is protected. I am willing to back that up, but I want to work with people who are reasonable. So again, Mr. Lieutenant Governor, I ask to withdraw the amendment.

Senator Cropsey's first statement is as follows:

I want to thank the Senator for offering this amendment because it is about time somebody started to point out the flaws in this department. The previous speaker talked about endangering key programs, and this department is endangering jobs all over this state. We can fix our tax issues in this state by legislation, but when it comes to a department and the rules that they put down, the arbitrary capricious nature by which they enforce things, this department is a job-killing department, make no mistake about that. This department is killing jobs in the name of the environment. I have an amendment that I am going to speaking to in just a little bit. When I speak to that, you will find out, wow, they are actually endangering the environment just to make people spend more because of philosophical changes that they have in that department.

It is time that this department was held accountable for its misdeeds. It is destroying jobs not only in the Senator's district who has sponsored this amendment, but it is wasting people's money in every one of the four counties that I represent. We can go into detail about all those, but I don't plan to do that; but I do on one when that amendment comes up.

I would hope that we would adopt this amendment because I think the Senator who offered it is on the right track. It's time that this department was held accountable instead of running roughshod on property rights, instead of running roughshod over people; instead of having arbitrary and capricious decisions that it makes.

I would hope that we would support the Garcia amendment.

Senator Cropsey's second statement is as follows:

I wanted to respond to the remarks of the Senator from the 19th District, the Minority Floor Leader. My dealings with this department have been less than good. I think the department's integrity is certainly less than sterling. When you are lied to by the department, that sticks in your craw, and I feel that I have been lied to by the department. Whether it's the director himself or someone else in his department, but their credibility is in the toilet as far as this Senator is concerned. I resent that department, I resent their arrogance, and I resent the arrogance that they have toward my constituents.

Senator Cropsey's third statement is as follows:

What this amendment does is it, in essence, strips the amendment that we had adopted in the Senate Appropriations Committee that I had offered. With that, I want to explain my motivation for doing so and explain the egregious misconduct that the Department of Environmental Quality is engaging in. I think it is egregious misconduct that is damaging the department and also the environment for all of you who are concerned about the environment.

I am withdrawing it. I want to thank the chairman of the subcommittee of Appropriations for allowing the amendment to go on in the Appropriations Committee and for also working to try and bring this department into line where it is, once again, subject to the will of the people. I am willing to give the subcommittee chairman that opportunity, and I wish her good luck. I am afraid she is going to fail, though, if that department continues on with the arrogant attitude that it has had in the past.

Let me tell you what this amendment does. It takes \$50,000 out that was going to my church in my district; the church that I happen to go to. I want to explain why I offered the amendment and why I am withdrawing it. About thirty years ago, the church expanded to build a school. Before it could build the school, the government said you have to put in a lagoon system because you don't have enough property to put in a septic system. At that time, a lagoon system was much more expensive than putting in a septic system. What happened was, because they did not have enough property or didn't think they had enough, they had it resurveyed and they found out that they actually did have enough property to put in a septic system. When they went back and said they wanted to put in a septic system, we now have enough property to do so, the government said, "No, you are going to put in a lagoon system"—flat out—"that is what you are going to do." At that time, the government thought a lagoon system was a better way to handle wastewater than a septic system. So, with that ultimatum by the government, the church said, "Alright, we will put in a lagoon system." What happened was the lagoon system was more expensive than the septic system, but the government said that the lagoon system was more environmentally-friendly, and that's what they wanted.

They did put in a lagoon system at tremendous expense to the people of that church. It's a big lagoon system so big, in fact, that less than 50 percent of that lagoon for sewage treatment purposes has ever been utilized. The clay lining in the lagoon was thicker, much thicker than what the specifications called for and what the consultant had requested and what the government had approved. The fact is, the lagoon system was such a good lagoon system that the Department of Natural Resources would send people out there—it's only twenty miles away from here—and say, "We want you to put in a lagoon system. This is the type of lagoon system, and this church has done it. If this church can

do it, you can do it too.” It was a model lagoon system.

Now, thirty years later, changes have come about and philosophy has changed in the Department of Environmental Quality. Philosophy has changed in the Department of Environmental Quality. They never said the science has changed, but now all of a sudden, it is philosophically better as far as they are concerned to have a septic system instead of a lagoon system. So now the church is going to be spending probably \$30,000-\$40,000-\$50,000 to put in not one septic system, but about four to five different septic systems. I think that is a tremendous waste of the money of the people of this state.

My question to the department is, “Are you really helping groundwater by having it go into a septic system where most of it will eventually feed into the groundwater or keeping it in a lagoon system?” Frankly, a lagoon system is probably much more environmentally-conscious than what a septic system is.

I want to respond to the *Lansing State Journal* article on this issue, where it says, “Cropsey wants state to pay for new sewage system at his church.” Actually, I don’t want the state to pay for it. I would much rather have the department say, “You know what, the lagoon system is much better”—but they are not going to do that because they have themselves entrenched into the idea that, “You know what, we will have them put in a septic system to get it out of our hair.” This is what the DEQ says, “The DEQ contends that the church needs a septic system to replace its leaky lagoon system.” You know, I am a little perturbed with the *Associated Press* for putting that in there. I am going to tell you why. They called me up and got some quotes from me. I told them, “You know, I would be interested. If you want to give me a call back on that issue, feel free to do so.” When people read this article, they assume the lagoon system is leaking. The lagoon system is performing the way it was designed to perform. For the department to come and say it is leaking and have no data in order to back that up, it is absolutely, totally irresponsible and they know it. There are wells in the area that have been tested and will continue to be tested that the lagoon is not leaking. I am going to tell you this: When a septic system goes in, there is going to be a whole lot more of that water, that sewage water that is going into the groundwater system than what there ever would be with a lagoon system.

So do I question the integrity of this department? When I read articles like this, you better believe I do. The article goes on and says, “We are doing everything that the Legislature told us to do.” I think that is a bunch of bologna too because they told me their philosophy has changed as far as the difference between the septic systems and the lagoon systems. So now the church is going to be spending somewhere between \$25,000 and \$50,000 to put in a septic system, the technology of which is far older than it is for lagoon systems. I think it has far greater hazard to groundwater than a lagoon system does, but yet, this is our Department of Environmental Quality, which ought to be called the department of environmental derogation and job killing.

I hope the church does not have to totally dismantle the lagoon. I say it for this reason: Because probably in another twenty-five to thirty years they will have a change in philosophy again and say, “You know what, a lagoon system probably was better than a septic system,” and have you build it all over again. This department is out of control. This is one example. I can go back to my office and I can give you at least one example from every one of my four counties on the department that is out of control.

I do hope that the chairman of the subcommittee is able to get some of her legislation through to hold this department accountable because right now it is running roughshod. I hate to say it, but there are certain people in the press who just love anything that says environment and anything that the DEQ does is above reproach according to them, apparently, or at least above question. I would just ask the press to start to question the Department of Environmental Quality and ask them why they are doing what they are doing. With that, I reluctantly ask your support of the amendment.

Senator Cropsey’s fourth statement is as follows:

I just want to tell the previous speaker that I would be more than happy to take her up on that. Let me tell you that having dealt with that, I know you have a Mount Everest to climb. I had requested Director Chester to come out to the lagoon system to personally take a look at it. In fact, I cleared my calendar one day so I could be out there with him, and they decided to cancel. He was willing to talk by telephone, but to come out and actually see the destruction that they were going to do, he didn’t want to do that.

Senator Hammerstrom moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

#### **General Orders**

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop as Chairperson.

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

**House Bill No. 5640, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 8 (MCL 207.803 and 207.808), as amended by 2006 PA 21.

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. 1095, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, and 54a as added by 2005 PA 155, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, section 20d as amended by 1997 PA 93, sections 25a and 161a as added by 1998 PA 553, and section 121 as amended by 1995 PA 130, and by adding sections 22e, 24a, 24c, 29, 32, 32b, 34, 35, 64, 65, 66, 99c, and 104; and to repeal acts and parts of acts.

