

No. 107
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2005

Senate Chamber, Lansing, Thursday, December 1, 2005.

10:00 a.m.

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

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

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

Emerson—excused
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

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

Heavenly Father, we come before You once again this morning as we begin our Senate session, asking You to watch over us and guide us in our deliberations. Provide us the wisdom to do what is right. Allow us to disagree, but not be disagreeable. Let us always respect one another and act in a manner pleasing to You. And as we leave here today, may we all travel safely home to our families.

We ask this in Your holy name. Amen.

The Assistant President pro tempore, Senator Sanborn, led the members of the Senate in recital of the *Pledge of Allegiance*.

Motions and Communications

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests of Senator Schauer admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:04 a.m.

10:21 a.m.

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

During the recess, Senator Schauer introduced the Michigan Youth ChalleNGe Academy cadets and Academy Director Brigadier General (Ret.) Roger Allen, Michigan National Guard, and presented them with a Special Tribute. Brigadier General Allen responded briefly.

During the recess, Senators Thomas, Prusi, Cherry, Barcia, Clarke, Cropsey, Hardiman, Johnson, Goschka and George entered the Senate Chamber.

Senator Schauer moved that Senators Bernero, Clark-Coleman and Emerson be excused from today's session.

The motion prevailed.

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

Senate Bill No. 246

Senate Bill No. 318

The motion prevailed.

Senator Hammerstrom moved that the Committee on Government Operations be discharged from further consideration of the following appointment:

State Librarian

Ms. Nancy R. Robertson of 3817 Midberry Road, Jackson, Michigan 49203, county of Jackson, succeeding Christie P. Brandau, who has resigned, appointed for a term commencing November 9, 2005 and expiring at the pleasure of the Governor.

The motion prevailed, a majority of the members serving voting therefor, and the appointment was placed on the order of Messages from the Governor.

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

- Senate Bill No. 892**
- Senate Bill No. 893**
- Senate Bill No. 894**
- Senate Bill No. 625**
- House Bill No. 4959**

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

The following communication was received:
Department of State Police

October 28, 2005

I am pleased to submit the 2004-2005 Concealed Pistol License Annual Report as required by Public Act 372 of 1927, as amended. This report details the concealed pistol license activity between July 1, 2004 and June 30, 2005.

The revised laws regarding concealed pistol licensure went into effect on July 1, 2001. Below is a small summary of the activity since that date.

Year	Applications Received	Total Approved	# of Criminal Violations
2001-2002	62,902	53,000	92
2002-2003	29,914	27,499	221
2003-2004	35,585	31,121	398
2004-2005	58,366	54,677	403

Sincerely,
Tadarial J. Sturdivant
Director

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

November 23, 2005

Enclosed is a copy of the following audit report:

Performance audit of the Office of Community Corrections, Department of Corrections.

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 Wednesday, November 30:

House Bill Nos. 5315 5316 5317 5318 5319 5320 5321 5322 5323 5398

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

Senate Bill Nos. 901 902 903 904 905 909 910

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**

The motion prevailed.

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

State Librarian

Ms. Nancy R. Robertson of 3817 Midberry Road, Jackson, Michigan 49203, county of Jackson, succeeding Christie P. Brandau, who has resigned, appointed for a term commencing November 9, 2005 and expiring at the pleasure of the Governor.

Senator Hammerstrom moved that the Senate advise and consent to the appointment.

The question being on advising and consenting to the said appointment to office,

The Senate advised and consented to the appointment to office, a majority of the members serving voting therefor, as follows:

Roll Call No. 620

Yeas—34

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

Nays—0

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—1

Prusi

In The Chair: Sanborn

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

The motion prevailed.

Senator Schauer's statement is as follows:

I rise in support of Nancy Robertson's nomination as the State Librarian. I am very proud to do so as she is a constituent of mine in Jackson County. She has outstanding credentials with undergraduate and graduate degrees in English literature and the graduate library program at Drexel University in Philadelphia. She has particular experience working on a rare American book library which served the Continental Congress, and for the past ten years, has served us here in Michigan at the Library of Michigan, serving through a series of expanded leadership roles as rare book curator, director of the Technical Services Division, deputy state librarian, and for nearly a year, as acting state librarian.

She is extremely qualified and serves us here in state government, as well as our constituents and our network of libraries around the state. I think she's an excellent choice and I would ask for your support.

Senator George’s statement is as follows:

I also rise to speak in favor of consenting with Nancy Robertson’s appointment. The History, Arts, and Libraries Subcommittee of Appropriations met yesterday with her, and we reviewed her credentials and had an opportunity to question her about the duties of State Librarian and about some of the issues and challenges facing not only the Library of Michigan, but all our libraries throughout the state. We found her to be very qualified, and I would point out that she is currently serving as the acting state librarian, so she’s an excellent choice, and our subcommittee has recommended consent with her appointment.

Messages from the House

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

Senate Bill No. 648

The motion prevailed.

Senate Bill No. 34, entitled

A bill to provide for the establishment of a corridor improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas in the districts; to promote the economic growth of the districts; to create a board; to prescribe the powers and duties of the board; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

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

House Bill No. 4325, entitled

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), section 17001 as amended by 1990 PA 248 and section 17501 as amended by 1990 PA 247, and by adding sections 17018 and 17518.

(For text of amendment, see Senate Journal No. 106, p. 2271.)

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

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

Roll Call No. 621

Yeas—25

Allen	Clarke	Jacobs	Schauer
Barcia	Cropsey	Kuipers	Scott
Birkholz	Garcia	Leland	Stamas

Bishop
Brater
Brown
Cassis

George
Gilbert
Hardiman

McManus
Olshove
Prusi

Switalski
Thomas
Van Woerkom

Nays—10

Basham
Cherry
Goschka

Hammerstrom
Jelinek
Johnson

Patterson
Sanborn

Sikkema
Toy

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

Third Reading of Bills

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

House Bill No. 5046

Senate Bill No. 783

House Bill No. 5176

House Bill No. 5177

House Bill No. 5178

Senate Bill No. 829

Senate Bill No. 830

Senate Bill No. 831

Senate Bill No. 832

The motion prevailed.

The following bill was read a third time:

House Bill No. 5046, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20927 (MCL 333.20927), as added by 1990 PA 179.

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. 622

Yeas—35

Allen
Barcia
Basham
Birkholz
Bishop
Brater

Clarke
Cropsey
Garcia
George
Gilbert
Goschka

Jelinek
Johnson
Kuipers
Leland
McManus
Olshove

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas

Brown
Cassis
Cherry

Hammerstrom
Hardiman
Jacobs

Patterson
Prusi
Sanborn

Toy
Van Woerkom

Nays—0

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 783, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11546 (MCL 324.11546), as amended by 2004 PA 41.

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. 623

Yeas—35

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown

Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom

Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy

Cassis
CherryHardiman
JacobsPrusi
Sanborn

Van Woerkom

Nays—0**Excused—3**

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5176, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526e.

The question being on the passage of the bill,

Senator Brater offered the following amendment:

1. Amend page 2, following line 12, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 256 of the 93rd Legislature is enacted into law."

The amendment was 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 amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 624**Yeas—10**Basham
Brater
ClarkeJacobs
Jelinek
LelandPrusi
SchauerScott
Thomas**Nays—25**Allen
Barcia
Birkholz
Bishop
Brown
Cassis
CherryCropsey
Garcia
George
Gilbert
Goschka
HammerstromHardiman
Johnson
Kuipers
McManus
Olshove
PattersonSanborn
Sikkema
Stamas
Switalski
Toy
Van Woerkom**Excused—3**

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

Protest

Senator Cropsey, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the amendment offered by Senator Brater to House Bill No. 5176 and moved that the statements he made during the discussion of the amendment be printed as his reasons for voting “no.”

The motion prevailed.

Senator Cropsey’s first statement is as follows:

I’m trying to get a handle on what this amendment does. From what I understand—the foreign trash that is coming in—we cannot directly regulate it because of court decisions saying it’s interstate commerce and only Congress—foreign commerce, in essence—can try and regulate that. So our point is to tie-bar this to a bill which increases the taxes—excuse me, the tipping fee—that people pay for any new trash that comes in.

It is also my understanding that Canada has contractual agreements with some of these landfills to take in Canadian trash at a certain fee, so that this legislation would not increase the tipping fee on Canadian trash that’s under contract, which is under contract, I think, until 2011 or 2014 or two thousand and something or other, but several years down the road. So what we would be doing is increasing the taxes on the people of the state of Michigan who go to dump off their trash in the landfills, but it wouldn’t have any impact on Canadian trash that’s coming in.

I guess I’m not too keen about tie-barring this to something that’s going to increase the costs on my constituents without stopping the Canadian trash. I mean, either we have a solution or we don’t, but I don’t think this is a solution. I think this is a back-door tax increase on my constituency, and I’m not about to vote for that at this point.

Senator Cropsey’s second statement is as follows:

I do have a couple more questions for the good Senator from the 18th District who is proposing this amendment. I fail to understand how her legislation would increase the tipping fee on those entities that have a contractual relationship right now at a certain amount that have the trash going to the landfills. It’s my understanding that Canadian trash—many of these haulers, many of these governmental entities—they have negotiated a certain price to have this go into them at a certain tipping fee. Now is this legislation, this amendment that’s being tie-barred to her legislation, trying to amend those contracts through her legislation? I didn’t go the University of Michigan Law School, but I don’t think we can do that. Maybe we’ve got some new legal thinking out there—“Well, we can do that”—that’s being taught at the University of Michigan Law School. But I think at this point that that would be patently unconstitutional unless the Constitution is just a thing of wax in the hands of the judiciary, which Thomas Jefferson warned us against.

The other part is can she assure us that increasing the tipping fee—even if it is just on the state of Michigan residents—is going to slow down the amount of trash going into the landfills? I have an article here from the *Duluth News Tribune*, November 14, 2005, from Au Claire, Wisconsin, saying more garbage from surrounding Midwestern states is being dumped at Wisconsin landfills than ever before, according to state officials. Four years ago, their tipping fee was increased from 30 cents per ton to \$3.00 per ton. Now that tells me that just increasing the tipping fee isn’t going to necessarily stop the trash. Fact is, they had a 46 percent increase in trash in Wisconsin in 2003, if you can believe the press.

But I don’t know if legally we can do this. I think probably we can’t, although it’s wonderful for election-year politics to get out there and tell folks, “Boy, we tried to do what we tried to do and then had the courts rule it unconstitutional,” knowing that the courts are going to rule it unconstitutional, and then tie-barring it to a bill in which we’re not even sure, even if it was constitutional, it was actually going to stop the trash because it certainly hasn’t stopped it in Wisconsin. They’ve had a 46 percent increase in the last couple of years, and I just don’t think that a simplistic solution to this is to be found.