Substitute (S-1).

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

1. Amend page 37, following line 11, by inserting:

**"SEC. 11N. FROM THE APPROPRIATIONS IN SECTION 11, THERE IS ALLOCATED FOR 2006-2007 AN AMOUNT NOT TO EXCEED \$22,800,000.00 FOR FISCAL YEAR CASH-FLOW BORROWING COSTS SOLELY RELATED TO THE STATE SCHOOL AID FUND ESTABLISHED BY SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963."**

2. Amend page 61, following line 6, by inserting:

**"(20) FOR A DISTRICT THAT LEVIED 1.9 MILLS IN 1993 TO FINANCE AN OPERATING DEFICIT, THE DISTRICT'S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF THOSE MILLS WERE INCLUDED AS OPERATING MILLS IN THE CALCULATION OF THE DISTRICT'S 1994-1995 FOUNDATION ALLOWANCE. A DISTRICT IS NOT ENTITLED TO ANY RETROACTIVE PAYMENTS FOR FISCAL YEARS BEFORE 2006-2007 DUE TO THIS SUBSECTION. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$500,000.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT.**

**(21) FOR A DISTRICT IN WHICH THE SCHOOL ELECTORS VOTED IN 1993 ON A PROPOSAL TO OVERRIDE A MILLAGE REDUCTION REQUIRED UNDER SECTION 31 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 OF 4.38 MILLS FOR OPERATING PURPOSES BUT DID NOT APPROVE THE PROPOSAL, THE DISTRICT'S COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL SHALL BE RECALCULATED AS IF THAT MILLAGE REDUCTION DID NOT OCCUR AND, BEGINNING IN 2006-2007, THE DISTRICT'S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF ITS 1994-1995 FOUNDATION ALLOWANCE HAD BEEN CALCULATED USING THE RECALCULATED 1993-1994 COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL AS A BASE. A DISTRICT IS NOT ENTITLED TO ANY RETROACTIVE PAYMENTS FOR FISCAL YEARS BEFORE 2006-2007 DUE TO THIS SUBSECTION. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$100.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT.**

**(22) FOR A DISTRICT IN WHICH 4.91 MILLS LEVIED IN 1992 FOR SCHOOL OPERATING PURPOSES IN THE 1992-93 SCHOOL YEAR WERE NOT RENEWED IN 1993 FOR SCHOOL OPERATING PURPOSES IN THE 1993-94 SCHOOL YEAR, THE DISTRICT'S COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL SHALL BE RECALCULATED AS IF THAT MILLAGE REDUCTION DID NOT**

**OCCUR AND, BEGINNING IN 2006-2007, THE DISTRICT'S FOUNDATION ALLOWANCE SHALL BE CALCULATED AS IF ITS 1994-95 FOUNDATION ALLOWANCE HAD BEEN CALCULATED USING THAT RECALCULATED 1993-94 COMBINED STATE AND LOCAL REVENUE PER MEMBERSHIP PUPIL AS A BASE. A DISTRICT IS NOT ENTITLED TO ANY RETROACTIVE PAYMENTS FOR FISCAL YEARS BEFORE 2006-2007 DUE TO THIS SUBSECTION. A DISTRICT RECEIVING AN ADJUSTMENT UNDER THIS SUBSECTION SHALL NOT RECEIVE MORE THAN \$100.00 FOR A FISCAL YEAR AS A RESULT OF THIS ADJUSTMENT."** and renumbering the remaining subsections.

3. Amend page 69, line 10, after **"EXCEED"** by striking out **"\$3,604,550,000.00"** and inserting **"\$3,604,550,200.00"** and adjusting the totals in section 11 and enacting section 1 accordingly.

4. Amend page 79, following line 14, by inserting:

**"SEC. 29. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR 2006-2007 FOR ADDITIONAL PAYMENTS TO ELIGIBLE DISTRICTS FOR DECLINING ENROLLMENT ASSISTANCE.**

**(2) A DISTRICT IS ELIGIBLE FOR A PAYMENT UNDER THIS SECTION IF ALL OF THE FOLLOWING APPLY:**

**(A) THE DISTRICT'S PUPIL MEMBERSHIP FOR THE CURRENT FISCAL YEAR IS LESS THAN THE DISTRICT'S PUPIL MEMBERSHIP FOR THE IMMEDIATELY PRECEDING FISCAL YEAR AND THE DISTRICT'S PUPIL MEMBERSHIP FOR THE IMMEDIATELY PRECEDING FISCAL YEAR IS LESS THAN THE DISTRICT'S PUPIL MEMBERSHIP FOR THE PREVIOUSLY PRECEDING FISCAL YEAR AS CALCULATED UNDER SECTION 6 FOR THAT FISCAL YEAR.**

**(B) THE DISTRICT'S AVERAGE PUPIL MEMBERSHIP 1 IS GREATER THAN THE DISTRICT'S PUPIL MEMBERSHIP FOR THE CURRENT FISCAL YEAR AS CALCULATED UNDER SECTION 6.**

**(C) THE DISTRICT IS NOT ELIGIBLE TO RECEIVE FUNDING UNDER SECTIONS 6(4)(Y) OR 22D OF THIS ACT.**

**(3) PAYMENTS TO EACH ELIGIBLE DISTRICT SHALL BE EQUAL TO THE DIFFERENCE BETWEEN THE DISTRICT'S AVERAGE PUPIL MEMBERSHIP AND THE DISTRICT'S PUPIL MEMBERSHIP AS CALCULATED UNDER SECTION 6 FOR THE CURRENT FISCAL YEAR MULTIPLIED BY THE DISTRICT'S FOUNDATION ALLOWANCE AS CALCULATED UNDER SECTION 20. IF THE TOTAL AMOUNT OF THE PAYMENTS CALCULATED UNDER THIS SUBSECTION EXCEEDS THE ALLOCATION FOR THIS SECTION, THE PAYMENT TO EACH DISTRICT SHALL BE PRORATED ON AN EQUAL PERCENTAGE BASIS.**

**(4) FOR THE PURPOSES OF THIS SECTION, "AVERAGE PUPIL MEMBERSHIP" MEANS THE AVERAGE OF THE DISTRICT'S MEMBERSHIP FOR THE 3-FISCAL-YEAR PERIOD ENDING WITH THE CURRENT FISCAL YEAR, CALCULATED BY ADDING THE DISTRICT'S ACTUAL MEMBERSHIP FOR EACH OF THOSE 3 FISCAL YEARS, AS OTHERWISE CALCULATED UNDER SECTION 6, AND DIVIDING THE SUM OF THOSE 3 MEMBERSHIP FIGURES BY 3."**

5. Amend page 93, line 25, after **"32J,"** by inserting **"32K,"**.

6. Amend page 101, following line 16, by inserting:

**"Sec. 32k. (1) From the funds ~~appropriated in section 11~~ ALLOCATED UNDER SECTION 32, there is allocated FOR 2006-2007 an amount not to exceed \$0.00 for a statewide before- or after-school program to provide youth with a safe, engaging environment to motivate and inspire learning outside the traditional classroom setting. Before-school programs are limited to elementary school-aged children. Effective before- or after-school programs combine academic, enrichment, and recreation activities to guide learning and inspire children and youth in various activities. The before- or after-school programs can meet the needs of the communities served by the programs.**

**(2) The department shall work in collaboration with the family independence agency under this section.**

**(3) The department shall, through a competitive bid process, provide grants or contracts up to \$0.00 in state school aid funds for the program based on community needs. A county shall receive no more than 20% of the funds allocated under this section for this program. The use of funds under this section should not be considered an ongoing commitment of funding.**

**(4) The before- or after-school programs funded under this section shall include, at a minimum, at least 3 of the following topics:**

**(a) Abstinence-based pregnancy prevention.**

**(b) Chemical abuse and dependency including nonmedical services.**

**(c) Gang violence prevention.**

**(d) Academic assistance, including assistance with reading and writing.**

**(e) Preparation toward future self-sufficiency.**

**(f) Leadership development.**

**(g) Case management or mentoring.**

**(h) Parental involvement.**

(i) Anger management.