With that, I hope that we would address some of these concerns because I don’t see how this tie-bar is actually going to help anything.

Senator Brater offered the following amendment:

1. Amend page 2, following line 12, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4760 of the 93rd Legislature is enacted into law.”.

The amendment was 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 amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 625**Yeas—12**Basham
Brater
CherryClarke
Jacobs
JelinekLeland
Olshove
PrusiSchauer
Scott
Thomas**Nays—23**Allen
Barcia
Birkholz
Bishop
Brown
CassisCropsey
Garcia
George
Gilbert
Goschka
HammerstromHardiman
Johnson
Kuipers
McManus
Patterson
SanbornSikkema
Stamas
Switalski
Toy
Van Woerkom**Excused—3**

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

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. 626**Yeas—34**Allen
Barcia
Birkholz
Bishop
Brater
Brown
Cassis
Cherry
ClarkeCropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs
JelinekJohnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi
SanbornSchauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom**Nays—1**

Basham

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5177, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11549 (MCL 324.11549).

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. 627

Yeas—35

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

Nays—0

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the

environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5178, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13c of chapter XVII (MCL 777.13c), as amended by 2004 PA 382.

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. 628

Yeas—35

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

Nays—0

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

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

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

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

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

provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 829, entitled

A bill to amend 1966 PA 13, entitled “An act to implement the provisions of section 14 of the schedule and temporary provisions of the constitution of this state by providing for the issuance and sale of full faith and credit bonds of the state to refund the outstanding bonds heretofore issued by the Mackinac bridge authority and upon such refunding to abolish the Mackinac bridge authority and to transfer the operation, maintenance, repair and replacement of the Mackinac bridge to the state highway department with power to fix and collect tolls, fees and charges for the use of the bridge, its services and facilities,” by repealing section 9 (MCL 254.369).

The question being on the passage of the bill,

The bill was passed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 629

Yeas—35

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

Nays—0

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 830, entitled

A bill to amend 1965 PA 380, entitled “Executive organization act of 1965,” by amending section 357 (MCL 16.457).

The question being on the passage of the bill,

Senator Allen offered the following amendments:

1. Amend page 2, line 6, after “**TRANSPORTATION**” by striking out “**AND**” and inserting a comma.
2. Amend page 2, line 6, after the second “**OF**” by inserting “**THE**”.

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. 630**Yeas—35**

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

Nays—0**Excused—3**

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 831, entitled

A bill to amend 1950 (Ex Sess) PA 21, entitled “An act to create the Mackinac bridge authority, and to prescribe its powers and duties; to provide for the determination of the physical and financial feasibility of a bridge connecting the upper and lower peninsulas of Michigan; to provide for a board of consulting engineers, and to prescribe its powers and duties; and to make an appropriation to carry out the provisions of this act,” by amending section 2 (MCL 254.302); and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 631**Yeas—35**

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

Nays—0

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 832, entitled

A bill to amend 1952 PA 214, entitled “An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation,” by repealing sections 3 and 14 (MCL 254.313 and 254.324).

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. 632**Yeas—35**

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs

Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0**Excused—3**

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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 Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

House Bill No. 5275, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending the title and sections 1, 2, and 3 (MCL 28.211, 28.212, and 28.213) and by adding sections 1a and 3a.

House Bill No. 5276, entitled

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," (MCL 28.241 to 28.248) by adding section 2a.

House Bill No. 5277, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214), as amended by 2000 PA 320.

House Bill No. 5269, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2002 PA 269.

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. 208, entitled

A bill to allow reimbursement to municipalities for certain costs for inmates housed in municipal jails or county jails; and to provide certain powers and duties of municipal officials and county officials.

Substitute (S-1).

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

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

House Bill No. 5268, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 85.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4577, entitled

A bill to amend 1977 PA 72, entitled "The medicaid false claim act," by amending the title and section 11 (MCL 400.611), the title as amended by 1982 PA 518, and by adding sections 10a, 10b, and 10c.

Substitute (S-1).

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

1. Amend page 8, line 21, after "**WHO**" by inserting "**THE COURT FINDS BROUGHT A FRIVOLOUS CLAIM, AS DEFINED IN SECTION 2591 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2591; THE COURT FINDS TO HAVE PLANNED, INITIATED, OR PARTICIPATED IN THE CONDUCT UPON WHICH THE ACTION IS BROUGHT; OR**".

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. 625, entitled

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

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4959, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 107, 113, 203, 537, 543, and 607 (MCL 436.1107, 436.1113, 436.1203, 436.1537, 436.1543, and 436.1607), sections 107 and 537 as amended by 2001 PA 223, section 203 as amended by 2000 PA 289, and section 543 as amended by 2005 PA 97.

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. 892, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57e and 57f (MCL 400.57e and 400.57f), as amended by 2001 PA 280.

Substitute (S-1).

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

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

"Sec. 14i. Section 57f(3)(c), (e), and (f) and section 57g(4), (5), (6), and (7) shall not apply after December 31, ~~2005~~ **2010**."