(5) The department may enter into grants or contracts with independent contractors including, but not limited to, faith-based organizations, boys or girls clubs, schools, or nonprofit organizations. The department shall grant priority in funding independent contractors who secure at least 25% in matching funds. The matching funds may either be fulfilled through local, state, or federal funds, or through in-kind or other donations.

(6) A referral to a program may be made by, but is not limited to, any of the following: a teacher, counselor, parent, police officer, judge, or social worker.

(7) By August 30, ~~2005~~ 2007, the department before- or after-school program expenditures shall be audited and the department shall work in collaboration with independent contractors to provide a report on the before- or after-school program to the senate and house standing committees dealing with human services and education, the senate and house appropriations subcommittees for this act, the senate and house fiscal agencies, and the senate and house policy offices. The report shall include the number of participants and the average cost per participant, as well as changes noted in program participants in any of the following categories:

(a) Juvenile crime.

(b) Aggressive behavior.

(c) Academic achievement.

(d) Development of new skills and interests.

(e) School attendance and dropout rates.

(f) Behavioral changes in school.

(8) Private foundations may contribute funding to this program, as determined by the department.”.

7. Amend page 106, following line 18, by inserting:

**“SEC. 34A. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR 2006-2007 FOR COMPETITIVE GRANTS TO ELIGIBLE DISTRICTS FOR MATHEMATICS AND READING LITERACY PROGRAMS FOR PUPILS IN GRADES K TO 3 TO PREPARE ALL STUDENTS TO ACHIEVE ADEQUATE YEARLY PROGRESS AS DEFINED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110.**

**(2) DISTRICTS MAY SUBMIT 1 APPLICATION FOR A MAXIMUM OF 5 ELEMENTARY SCHOOL BUILDINGS PER APPLICATION. THE DEPARTMENT SHALL GIVE PRIORITY TO THOSE APPLICATIONS THAT MEET THE FOLLOWING 4 CRITERIA:**

**(A) DISTRICTS WITH ELEMENTARY SCHOOL BUILDINGS THAT DID NOT ACHIEVE ADEQUATE YEARLY PROGRESS AS DEFINED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, FOR 2 OUT OF THE LAST 3 SCHOOL YEARS DUE TO STUDENT PROFICIENCY IN MATHEMATICS OR READING.**

**(B) IN ADDITION, PRIORITY IN AWARDING GRANTS SHALL BE GIVEN TO PROGRAMS THAT:**

**(i) REDUCE THE NUMBER OF PUPILS REQUIRING SPECIAL EDUCATION PROGRAMS AND SERVICES.**

**(ii) IMPROVE STANDARDIZED ASSESSMENT SCORES IN THE AREAS OF MATHEMATICS AND READING.**

**(iii) CAN BE REPLICATED IN OTHER ELEMENTARY SCHOOLS IN THE STATE IF FOUND TO BE SUCCESSFUL IN MEETING THE GOALS OF THIS SECTION.**

**(3) TO QUALIFY FOR FUNDING UNDER THIS SECTION, A PROPOSED MATHEMATICS OR READING IMPROVEMENT PROGRAM MUST MEET ALL OF THE FOLLOWING CRITERIA:**

**(A) BE A RESEARCH-BASED, VALIDATED, STRUCTURED PROGRAM.**

**(B) PROVIDE AN ASSESSMENT OF MATHEMATICS OR READING SKILLS OF PUPILS IN GRADES K TO 3 TO IDENTIFY THOSE PUPILS WHO ARE PERFORMING BELOW GRADE-LEVEL STATE STANDARDS IN MATHEMATICS OR READING AND MUST PROVIDE SPECIAL ASSISTANCE TO SUCH PUPILS.**

**(C) INCLUDE CONTINUOUS ASSESSMENT OF PUPILS AND INDIVIDUALIZED EDUCATION PLANS FOR PUPILS.**

**(D) BE PART OF A LOCAL BOARD-APPROVED 1 SCHOOL IMPROVEMENT PLAN.**

**(4) A GRANT APPLICATION SHALL BE SUBMITTED TO THE DEPARTMENT IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. TO BE CONSIDERED FOR A GRANT UNDER THIS SECTION, A GRANT APPLICATION MUST PROVIDE AT LEAST ALL OF THE FOLLOWING:**

**(A) IDENTIFICATION OF A MATHEMATICS OR READING IMPROVEMENT PROGRAM THAT MEETS ALL OF THE CRITERIA IN SUBSECTION (3).**

**(B) A PROJECTED BUDGET FOR THE PROGRAM. ALLOWABLE EXPENSES SHALL BE DETERMINED BY THE DEPARTMENT, BUT MAY INCLUDE CURRICULA AND MATERIAL AND SUPPLY PURCHASES, AS WELL AS TEACHER PROFESSIONAL DEVELOPMENT.**

**(C) DISTRICTS MUST PROVIDE AT LEAST A 20% LOCAL MATCH FROM LOCAL PUBLIC OR PRIVATE RESOURCES FOR THE FUNDS RECEIVED UNDER THIS SECTION. NOT MORE THAN**



**1/2 OF THIS MATCHING REQUIREMENT, UP TO A TOTAL OF 10% OF THE TOTAL PROJECT BUDGET, MAY BE SATISFIED THROUGH IN-KIND SERVICES PROVIDED BY PARTICIPATING PROVIDERS OF PROGRAMS OR SERVICES.**

**(D) DISTRICTS RECEIVING A GRANT UNDER THIS SECTION MUST AGREE TO SET ASIDE 1.5% OF THE GRANT AWARD FOR DATA COLLECTION AND STATEWIDE EVALUATION ACTIVITIES.**

**(E) A DISTRICT MAY EXPEND NOT MORE THAN 5% OF THE TOTAL GRANT AMOUNT FOR ADMINISTRATION OF THE PROGRAM.**

**(F) FOR EACH SCHOOL BUILDING RECEIVING FUNDING UNDER THIS SECTION, THE AMOUNT OF THE GRANT SHALL NOT EXCEED \$100,000.00 PER SCHOOL BUILDING ANNUALLY.**

**(5) A PROGRAM RECEIVING FUNDING UNDER THIS SECTION MAY BE CONDUCTED OUTSIDE OF REGULAR SCHOOL HOURS OR OUTSIDE OF THE REGULAR SCHOOL CALENDAR.**

**(6) SUBJECT TO AVAILABLE REVENUES, FUNDING TO DISTRICTS UNDER THIS SECTION IS INTENDED TO BE THE FIRST YEAR OF 3 YEARS OF FUNDING. FUNDS ALLOCATED UNDER THIS SECTION MAY BE EXPENDED THROUGH THE END OF THE FOLLOWING FISCAL YEAR.**

**SEC. 35. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR 2006-2007 FOR COMPETITIVE GRANTS TO ELIGIBLE DISTRICTS TO IMPLEMENT, EXPAND, OR ENHANCE MIDDLE SCHOOL AFTERSCHOOL PROGRAMS THAT PROVIDE ACADEMIC ENRICHMENT OPPORTUNITIES DESIGNED TO HELP STUDENTS MEET LOCAL, STATE AND FEDERAL STANDARDS IN MATHEMATICS, SCIENCE, AND COMPUTER TECHNOLOGY AND TO PREPARE STUDENTS FOR A MORE RIGOROUS HIGH SCHOOL CURRICULUM.**

**(2) DISTRICTS MAY SUBMIT APPLICATIONS FOR A MAXIMUM OF 5 SCHOOL BUILDINGS PER APPLICATION FOR MIDDLE SCHOOL AFTERSCHOOL PROGRAMS. ALL STUDENTS WHO ATTEND THOSE SCHOOLS ARE ELIGIBLE TO ATTEND THE AFTERSCHOOL PROGRAM. THE DEPARTMENT SHALL GIVE PRIORITY TO APPLICATIONS THAT MEET THE FOLLOWING CRITERIA:**