2. Amend page 3, following line 17, by inserting:

"**(4) THE DEPARTMENT SHALL STUDY THE IMPACT AND COST OF INCREASING THE AMOUNT OF EARNED INCOME THAT IS DISREGARDED IN DETERMINING A PROGRAM GROUP MEMBER'S INCOME FOR CONTINUED FAMILY INDEPENDENCE ASSISTANCE FINANCIAL ELIGIBILITY. THE DEPARTMENT SHALL PREPARE AND PROVIDE TO THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES, THE SENATE AND HOUSE APPROPRIATIONS SUBCOMMITTEES ON THE DEPARTMENT OF HUMAN SERVICES, THE SENATE AND HOUSE FISCAL AGENCIES, AND THE SENATE AND HOUSE POLICY STAFF, BY APRIL 1, 2006, A WRITTEN REPORT OF THE DEPARTMENT'S FINDINGS FROM THE STUDY.**"

3. Amend page 5, line 13, after "of" by striking out "high school completion" and inserting "**AN ENGLISH AS A SECOND LANGUAGE PROGRAM, A FAST TRACK LITERACY PROGRAM, HIGH SCHOOL COMPLETION,**"

4. Amend page 5, line 19, after "**IN**" by striking out the balance of the subsection and inserting:

"**1 OR MORE OF THE FOLLOWING:**

(A) AN ENGLISH AS A SECOND LANGUAGE PROGRAM.

(B) A FAST TRACK LITERACY PROGRAM.

(C) A HIGH SCHOOL COMPLETION COURSE.

(D) A GED PREPARATION COURSE."

5. Amend page 6, line 26, after “(4)” by inserting “In addition to those individuals exempt under subsection (3), the family independence agency may grant a temporary exemption from participation in work first, not to exceed 90 days, to an individual who is suffering from a documented short-term mental or physical illness, limitation, or disability that severely restricts his or her ability to participate in employment or training activities. An individual with a documented mental or physical illness, limitation, or disability that does not severely restrict his or her ability to participate in employment or training activities shall be required to participate in work first at a medically permissible level.”.

6. Amend page 7, line 1, after the second “to” by striking out “an” and inserting “1 of the following:

(A) AN INDIVIDUAL WHO IS UNABLE TO PARTICIPATE IN WORK FIRST DUE DIRECTLY TO THE EFFECTS OF DOMESTIC VIOLENCE.

(B) AN”.

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. 893, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 43 and 57g (MCL 400.43 and 400.57g), section 57g as amended by 2001 PA 280.

Substitute (S-1).

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

1. Amend page 1, line 1, after “(1)” by striking out “**EXCEPT AS PROVIDED IN SUBSECTION (2), ALL**” and inserting “All”.

2. Amend page 1, line 4, after “department.” by striking out “**EXCEPT AS PROVIDED IN SUBSECTION (2), AFTER**” and inserting “After”.

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

“(9) AFTER TERMINATION OF FAMILY INDEPENDENCE ASSISTANCE BENEFITS FOR NONCOMPLIANCE, FAILURE TO MEET AN EXPECTATION LISTED IN THE FAMILY INDEPENDENCE PLAN DESCRIBED IN SUBSECTION (1), OR REACHING THE 48-MONTH LIFETIME CUMULATIVE TOTAL ALLOWABLE UNDER SUBSECTION (8), THE DEPARTMENT SHALL PROVIDE INFORMATION TO THE RECIPIENT ON OBTAINING FOOD ASSISTANCE, ASSISTANCE UNDER THE WOMEN, INFANTS, AND CHILDREN PROGRAM, FREE AND REDUCED LUNCHESES, EARNED INCOME TAX CREDIT, AND ANY OTHER RELEVANT PROGRAM OR SERVICE THE DEPARTMENT DETERMINES MAY ASSIST THE FAMILY.”.

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. 894, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57d and 57g (MCL 400.57d and 400.57g), as amended by 2001 PA 280.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 892

Senate Bill No. 893

Senate Bill No. 894

Senate Bill No. 625

House Bill No. 4959

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

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

The motion prevailed.

Senator Brater’s statement is as follows:

Due to my absence from session on Wednesday, November 30, 2005, due to a death in the family, I missed a number of roll call votes. Had I been here, I would have voted “yes” on the following roll calls: Roll Call Nos. 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, and 619.

The following bill was read a third time:

Senate Bill No. 892, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57e and 57f (MCL 400.57e and 400.57f), as amended by 2001 PA 280.

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. 633

Yeas—31

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

Nays—3

Johnson	Leland	Scott
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Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—1

Sikkema

In The Chair: Sanborn

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

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 14i, 57e, and 57f (MCL 400.14i, 400.57e, and 400.57f), section 14i as amended by 2004 PA 571 and sections 57e and 57f as amended by 2001 PA 280.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senator Hammerstrom moved that Senator Sikkema be temporarily excused from the balance of today's session. The motion prevailed.

Senator Sikkema entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 893, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 43 and 57g (MCL 400.43 and 400.57g), section 57g as amended by 2001 PA 280.

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. 634

Yeas—24

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

Nays—11

Basham	Clarke	Leland	Switalski
Brater	Jacobs	Prusi	Thomas
Cherry	Johnson	Scott	

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Jacobs' statement is as follows:

I think I made pretty clear my feelings about this bill and I really did want to vote for this bill. However, without the Jacobs amendment—which, by the way, I just received a few minutes ago a call from the administration. The Governor is in full agreement with the Jacobs amendment and feels that it did give the flexibility that we really needed to have in this package.

Without that amendment, unfortunately, I'm going to be voting "no" on this bill. My hope is that, as this moves through the House, we can do what is the best public policy for the people in Michigan, and that we can move forward and make some changes.

The following bill was read a third time:

Senate Bill No. 894, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d and 57g (MCL 400.57d and 400.57g), as amended by 2001 PA 280.

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. 635

Yeas—35

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

Nays—0

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 625, entitled

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

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. 636

Yeas—35

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

Nays—0

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4959, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 113, 537, 543, and 607 (MCL 436.1113, 436.1537, 436.1543, and 436.1607), section 537 as amended by 2005 PA 166 and section 543 as amended by 2005 PA 97, and by adding section 113a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 637

Yeas—34

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs

Jelinek
Johnson
Leland
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—1

Kuipers

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

Senator Sikkema moved that the Committee on Education be discharged from further consideration of the following bills:

Senate Bill No. 895, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 632 (MCL 380.632) and by adding sections 506a, 527a, 633, 1255, and 1311m.

Senate Bill No. 896, entitled

A bill to provide for catastrophic stop loss benefit plans; to provide for a catastrophic stop loss fund; to create a board of directors of the catastrophic stop loss benefit plan and catastrophic stop loss fund; to prescribe the conditions upon which school employers may provide certain benefits; to require the compilation and release of certain information and data; and to provide certain powers and duties to certain state officials, departments, agencies, and authorities.

Senate Bill No. 897, entitled

A bill to amend 1951 PA 35, entitled “An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts,” by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

Senate Bill No. 898, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending sections 123 and 124 (MCL 389.123 and 389.124), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

The motion did not prevail, 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 motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 638

Yeas—20

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

Nays—12

Barcia	Cherry	Leland	Sanborn
Basham	Clarke	Olshove	Schauer
Brater	Jacobs	Prusi	Switalski

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—3

Jelinek	Scott	Thomas
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In The Chair: Sanborn

The bills were placed on the order of General Orders.

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

Senate Bill No. 895

Senate Bill No. 896

Senate Bill No. 897

Senate Bill No. 898

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 Assistant President pro tempore, Senator Sanborn, designated Senator Bishop as Chairperson.

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

Senate Bill No. 895, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 632 (MCL 380.632) and by adding sections 506a, 527a, 633, 1255, and 1311m.

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. 897, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain

nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts,” by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

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. 898, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending sections 123 and 124 (MCL 389.123 and 389.124), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

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 proceeded to the order of

Statements

Senators Brown, Garcia 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 Brown’s statement is as follows:

There is a family in the east Gallery who has been waiting very patiently through our deliberations all morning, and as we enter this Advent season, we are mindful that this Christmas especially will be very challenging for them, and certainly, we want to stand with them. I will, at the end of this tribute, Mr. President, with your indulgence, introduce them, and if there could be a moment of silence at that point, I’d be grateful.

Mr. President, this past summer, just days before he returned to Iraq, many of us in St. Joseph County had an opportunity—actually, a rare privilege—to meet Staff Sergeant Brian Morris. He spoke to us at an annual picnic, a beautiful summer setting that I think we will always remember. He spoke about his family and about his service in Iraq. He was returning for another tour of duty. He cut a striking figure. He was a person who stood there amongst us very proud of his family and one could be immediately impressed with his love and devotion to his wife and daughter, his love for his country, and his sense of duty and commitment to supporting our troops. I remember thinking at the time, “Gee, you’ve served us well. Now stay with us.” But he was determined—committed—to supporting his fellow comrades, fellow soldiers in Iraq, and so we bade him farewell and Godspeed. That was the last time we saw Sergeant Brian Morris.

I would like to read, Mr. President, a special tribute from the state of Michigan in memory of Staff Sergeant Brian Lee Morris:

“LET IT BE KNOWN, That it is with sympathy and deep respect that we offer tribute to honor the memory and sacrifice of Staff Sergeant Brian Lee Morris. With genuine respect for his legacy of service, we join with the St. Joseph County community in extending our condolences to his family and many friends. He will be truly missed and long remembered.

Born on October 8, 1966, in Memphis, Tennessee, Brian’s family later moved to St. Joseph County, where he attended Centreville High School and participated in track and cross country, and where he met his future wife, Lori”—of course, who is with us. “After nearly nine years of marriage, a daughter, Emilee, was born.

An 18-year career soldier, Brian joined the United States Army right after he graduated from Centreville High School in 1985. Brian left the service in 1989, but re-enlisted and continued to serve his country in Bosnia, Afghanistan, Korea, Germany, and Fort Drum, New York, and lastly, Iraq. The life of Brian Lee Morris is a study in the merit of hard work, dedication, and commitment to his career, his family, and his country. We are deeply grateful for his achievements, which will continue to have a positive influence on this state and nation well into the future.

In every endeavor in his productive lifetime, Brian displayed integrity and dignity. He earned much respect and admiration and leaves an unfillable void. Clearly, Brian’s wife, Lori, and family bear an incredible loss. Though our words can do little to comfort the sadness and the tears, we join with the citizens of this state to extend our sincere condolences and our deep respect for the sacrifice of this good soldier, loving son, loving son-in-law, father, husband, and patriot. May they find comfort in the knowledge that we share in their bereavement and that the legacy of accomplishment of this distinguished soldier will long continue to inspire others and remind all of us of that sacred text of scripture that says, “Greater love has no man than this, that he lay down his life for his friends.”