**(A) DISTRICTS WITH ENROLLMENT AREAS HAVING A 50% OR HIGHER POVERTY RATE AS DETERMINED BY THE MOST RECENT UNITED STATES CENSUS DATA.**

**(B) SCHOOL BUILDINGS WITH 30% OR MORE ENROLLED STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE LUNCH, AS DETERMINED UNDER THE RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT, 42 USC 1751 TO 1769H.**

**(C) SCHOOL BUILDINGS THAT DID NOT ACHIEVE ADEQUATE YEARLY PROGRESS AS DEFINED UNDER THE NO CHILD LEFT BEHIND ACT OF 2001, PUBLIC LAW 107-110, FOR 2 OUT OF THE LAST 3 SCHOOL YEARS DUE TO STUDENT PROFICIENCY IN MATHEMATICS OR SCIENCE.**

**(D) SCHOOL BUILDINGS THAT ARE IN CONSORTIUM WITH AT LEAST 1 COMMUNITY-BASED ORGANIZATION THAT PROVIDES SERVICES TO YOUTH THAT ARE CONSISTENT WITH THE GOALS OF THIS PROGRAM.**

**(3) ELIGIBLE PROGRAMS MUST PROVIDE THE FOLLOWING COMPONENTS:**

**(A) OPERATE A MINIMUM OF 3 HOURS EACH DAY AFTER REGULARLY SCHEDULED SCHOOL DAYS, 5 SCHOOL DAYS PER WEEK, DURING THE SCHOOL YEAR. ELIGIBLE PROGRAMS MAY ALSO OPERATE DURING ANY OTHER HOURS OR PERIODS WHEN SCHOOL IS NOT IN SESSION.**

**(B) INCLUDE AN ARRAY OF SUPERVISED SERVICES SUCH AS TUTORIAL SERVICES, HOMEWORK ASSISTANCE, AND ACADEMIC ENRICHMENT ACTIVITIES THAT ARE DESIGNED TO HELP STUDENTS MEET LOCAL, STATE, AND FEDERAL STANDARDS IN MATHEMATICS, SCIENCE, AND COMPUTER TECHNOLOGY AND TO PREPARE STUDENTS FOR A RIGOROUS HIGH SCHOOL CURRICULUM. IN ADDITION, ELIGIBLE PROGRAMS ARE ENCOURAGED TO INCLUDE OTHER ACTIVITIES THAT PROVIDE OPPORTUNITIES FOR LEARNING MATHEMATICS, SCIENCE, AND COMPUTER TECHNOLOGY SKILLS, INCLUDING, BUT NOT LIMITED TO:**

**(i) RECREATIONAL ACTIVITIES.**

**(ii) MUSICAL AND ARTISTIC ACTIVITIES.**

**(iii) OPPORTUNITIES TO USE ADVANCED TECHNOLOGY, PARTICULARLY FOR THOSE STUDENTS WHO DO NOT HAVE ACCESS TO COMPUTERS OR TELECOMMUNICATIONS AT HOME.**

**(iv) ACTIVITIES THAT ENCOURAGE ADULT FAMILY MEMBERS TO SUPPORT THEIR CHILDREN'S ACADEMIC ACHIEVEMENT.**

**(v) YOUTH DEVELOPMENT ACTIVITIES, INCLUDING DRUG AND VIOLENCE PREVENTION PROGRAMS.**

**(C) IN ADDITION TO THE COMPONENTS 1 DESCRIBED IN SUBDIVISION (B), ELIGIBLE MIDDLE SCHOOL AFTERSCHOOL PROGRAMS MUST PROVIDE CAREER PATHWAY AND POSTSECONDARY EDUCATION GUIDANCE AND COUNSELING.**

(4) A GRANT APPLICATION SHALL BE SUBMITTED TO THE DEPARTMENT IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. TO BE CONSIDERED FOR A GRANT UNDER THIS SECTION, A GRANT APPLICATION MUST PROVIDE AT LEAST ALL OF THE FOLLOWING:

(A) A PLAN FOR THE DELIVERY OF THE PROGRAM COMPONENTS DESCRIBED IN SUBSECTION (3).

(B) EVIDENCE OF ADEQUATE COLLABORATION OF LOCAL ENTITIES INVOLVED IN PROVIDING PROGRAMS AND SERVICES FOR SCHOOL-AGE CHILDREN. A LETTER OF SUPPORT OR COLLABORATION FROM AN AREA MULTIPURPOSE COLLABORATIVE BODY IS 1 FORM OF SUFFICIENT EVIDENCE.

(C) A PROJECTED BUDGET FOR EACH OF THE PROGRAM SITES TO BE FUNDED. ALLOWABLE EXPENSES SHALL BE DETERMINED BY THE DEPARTMENT.

(D) FOR THOSE SCHOOL BUILDINGS THAT DO NOT MEET THE PRIORITY DESCRIBED IN SUBSECTION (2)(B), DISTRICTS MUST PROVIDE AT LEAST A 20% LOCAL MATCH FROM LOCAL PUBLIC OR PRIVATE RESOURCES FOR THAT SCHOOL BUILDING, WHICH MAY BE SATISFIED THROUGH IN-KIND SERVICES PROVIDED BY COMMUNITY-BASED ORGANIZATIONS.

(E) DISTRICTS RECEIVING A GRANT UNDER THIS SECTION MUST AGREE TO SET ASIDE 1.5% OF THE GRANT AWARD FOR DATA COLLECTION AND STATEWIDE EVALUATION.

(F) DISTRICTS RECEIVING A GRANT UNDER THIS SECTION MAY CONTRACT FOR THE PROVISION OF THE AFTERSCHOOL PROGRAM AND RETAIN FOR ADMINISTRATIVE SERVICES AN AMOUNT EQUAL TO NOT MORE THAN 5% OF THE GRANT AMOUNT. A DISTRICT MAY EXPEND NOT MORE THAN 10% OF THE TOTAL GRANT AMOUNT FOR ADMINISTRATION 1 OF THE PROGRAM.

(G) A PROVISION FOR IMPLEMENTING A SLIDING SCALE OF TUITION BASED UPON A STUDENT'S FAMILY INCOME. TUITION MAY NOT BE CHARGED TO A STUDENT WHOSE FAMILY INCOME IS AT OR BELOW 250% OF THE FEDERAL POVERTY GUIDELINES PUBLISHED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(H) IF THE PROGRAM IS PROVIDED IN A NON-SCHOOL FACILITY, THE FACILITY MUST BE LICENSED AS A CHILD CARE CENTER AND MUST BE AT LEAST AS AVAILABLE AND AS ACCESSIBLE TO STUDENTS AS THE SCHOOL BUILDING. APPLICATIONS MUST ADDRESS HOW STUDENTS WILL BE SAFELY TRANSPORTED OR ESCORTED TO AND FROM OFF-CAMPUS LOCATIONS.

(5) SUBJECT TO AVAILABLE REVENUES, FUNDING TO DISTRICTS UNDER THIS SECTION IS INTENDED TO BE THE FIRST YEAR OF 5 YEARS OF FUNDING. FUNDS ALLOCATED UNDER THIS SECTION MAY BE EXPENDED THROUGH THE END OF THE FOLLOWING FISCAL YEAR.

(6) FOR THE PURPOSES OF THIS SECTION, "MIDDLE SCHOOL AFTERSCHOOL PROGRAM" IS DEFINED AS A PROGRAM SERVING STUDENTS IN GRADES 6, 7, OR 8, EXCEPT IN A K-6 BUILDING OR AN 8-12 BUILDING."

8. Amend page 134, following line 17, by inserting:

"SEC. 64. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR GRANTS TO INTERMEDIATE DISTRICTS OR A DISTRICT OF THE FIRST CLASS THAT ARE IN CONSORTIUM WITH A COMMUNITY COLLEGE AND A HOSPITAL TO CREATE AND IMPLEMENT A MIDDLE COLLEGE FOCUSED ON THE FIELD OF HEALTH SCIENCES.