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated as a memorial for Brian Lee Morris. May his family know of our esteem and our deepest sympathy for their unspeakable loss.”

Of course, it is signed by me as the Morris' State Senator, the Honorable Rick Shaffer, 59th District State Representative, and lastly, by the Honorable Jennifer M. Granholm, Governor of the state of Michigan.

At this time, if Lori, the wife of Sergeant Morris, and Emilee, daughter of Brian, and Tim and Louise Nelson, Lori's parents, if they could rise and be recognized by the body followed by a moment of silence after applause, I'd be grateful.

A moment of silence was observed in memory of Army Staff Sergeant Brian Lee Morris.

Senator Garcia's statement is as follows:

I have to admit I feel a little awkward and uncomfortable following such a moving tribute, and I, too, wish to express my condolences to the family, but I rise to make a statement regarding some legislation we passed earlier today regarding the welfare reform bills that we discussed and debated earlier.

Earlier this morning, I was on this Senate floor. I was on the phone with a front-line worker in one of my counties who was describing to me some of the abuse that occurs in the system, and I happen to know—I have talked with people who have been on welfare, both those who needed it, those who wanted to get off of it, and those who had no intention ever of getting off of welfare—that the system that we've seen evolve since 1991—first under John Engler and now under this Governor and, of course, under the administration at the federal level—is not perfect. You will always find people who will gain from the system and you will always have people on it who truly need it and it needs to exist.

So I hope that, despite the fact that these bills went forward and I did vote for them—and again, I'm sure they can be improved on—these measures are important to make sure that those who truly need our assistance get it and it's available for them. Those who don't need it and are scamming the system have a stick that's there to get their attention and perhaps guide them to doing what many of us do and that is we get up in the morning, we go to work, and we try and contribute to society.

Now I realize—because I know and I've talked and I've met with families—single moms who have kids and struggle, trying to make ends meet, raise their families and keep a job. So we need to be cognizant of their needs and help them as they struggle to again become positive contributing members of society.

So I just wanted to commend the work of the chair of these bills, and I hope that they'll continue to keep an open mind because there is a tremendous amount of different situations that call for different actions. Again, these bills are not perfect, but I think they're a good step in the right direction.

Senator Scott's statement is as follows:

I rise today to honor this great woman, Ms. Rosa Parks, on her 50 years of refusing to give up her seat on the bus. It's because this woman sat that I can continue to stand each and every day to talk about how important it is for us to make a difference in these insurance rates for homeowners and for automobile insurance.

I have two of these today to read to you. The first one is from Detroit: "Yes, I know the auto and homeowners insurance rates are too high. They don't want to pay you for your claims. I had one company tell me that they did not want to insure me because I made too many claims for them, yet I managed to pay my insurance faithfully." I want my colleagues to know that this is happening to a number of persons who have insurance. Sometimes, it's taken them six months to a year just to get their claims acknowledged.

I also have another one and this person doesn't indicate where she's from. She said, "I read an article about what you're doing to try to improve auto insurance rates in Michigan and I just wanted to thank you." Oh yes, she resides in Eastpointe. "I have a fairly good job and make what seems like decent money; however, I cannot afford to insure my 1997 Honda Accord, that is if I want to continue to eat and pay utility bills. The rates keep on going up and up and then I found out that it was because of a bad credit rating. Now I can't afford to have insurance at all and I'm in danger of getting myself in even deeper trouble. Thank you again and keep up the good work." And as I indicated, this is from Eastpointe.

So it is all over this state.

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 Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

Senate Bill No. 896, entitled

A bill to provide for catastrophic stop loss benefit plans; to provide for a catastrophic stop loss fund; to create a board of directors of the catastrophic stop loss benefit plan and catastrophic stop loss fund; to prescribe the conditions upon which school employers may provide certain benefits; to require the compilation and release of certain information and data; and to provide certain powers and duties to certain state officials, departments, agencies, and authorities.

Substitute (S-1).

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

1. Amend page 3, line 8, after "of" by striking out "9" and inserting "10".

2. Amend page 3, following line 26, by inserting:

"(iv) One director representing the general public with expertise in health promotion and chronic care management programs that include, at a minimum, promoting nutrition and physical exercise and compliance with disease management programs and preventive service guidelines that are supported by evidence-based medical practice." and renumbering the remaining subparagraphs.

3. Amend page 7, line 19, after "plans," by striking out the balance of the line through "means," on line 20.

4. Amend page 7, line 24, after "expenses." by inserting "Incentives may include an appropriate rebate of premiums paid for a demonstrated maintenance or improvement of members' health status as determined by assessments of agreed upon health status indicators."

5. Amend page 13, line 27, after the first "to" by striking out "(j)" and inserting "(k)".

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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 896

Senate Bill No. 895

Senate Bill No. 897

Senate Bill No. 898

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

The following bill was read a third time:

Senate Bill No. 896, entitled

A bill to provide for a catastrophic stop loss fund and catastrophic stop loss benefit plans; to create a board of directors of the catastrophic stop loss fund; to prescribe the conditions upon which school employers may provide certain benefits; to require the compilation and release of certain information and data; and to provide certain powers and duties to certain state officials, departments, agencies, and authorities.

The question being on the passage of the bill,

Point of Order

Senator Sikkema raised the Point of Order that Senator Brater's comments were not germane to Senate Bill No. 896.

The Assistant President pro tempore, Senator Sanborn, ruled that Senator Brater's statement cited the MCCA, which is regulated by the insurance code, and the bill deals with health care, and therefore, not germane. However, Senator Brater could continue speaking, but must keep her comments germane to the bill.

Senator Jacobs offered the following amendment:

1. Amend page 17, following line 18, by inserting:

"Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 731 of the 93rd Legislature is enacted into law."

The question being on the adoption of the amendment,
 Senator Sikkema moved that the previous question be ordered on the adoption of the amendment and passage of the bill.

The motion prevailed.

The amendment was 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 amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 639**Yeas—13**

Barcia	Clarke	Olshove	Scott
Basham	Jacobs	Prusi	Switalski
Brater	Leland	Schauer	Thomas
Cherry			

Nays—22

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

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

Senator Jacobs offered the following amendment:

1. Amend page 17, following line 18, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 730 of the 93rd Legislature is enacted into law.”.

The amendment was not adopted, a majority of the members serving not 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. 640**Yeas—22**

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

Nays—13

Barcia	Clarke	Patterson	Schauer
Basham	Jacobs	Prusi	Switalski
Brater	Olshove	Sanborn	Toy
Cherry			

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Protests

Senators Schauer and Switalski, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 896 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 Schauer’s statement is as follows:

I rise to oppose Senate Bill No. 896. Apparently, discussions here in this process over the last minutes have not resulted in a fix to this bill. This is the most significant bill in this package, and I cannot support this bill, even though there are many positive elements, or at least intentions, within the package to provide greater preventative care—certainly the goal of reducing health care costs for our schools and school employees. But, in my opinion, this bill and this package wouldn’t work. We should be about passing legislation that actually will be successful. But based on many comments that I’ve received—and you may have some of them on your desks—whether it’s from the State Medical Society, the Michigan Health and Hospital Association, the testimony that the Office of Financial and Insurance Services gave in committee, certainly may say itself has concerns that haven’t been addressed, and apparently, there hasn’t been a concerted effort to try to address those.

My primary concern is the pool—the catastrophic stop-loss pool that would be created in this bill—would not be financially stable or would not be fiscally solvent, and there’s a question about who then is responsible for paying for these catastrophic claims. We have a mandatory catastrophic claims fund set up for auto insurance—the MCCA—and we know that annually, those assessments are adjusted for the purpose of keeping that fund solvent. Every auto carrier has to pay into that fund. There is a serious question as to whether there would be adequate reserves to pay for costs that would be incurred by policyholders here under this bill. That would leave patients—or employees, in this case, of our schools—as well as our health care system left to hold the bag. As the Office of Financial and Insurance Services also talked about, there wouldn’t be consumer protections in place that are in place under our insurance code. There would be a number of problems that, just frankly, this Senate hasn’t taken the time to resolve.

So I am for doing something to reduce health care costs that would actually work. Unfortunately, this bill and this package is not it, and therefore, I will be opposed.

Senator Switalski’s statement is as follows:

You know, the weather outside is frightful, but I would ask the body’s forgiveness for the impetuosity of my youth, speaking at some length on General Orders, where my remarks are not recorded, and therefore, cannot be used for my “no” vote explanation. So now I’m in the position of having to repeat some of those remarks and I ask your forgiveness and indulgence for that.

I wanted to make the point that there has been a lot of debate on this subject, but little on this specific package. This has been something that we've debated at least since this summer under a different package of bills and had a study commissioned by the Hay Group and went over that at some length. There has been some reference to the billion dollars in savings, but our discussion of those savings, the chief area of savings in the Hay Group study, was through the elimination of traditional fee-for-service insurance, which is not being proposed in this package and would be a significant change in benefits.

So the original bills that we discussed this summer were identified during the committee meetings as dead on arrival, and there would be different bills. Here we have the different bills, and I just want to make the point that I don't believe we've had enough discussion on the particular aspects of these bills.

Secondly, the chief bill under consideration here, Senate Bill No. 896, deals with the creation of the catastrophic pool and, as has been said earlier today—and I agree with—we have a very good example of a catastrophic pool being created in this state in Grand Rapids. There are some 13 districts, I believe, that have joined that pool and more are joining every day. In fact, I hear that the phones are actually ringing off the hook of people who want to join and that's a great thing.

The point is that that is possible under current law and that was created and is a success under current law. There has been some discussion this summer. One of the complaints about that process is that it took two years to create that fund and that has been discussed today as to some three years, and I would just say that the first time you do something of this significance, I would think that you'd want to take some time with it. I don't think it's something that people should rush into without a lot of preparation.

I was involved in a self-insurance change in the county of Macomb, and we took a couple of years to put that into practice because it's a very significant change. There is a lot of politics surrounding this issue, but I think most important are the significant policies, and we ought to concentrate on the policies. Those are very important. And the essence of this bill, I think, is the requirement that comprehensive claims data be provided for specific district populations on the health experience of those groups, and we ought to think about that because just in the past year, we went and made some significant changes to the small-group market for insurance and that was because we saw cherry-picking and adverse selection going on. We had groups, maybe you'd have a group of, say, ten employees and eight were healthy and two were not so healthy, and people would break that group up and market the eight people and then stick the unhealthy ones with the provider of last resort. Blue Cross—they would have to pick them up. So you'd get cherry-picking. You'd get a lower rate on the healthy people, but that pool of higher-risk employees would end up in a higher-risk group, and we could have that effect through this legislation. We ought to be very careful about that because that goes against the fundamental premise of insurance, that we get everybody in, share the risk across everybody and ensure stable, affordable rates.