(2) AWARDS SHALL BE MADE IN A MANNER AND FORM AS DETERMINED BY THE DEPARTMENT; HOWEVER, AT A MINIMUM, ELIGIBLE CONSORTIA FUNDED UNDER THIS SECTION SHALL ENSURE THE MIDDLE COLLEGE PROVIDES ALL OF THE FOLLOWING:

(A) OUTREACH PROGRAMS TO PROVIDE INFORMATION TO MIDDLE SCHOOL AND HIGH SCHOOL STUDENTS ABOUT CAREER OPPORTUNITIES IN THE HEALTH SCIENCES FIELD.

(B) AN INDIVIDUALIZED EDUCATION PLAN FOR EACH PUPIL ENROLLED IN THE PROGRAM.

(C) CURRICULUM THAT INCLUDES ENTRY-LEVEL COLLEGE COURSES.

(D) CLINICAL ROTATIONS THAT PROVIDE OPPORTUNITIES FOR PUPILS TO OBSERVE CAREERS IN THE HEALTH SCIENCES.

(3) FOR THE PURPOSES OF THIS SECTION, "MIDDLE COLLEGE" IS DEFINED AS A SERIES OF COURSES AND OTHER REQUIREMENTS AND CONDITIONS ESTABLISHED BY THE CONSORTIUM THAT ALLOW A PUPIL TO GRADUATE WITH A HIGH SCHOOL DIPLOMA AND A CERTIFICATE OR ASSOCIATE DEGREE FROM A COMMUNITY COLLEGE."

9. Amend page 135, following line 10, by inserting:

"SEC. 66. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100.00 FOR GRANTS TO INTERMEDIATE DISTRICTS OR CONSORTIUMS OF

**INTERMEDIATE DISTRICTS AND COMMUNITY COLLEGES TO AID THE DEPARTMENT AND THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH IN IDENTIFYING EXISTING CAREER AND TECHNICAL EDUCATION CURRICULA AND DEVELOPING NEW CAREER AND TECHNICAL EDUCATION CURRICULA THAT INCORPORATE THE MICHIGAN MERIT CORE CONTENT STANDARDS AND CREDIT REQUIREMENTS.**

**(2) GRANT APPLICATIONS SHALL BE SUBMITTED TO THE DEPARTMENT IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT.**

**(3) CURRICULA, CLASSROOM MATERIALS, AND RELATED PROFESSIONAL DEVELOPMENT DESIGNS AND MATERIALS CREATED USING THESE GRANT FUNDS MUST BE MADE AVAILABLE TO ALL DISTRICTS.**

**(4) THE DEPARTMENT SHALL AWARD GRANTS TO ELIGIBLE RECIPIENTS IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT; HOWEVER, THE DEPARTMENT SHALL GIVE PRIORITY TO GRANT PROPOSALS THAT PROVIDE THE MOST INNOVATIVE AND COST-EFFECTIVE APPROACHES TO REVOLUTIONIZING CAREER AND TECHNICAL EDUCATION TO PREPARE STUDENTS FOR WORK AND POSTSECONDARY EDUCATION IN THE 21ST CENTURY.”**

10. Amend page 153, following line 9, by inserting:

**“SEC. 98A. FROM THE APPROPRIATIONS IN SECTION 11, THERE IS ALLOCATED FOR 2006-2007 AN AMOUNT NOT TO EXCEED \$100.00 FOR COMPETITIVE GRANTS TO DISTRICTS AND INTERMEDIATE DISTRICTS UNDER THIS SECTION. GRANTS AWARDED UNDER THIS SECTION ARE FOR THE SUPPORT OF MIDDLE AND HIGH SCHOOL PUPILS TO ENROLL IN COURSES AT THE MICHIGAN VIRTUAL HIGH SCHOOL. A DISTRICT OR INTERMEDIATE DISTRICT THAT DOES NOT EXPEND THE ENTIRE GRANT RECEIVED UNDER THIS SECTION MAY CARRY FORWARD THE UNEXPENDED FUNDS TO THE NEXT FISCAL YEAR TO SUPPORT THE COSTS OF EDUCATING ADDITIONAL PUPILS AT THE MICHIGAN VIRTUAL HIGH SCHOOL.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

11. Amend page 204, line 15, after “31b,” by striking out “32k,”.

12. Amend page 204, line 17, by striking out “388.1632k,”.

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:

#### **Senate Bill No. 1095**

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

The following bill was read a third time:

#### **Senate Bill No. 1095, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 20, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1705, 388.1705c, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, and 54a as added by 2005 PA 155, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, sections 25a and 161a as added by 1998 PA 553, and section 121 as amended by 1995 PA 130, and by adding sections 11m, 22c, 22e, 24a, 24c, 31c, 32, 32b, 32m, 65, 99c, and 104; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Scott offered the following amendments:

1. Amend page 78, line 17, by striking out “\$37,650,000.00” and inserting “\$37,900,000.00”.

2. Amend page 78, line 19, after “EXCEED” by striking out “\$12,550,000.00” and inserting “\$12,300,000.00”.

3. Amend page 93, line 23, after “**EXCEED**” by striking out “**\$12,700,000.00**” and inserting “**\$12,950,000.00**”.
  4. Amend page 95, line 8, after “exceed” by striking out “\$250,000.00” and inserting “**\$500,000.00**”.
  5. Amend page 115, line 8, after “**EXCEED**” by striking out “**\$994,183,000.00**” and inserting “**\$993,933,000.00**”.
  6. Amend page 116, line 15, after “**AND**” by striking out “**\$208,000,000.00**” and inserting “**\$207,750,000.00**”.
- The amendments were adopted, a majority of the members serving voting therefor.

Senator Scott offered the following amendments:

1. Amend page 72, line 13, after “**EXCEED**” by striking out “**\$41,200,000.00**” and inserting “**\$34,800,000.00**”.
2. Amend page 72, line 16, after “**THAN**” by striking out “**\$7,160.00**” and inserting “**\$7,150.00**”.
3. Amend page 72, line 18, after “**FROM**” by striking out “**\$7,160.00**” and inserting “**\$7,150.00**”.
4. Amend page 96, line 19, by striking out “**\$80,000,000.00**” and inserting “**\$86,400,000.00**” and adjusting the totals in sections 11 and 32 and enacting section 1 accordingly.

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

Senator Schauer requested the yeas and nays.

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

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

### Roll Call No. 209

### Yeas—18

Barcia	Clarke	Patterson	Switalski
Basham	Emerson	Prusi	Thomas
Brater	Jacobs	Schauer	Toy
Cherry	Leland	Scott	Whitmer
Clark-Coleman	Olshove		

### Nays—19

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

### Excused—0

### Not Voting—1

Hardiman

In The Chair: President

Senator Switalski offered the following amendments:

1. Amend page 46, line 22, after “**IS**” by striking out “**\$7,100.00**” and inserting “**\$7,125.00**”.
2. Amend page 48, line 24, by striking out all of subdivision (E).
3. Amend page 69, line 10, after “**EXCEED**” by striking out “**\$3,604,550,000.00**” and inserting “**\$3,645,750,000.00**”.
4. Amend page 72, line 12, by striking out all of section 22c.

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

Senator Schauer requested the yeas and nays.

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

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

**Roll Call No. 210****Yeas—16**

Barcia	Clark-Coleman	Leland	Switalski
Basham	Clarke	Olshove	Thomas
Brater	Emerson	Schauer	Toy
Cherry	Jacobs	Scott	Whitmer

**Nays—22**

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

**Excused—0****Not Voting—0**

In The Chair: President

Senator Cassis offered the following amendments:

1. Amend page 106, following line 18, by inserting:

**“SEC. 34. (1) FROM THE APPROPRIATIONS IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$500,000.00 FOR 2006-2007 TO THE DEPARTMENT FOR GRANTS TO DISTRICTS UNDER THIS SECTION.**

**(2) NOT MORE THAN 76% OF THE MONEY ALLOCATED UNDER THIS SECTION SHALL BE USED FOR GRANTS TO DISTRICTS FOR THE FIRST YEAR OF A 5-YEAR GRANT PROGRAM TO DEVELOP AN EARLY INTERVENING MODEL PROGRAM FOR GRADES K TO 3. THE EARLY INTERVENING PROGRAM WILL INSTRUCT CLASSROOM TEACHERS AND SUPPORT STAFF ON HOW TO MONITOR INDIVIDUAL PUPIL LEARNING AND HOW TO PROVIDE SPECIFIC SUPPORT OR LEARNING STRATEGIES TO PUPILS AS EARLY AS POSSIBLE IN ORDER TO REDUCE THE NEED FOR SPECIAL EDUCATION PLACEMENT. THE PROGRAM WILL INCLUDE LITERACY AND NUMERACY SUPPORTS, SENSORY MOTOR SKILL DEVELOPMENT, BEHAVIOR SUPPORTS, INSTRUCTIONAL CONSULTATION FOR TEACHERS, AND THE DEVELOPMENT OF A PARENT/SCHOOL LEARNING PLAN. SPECIFIC SUPPORT OR LEARNING STRATEGIES MAY INCLUDE SUPPORT IN OR OUT OF THE GENERAL CLASSROOM IN AREAS INCLUDING READING, WRITING, MATH, VISUAL MEMORY, MOTOR SKILL DEVELOPMENT, BEHAVIOR, OR LANGUAGE DEVELOPMENT. THESE WOULD BE PROVIDED BASED ON AN UNDERSTANDING OF THE INDIVIDUAL CHILD’S LEARNING NEEDS. ALL OF THE FOLLOWING APPLY TO THE GRANTS:**

**(A) EACH SITE FUNDED BY A GRANT SHALL SERVE AS EITHER A MODEL SITE OF PRACTICE OR A SITE OF IMPROVEMENT. A MODEL SITE WILL SERVE AS AN ONGOING MODEL THAT PROVIDES THE EARLY INTERVENING PROGRAM FOR PUPILS AND CONDUCTS PROFESSIONAL DEVELOPMENT ON SITE FOR PERSONNEL VISITING FROM A SITE OF IMPROVEMENT. A SITE OF IMPROVEMENT IS A SITE THAT SEEKS TO IMPLEMENT THE EARLY INTERVENING PROGRAM.**

**(B) THE GRANTS SHALL BE DISTRIBUTED THROUGH A PROCESS ESTABLISHED BY THE DEPARTMENT. THE SELECTION OF GRANT RECIPIENTS SHALL BE BASED ON THE ABILITY TO SERVE AS A MODEL SITE OF PRACTICE OR, FOR A SITE OF IMPROVEMENT, BASED ON THE HIGHEST DEMONSTRATED NEED TO IMPROVE OPPORTUNITIES FOR LEARNING SUCCESS AS REFLECTED BY EITHER A COMBINED PERCENTAGE OF PUPILS WHO ARE LEARNING DISABLED, EMOTIONALLY IMPAIRED, OR SPEECH AND LANGUAGE IMPAIRED THAT IS HIGHER THAN THE**

STATEWIDE PERCENTAGE OF THOSE PUPILS OR A PERCENTAGE OF PUPILS READING BELOW GRADE LEVEL AS MEASURED BY THE STATEWIDE THIRD GRADE ENGLISH LANGUAGE ARTS ASSESSMENT THAT IS HIGHER THAN THE STATEWIDE PERCENTAGE OF THOSE PUPILS, AS DETERMINED BY THE DEPARTMENT. THE DEPARTMENT SHALL ENSURE GEOGRAPHIC DIVERSITY IN AWARDING GRANTS.

(C) THE DEPARTMENT SHALL AWARD UP TO 19 GRANTS, WITH NOT MORE THAN 4 OF THE GRANTS FOR DEVELOPMENT OF MODEL SITES OF PRACTICE AND NOT MORE THAN 15 OF THE GRANTS FOR SITES OF IMPROVEMENT. A MODEL SITE OF PRACTICE SHALL USE THE GRANT FUNDS TO MAKE PROFESSIONAL DEVELOPMENT ON HOW TO PROVIDE THE PROGRAM AVAILABLE ON SITE TO PERSONNEL FROM SITES OF IMPROVEMENT. A SITE OF IMPROVEMENT SHALL USE THE GRANT FUNDS TO PAY FOR THE EXPENSES OF OBTAINING THIS PROFESSIONAL DEVELOPMENT AND OTHER EXPENSES RELATED TO IMPLEMENTING AN EARLY INTERVENING PROGRAM.

(D) THE AMOUNT OF A GRANT TO A DISTRICT SHALL BE \$40,000.00.

(E) A GRANT SHALL BE USED FOR EARLY INTERVENING PROGRAMS FOR PUPILS AT THE ELEMENTARY LEVEL ONLY.

(3) NOT MORE THAN 24% OF THE MONEY ALLOCATED UNDER THIS SECTION SHALL BE USED FOR GRANTS TO DISTRICTS FOR PROGRAMS THAT PROVIDE EARLY INTERVENING STRATEGIES FOR PUPILS IN GRADES K TO 3 USING SCHOOLWIDE SYSTEMS OF ACADEMIC AND BEHAVIORAL SUPPORTS AND SHALL BE SCIENTIFICALLY RESEARCH-BASED. THE STRATEGIES TO BE PROVIDED SHALL INCLUDE AT LEAST PUPIL PERFORMANCE INDICATORS BASED UPON RESPONSE TO INTERVENTION, INSTRUCTIONAL CONSULTATION FOR TEACHERS, AND ONGOING PROGRESS MONITORING. A SCHOOLWIDE SYSTEM OF ACADEMIC AND BEHAVIORAL SUPPORT SHOULD BE BASED ON A SUPPORT TEAM AVAILABLE TO THE CLASSROOM TEACHERS. THE MEMBERS OF THIS TEAM COULD INCLUDE THE PRINCIPAL, SPECIAL EDUCATION STAFF, READING TEACHERS, AND OTHER APPROPRIATE PERSONNEL WHO WOULD BE AVAILABLE TO SYSTEMATICALLY STUDY THE NEEDS OF THE INDIVIDUAL CHILD AND WORK WITH THE TEACHER TO MATCH INSTRUCTION TO THE NEEDS OF THE INDIVIDUAL CHILD. THESE GRANTS SHALL BE DISTRIBUTED THROUGH A COMPETITIVE PROCESS ESTABLISHED BY THE DEPARTMENT. A GRANT SHALL BE USED FOR PROVIDING THESE PROGRAMS FOR PUPILS AT THE ELEMENTARY LEVEL ONLY.

(4) THE DEPARTMENT SHALL DEVELOP GUIDELINES ON THE USE OF THE GRANT FUNDS ALLOCATED UNDER THIS SECTION. THESE GUIDELINES SHALL ENSURE THAT THE USE OF THESE GRANT FUNDS IS CONSISTENT WITH RESEARCH AND INSTRUCTIONAL PROGRAMS THAT INCLUDE DATA-DRIVEN PROCESSES AND PROVEN METHODS OF SUCCESS.

(5) PROGRAMS FUNDED UNDER THIS SECTION SHALL INVITE VISITATION AND FEEDBACK FROM THE REGIONAL LITERACY TRAINING CENTER IN WHICH SERVICE AREA THE RECIPIENT DISTRICT IS LOCATED, AS IDENTIFIED BY THE DEPARTMENT.

(6) NOTWITHSTANDING SECTION 17B, PAYMENTS UNDER THIS SECTION MAY BE MADE PURSUANT TO AN AGREEMENT WITH THE DEPARTMENT.

(7) NOT LATER THAN JANUARY 30 OF THE NEXT FISCAL YEAR, THE DEPARTMENT SHALL PREPARE AND SUBMIT TO THE GOVERNOR, THE SENATE AND HOUSE STANDING COMMITTEES ON EDUCATION, AND THE SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEES HAVING JURISDICTION OVER STATE SCHOOL AID AN ANNUAL REPORT OF OUTCOMES ACHIEVED BY THE GRANT RECIPIENTS FUNDED UNDER THIS SECTION FOR A FISCAL YEAR. FOR THIS REPORT, THE FUNDED SITES SHALL COLLECT DATA PRESCRIBED BY THE DEPARTMENT AND REPORT TO THE DEPARTMENT ON THE PERCENTAGE OF PUPILS READING AT GRADE LEVEL BEFORE IMPLEMENTATION OF THE PROGRAM AND THE PERCENTAGE OF PUPILS READING AT GRADE LEVEL AFTER IMPLEMENTATION OF THE PROGRAM, AS MEASURED BY THE STATEWIDE THIRD GRADE ENGLISH LANGUAGE ARTS ASSESSMENT.”.

2. Amend page 115, line 8, after “EXCEED” by striking out “\$993,933,000.00” and inserting “\$993,433,000.00”.

3. Amend page 116, line 15, after “AND” by striking out “\$207,750,000.00” and inserting “\$207,250,000.00”.

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

Senator George offered the following amendments:

1. Amend page 79, line 17, by striking out “\$321,450,000.00” and inserting “\$321,350,000.00”.

2. Amend page 79, line 19, after “subsection” by striking out “(14)” and inserting “(13)”.

3. Amend page 79, line 20, after “SUBSECTION” by striking out “(6), (7), OR (8)” and inserting “(6) OR (7)”.

4. Amend page 80, line 11, after “(6)” by striking out the comma and “(7), OR (8)” and inserting “OR (7)”.

- 5. Amend page 82, line 6, after “(6),” by striking out “(7), OR (8)” and inserting “OR (7)”.
- 6. Amend page 83, line 7, after “subsection” by striking out “(13)” and inserting “(12)”.
- 7. Amend page 84, line 16, by striking out “(14)” and inserting “(13)”.
- 8. Amend page 84, line 26, by striking out all of subsection (8) and renumbering the remaining subsections.
- 9. Amend page 86, line 2, after “(6),” by striking out “(7), (8), and (13)” and inserting “(7), AND (12)”.
- 10. Amend page 86, line 8, after “(6),” by striking out “(7), (8), and (13)” and inserting “(7), AND (12)”.
- 11. Amend page 134, line 19, after “EXCEED” by striking out “\$680,100.00” and inserting “\$780,100.00”.
- 12. Amend page 134, line 20, by striking out “2”.
- 13. Amend page 134, line 23, by striking out all of subsection (2) and inserting:

“(2) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH SHALL AWARD \$680,100.00 FOR 2006-2007 TO THE 2 ELIGIBLE EXISTING PROGRAMS THAT RECEIVED FUNDS APPROPRIATED FOR THESE PURPOSES IN THE APPROPRIATIONS ACT CONTAINING THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH BUDGET FOR 2005-2006.

(3) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH SHALL AWARD \$100,000.00 FOR 2006-2007 TO THE KALAMAZOO REGIONAL EDUCATION SERVICE AGENCY TO SUPPORT AN AREA PROGRAM SUBSTANTIALLY SIMILAR TO THE 2 ELIGIBLE EXISTING PROGRAMS RECEIVING FUNDS UNDER SUBSECTION (1).” and renumbering the remaining subsection.

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

Senator Sikkema requested the yeas and nays.

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

The amendments were adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 211**

**Yeas—21**

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

**Nays—17**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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

**Roll Call No. 212****Yeas—32**

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

**Nays—6**

Clark-Coleman	Emerson	Scott	Thomas
Clarke	Leland		

**Excused—0****Not Voting—0**

In The Chair: President

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

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 20, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32k, 32l, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632k, 388.1632l, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1705, 388.1705c, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, and 54a as added by 2005 PA 155, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, sections 25a and 161a as added by 1998 PA 553, section 32k as added by 2004 PA 351, and section 121 as amended by 1995 PA 130, and by adding sections 11m, 11n, 22c, 22e, 24a, 24c, 29, 31c, 32, 32b, 32m, 34, 34a, 35, 64, 65, 66, 98a, 99c, and 104; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

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

The question being on the motion to reconsider,

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

The motion prevailed.

**Protests**

Senators Scott and Clark-Coleman, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1095 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”



The motion prevailed.

Senator Scott's first statement is as follows:

What this amendment does is it adds an additional \$250,000 to child abuse and neglect prevention programs, like the 0-3 secondary prevention program, both in subcommittee and full Appropriations to raise this funding level to \$4 million because I understand the importance of these programs in our fight against child abuse and neglect.

This amendment does not impact other services and/or programs because it is taking \$250,000 from rounding monies that are in the budget and that are available and were identified by the Senate Fiscal Agency. In 2004, there were more than 29,000 substantiated cases of child abuse and neglect in this state. In order to decrease the need for foster care placements and the need for more funding for child protective services, we must work to prevent child abuse and neglect. Programs like 0-3 secondary prevention are effective and successful.

So I ask for your support in increasing the funding to help eliminate child abuse and neglect in this state.

Senator Scott's second statement is as follows:

What this amendment does is it takes \$6.4 million from the \$41.2 million in section 22c added in subcommittee for equity payments, and particularly restores the Governor's recommendation for an increase to the Michigan School Readiness Program. This increase will allow an additional 1,882 at-risk four-year-olds to be served under the MSRP program. We all know that the MSRP program comes nowhere near serving every at-risk four-year-old in this state. In fact, we are currently only serving 65 percent of the at-risk four-year-old population who would qualify for the state's early childhood readiness program. That equates to roughly 28,000 kids without access to preschool.

Despite this unmet need, funding has remained stagnant for the past six years. We all know that research statistics tell us children who participate in an early childhood program grow up to be quality citizens. Early education is so vitally important to ensuring that our youngest enjoy benefits of a bright and promising future.

I ask for your support on this amendment.

Senator Scott's third statement is as follows:

I would like to thank all my colleagues who tried to do it. It was the right thing to do. So I'll withdraw this amendment.

Senator Scott's fourth statement is as follows:

You know, we got this money put in in committee and it was approved. Now we come and take it out to give to some other children. What makes you think that children in other parts of the state are more important than Detroit children? All of our children are important. Why do we go and just continuously take? Find the money someplace else when you want it for these schools. You just took from Detroit. This was money that was rightfully theirs. But yet, you're going to divide it among those who already have enough. We told you that those schools that you're giving this extra money to already have enough, so they're just going to put it in a fund so they can just have a little more money. Oh, just take from Detroit. Oh, my God, I told you we're all God's children and they all ought to be treated alike. Now it's time for us to stop doing this to these children in Detroit. You made it the poorest city in the country. You continue to make them have to pay more for everything. That is not fair. I can't believe that this Legislature is continuing to do this kind of thing.

Senator Scott's fifth statement is as follows:

Yes, the pre-engineering program is a fine program, but don't take from my kids to give to your kids. Find the money someplace else and start this program. For the Senator from the 13th District, I am the Senator from Highland Park. Yes, I represent Detroit, Highland Park, Hamtramck, Harper Woods, and the Grosse Pointes. I don't take from one to give to the other because we are all God's children, as I continue to let you know that. It is a fine program, but don't take from these little girls who need this help. Find the money someplace else to do this.

Senator Clark-Coleman's statement is as follows:

I come here every day and every day I'm always amazed at the level that people in this chamber will stoop to hurt the poor kids in the city of Detroit. What is the deal? You know, is it like Brooks Patterson says, "You want to burn down Pontiac? You want to burn down Detroit?" Is that what this is all about? Come on, guys. Where is the compassion in your hearts? Is it always to hurt the poorest city in the state of Michigan? Is that the purpose of this? Why are you being so punitive? Does it mean that you have to have the best of everything and our kids need nothing? I am utterly, utterly surprised.

Today you have taken money away from the school district in Detroit and you do it with such flourish. It's amazing to me that you are able to do it and smile as you are turning the screw in our backs. Well, shame on you. Shame on all of you. The minute we get a dollar or two, then someone else says, "Well, it looks better in my district." Shame on you. Who do you think you are? You are no better than the city of Detroit. Detroit citizens spend millions and millions

of dollars in tax money to the state, and you should not take all the money away for your districts. Shame on you. Shame, shame, shame.

Senators Switalski, Cassis and Garcia asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Switalski's statement is as follows:

Let me start by saying that the chair of the committee has done a very good job. We have a good bill here that only needs one thing to become the perfect Senate K-12 appropriations bill. That is why I am offering only one amendment to this bill.

The effect of this amendment would be to raise the basic per pupil foundation grant by \$25. The Governor proposed \$200 per pupil; the committee report in front of us right now proposes \$225 per pupil. If we were to adopt my amendment, that would rise to \$250 per pupil. Why is that a good idea? First, we have the money. In fact, the subcommittee considered several ways to spend the \$42 million available to fund this amendment. The Governor proposed a declining enrollment initiative that would have helped over 200 districts in the state. It would have benefited many struggling urban districts, including Detroit, about \$19 million; Flint, about \$1.9 million; Saginaw, Grand Rapids, Lansing, and Pontiac, each about \$1 million; but that was eliminated in the subcommittee.

So now what we have to replace that and what spends \$42 million is an alternative called the equity adjustment, which would spend that money by giving \$60 per pupil to about 400-some districts that are at the minimum foundation allowance right now and would narrow the gap between the high and the low.

Now each plan has its flaws. To begin with, there are distribution issues. The Governor's plan was more favorable to urban areas. The committee plan in front of us now favors rural areas. But beyond that, nearly half the money in the Governor's plan would go towards Detroit—\$19 million—and the committee plan that we have in front of us gives money to districts that are not struggling financially. We just heard an earlier speaker about fund balances. So how can we justify a supplement to districts that are already carrying large fund balances? The fund balances are not a perfect measure of financial health, but they are a very good indicator. How can we justify a supplemental of \$60 per pupil to those districts? The point has already been made, but I got about a dozen I picked out at random that are anywhere from 30-60-70 percent of their operating expenses. A good rule of thumb is that you should have about 10 percent, maybe a little more than 10 percent. These things are way beyond that. How can we justify that?

The districts that were purposed under the Governor's plan, they are all in single digits. They are either in deficit or are well below 10 percent. They are certainly struggling, but we could go back and forth forever arguing about the two ways to spend it, and I would propose something different from both of those.

The proposal in this amendment is just to say, alright, let's take the \$42 million and give \$25 per student to every district. That is the fairest way to do it. Everybody gets some amount, and \$250 per pupil would be a pretty good increase to all the districts around the state.

Just to conclude, Mr. President, one of my colleagues was reminding me of the promise of Proposal A, which was to take all these different categoricals, put them together in one payment of fundable money to the districts, and let them spend it where they need it. This keeps that promise. This amendment is in the spirit of that promise of Proposal A and I hope members will support it.

Senator Cassis' statement is as follows:

It doesn't seem possible, but almost a year ago, Senate colleagues, you passed the policy related to save the children, early intervention, and prevention of learning failure for kindergarten, first, second, and third grades. And yesterday the House passed this bill.

Today, I am asking that we complete the process with this amendment to provide the funding to set up the grant program administered by the Department of Education. We've reduced the initial appropriation in half, recognizing that there are so many needs in our state. The target group is our at-risk, littlest children, at a time when we are passing higher graduation requirements. As we know, readiness starts in kindergarten. We advocate for, and are looking after, the children who get behind and then stay behind only to repeat a cycle of failure, leading to dropping out and all kinds of risky behaviors. The program here offers the safety net to help these kids who are at-risk actually reach their highest potential.

Importantly, documentation from Northville schools—among others, but Northville schools in particular—with a population of under 7,000 shows a substantial savings provided by early intervention. Northville saved last year \$7.3 million because of the program and re-directed those dollars to much-needed programs. Yes, this is good for Novi, Detroit, Taylor, Kalkaska, Muskegon, Munising, Flint, Rochester, Benton Harbor—all Michigan schools.

My good colleagues, with whom we've shared so many good, excellent discussions regarding education on both sides of the aisle, I respectfully request your support to finish what we started a year ago. As our educationally-

sensitive Governor has said, backed up by ample research, the mind of a child develops early. In keeping with this, let us join together on behalf of our most precious resource, the youngest among us, our youngest children.

I urge the passage of this amendment.

Senator Garcia's statement is as follows:

I rise to oppose the amendment from my good colleague from Macomb County. One of the other promises of Proposal A was to help close that gap. Currently, there is a \$1,300 difference between those schools at the very top of the foundation allowance grant and those at the bottom. Each school is different. They all have different struggles, they all have different challenges, and here is an opportunity to help close that gap even just a little bit. Sixty dollars is not a lot of money when you consider there is a \$1,300 difference between the top and the bottom schools.

I understand what my good colleague is trying to do, and I appreciate that, but I intend to oppose the amendment.

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

Senators Cassis 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 Cassis' statement is as follows:

I rise because I want to salute my good friend and chair of Appropriations from Troy. She has shared with us so very much and she has made her life an example to live by. Certainly, she has overcome many adversities through sheer determination, charisma, and drive, and she has propelled herself to a place where she is serving the people of Michigan in one of the highest of legislative positions. Surely, there may have been an educator or two along the way who gave her the inspiration and saw in her the very potential and hopefully communicated to her the belief that she could achieve her dreams. For this reason, I honor our chair of Senate Appropriations.

Senator Scott's statement is as follows:

From my website I have a story. This person says, "I'm tired of paying high auto and homeowners insurances just because I live in Detroit. I should not be penalized for where I live. Judge me on the fact that I have a perfect driving record or the fact that I have zero claims on my homeowners insurance. Please help my rates go down. Thank you."

I think that's what we're here to do—to help all people. I hope that we will soon realize that.

### Committee Reports

The Committee on Transportation reported

**Senate Bill No. 934, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 307b. With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

To Report Out:

Yeas: Senators Gilbert, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

**House Bill No. 5199, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 29 (MCL 250.1029). With the recommendation that the bill pass.

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

Judson S. Gilbert II  
Chairperson

**To Report Out:**

Yeas: Senators Gilbert, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

**COMMITTEE ATTENDANCE REPORT**

The Committee on Transportation submitted the following:

Meeting held on Tuesday, March 28, 2006, at 1:10 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kuipers, Goschka, Leland and Basham

The Committee on Judiciary reported

**House Bill No. 5643, entitled**

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending section 7 (MCL 801.87), as amended by 1996 PA 544.

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, Schauer and Whitmer

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, March 28, 2006, at 1:00 p.m., Room 210, Farnum Building

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

Excused: Senator Patterson

**COMMITTEE ATTENDANCE REPORT**

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, March 28, 2006, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Allen (C), McManus, Schauer and Olshove

Excused: Senator Toy

**Scheduled Meetings**

**21st Century Jobs Funds Joint Select Oversight Committee (SCR 38)** - Thursday, March 30, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2420)

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

**Appropriations -****Subcommittees -**

**Agriculture** - Thursdays, April 20, April 27, May 4, May 11 and May 18, 3:30 p.m., Room 100, Farnum Building (373-5932)

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

**Judiciary and Corrections** - Tuesdays, April 18, April 25 and May 2, 3:00 p.m., Room 402, Capitol Building (373-3760)

**State Police and Military Affairs** - Thursdays, April 20, April 27, May 4, May 11 and May 18, 2:00 p.m., Room 100, Farnum Building (373-5932)

**Transportation Department** - Tuesdays, April 18, April 25, May 2, May 9, May 16 and May 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Transportation, Senate/House** - Thursday, March 30, 12:30 p.m., Room 519, South Tower, House Office Building (373-7708)

Senator Cropsy moved that the Senate adjourn.  
The motion prevailed, the time being 3:47 p.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Thursday, March 30, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