I'd also like to amplify my remarks from earlier today about the question of reserves, and there's a section in Senate Bill No. 896, which I've just had a chance to skim, but on page 9, it says, "A school employer may provide medical, optical, or dental benefits to school employees and their dependents." I would normally think that means you can provide insurance. Then a couple of lines later, it says, "A plan under this subdivision does not constitute doing the business of insurance in this state and is not subject to the insurance laws of this state." That seems pretty significant to me. I also have something here from the Michigan State Medical Society and I will just read to you from that. "Physicians and hospitals have experience with undercapitalized insurance companies. When the Medicaid program initially went to managed care, participating plans were not required to maintain comparable reserves to their commercial counterparts. Despite having certification from their actuaries, many of these plans failed." I'm sure we're all familiar with that. "Physicians in hospitals are still in court trying to recoup a fraction of the total amount owed by these plans. In health insurance, a few serious cases can deplete insufficient reserves very quickly. Therefore, MSMS cannot support this provision."

I think that's a significant caution to us and that we should be very careful about what we're about to embark on.

Senators George 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 George's statement is as follows:

The problem, as I see it, with our current health benefit system for school employees is that it really perpetuates the public health problems that school employees face, which are the same ones that we face and that our constituents face, and that is our high rates of cardiovascular disease, high blood pressure, strokes, heart attacks, etc. The current system of health benefits for school employees does little to address those underlying public health problems, and why is that? Well, in part, it is because they are based on a pooled rating or community rating system. What is the incentive for you if you're an individual school employee or for your school or for your school district, for that matter? What is the incentive for you to attend to your own health if you see no benefit in the package that you're offered or if your school district gets no better deal when they go to purchase health insurance?

There really is very little in the current system that rewards healthy behavior or that gives incentives for individuals or districts to attend to their own health behaviors. You can look on the MESSA website and you can look for information about wellness for employees and you can find a page. They do have a wellness page that provides some educational information. You can read about the benefits of health education. The website provides access to some educational materials. It might guide you to flyers or pamphlets or newsletters or even videos. The website says that MESSA gives valuable information to physicians about clinical practice guidelines—at least it says that. The website says that members can find tips on how to improve their relationship with physicians. But, members, I don't see how any of these things do anything to improve the health of the employees who are depending on MESSA for their benefits.

If you look at the website, you'll see that, well, there's a 1-800 number you can call and if you press prompt 3, you can order a men's or women's health initiative packet—again, more educational material. That's all fine and good, but we've been spending millions of dollars. The state's been spending tens of millions of dollars on health education and it hasn't worked. Despite that, we're the least healthy state in the country, and MESSA is using the same failed strategy.

If you look at their website, well, here they had a health conference recently and they invited school employees to attend. You could get a grant to attend and at the conference, there were sessions you could attend. There was one on "The Brain Gym." I don't know what that is. I don't think going to a session on the brain gym is going to make you healthier. There's one on "Stuck in the Sandwich Generation." There was a session on restorative yoga. At the conference, the attendees were given a list of stress busters to make them healthy. These are on their website. Here's some of the stress busters you can use at work: "Close your door; have a softball team; tell jokes; have fun times with co-workers; shut yourself in the freezer and scream; use a stress ball; simplify your workspace." Again, these are from the MESSA website on how to be healthy: "Stay out of the teacher's lounge." Here's a good one, "Have a waterfall at your workstation." I'm not sure how you do that, but it sounds nice. "Low lighting; use positive self-talk." And here's some health tips for at home. My wife would like this one: "you can knit"—that's good. "Take a bubble bath; think about words." That's what it says: "Think about words. Scream in a pillow. Have surprises. Do projects in small steps. Be outside. Stay off the phone." And the final tip from MESSA on how to be healthy, "Have a moon-watch." OK?

So my point here is, look, the current benefits package isn't making school employees healthier. There is an educational component to it, but that's not enough, and if you're going to design a package that's really going to work to make employees healthier, you need claims data. You need to be able to shop around and compare insurance products, and if you're self-insuring which most of these districts, I assume, would do, if you're going to self-insure, and you've got blinded claims data, then you can tailor your program to the needs of your employees. You can design programs to address a finding that you have higher claims for asthma or for heart disease or for high blood pressure. You can tailor programs to your employees and you can reward them. You can gear it toward their health habits. That's the beauty of having the blinded claims data.

Finally, I wanted to address one of the other points that was made. There was some allusion to medical society literature, comparing the catastrophic claims pool to Medicaid HMOs, and I think that's just ludicrous. The catastrophic claims pool, as you know, would be voluntary. The rates would be recalculated every year. Many, many private companies use those already. If they self-insure, they go and they buy catastrophic coverage from some private carrier, and that system works just fine. They're the ones who are on the cutting edge of keeping their employees healthy, and comparing that to Medicaid HMOs is just ridiculous. So I don't buy that argument, just like I don't buy the cherry-picking argument.

I would hope that my colleagues would support this bill and this whole package because this is really the way that schools can design programs to help keep their employees healthy.

Senator Cherry's statement is as follows:

I rise to oppose Senate Bill No. 896. The good Senator from Macomb County talked quite a bit about some of the concerns that I have. I am specifically concerned about the fact that this bill does not require this insurance program to be in compliance with the insurance code.

I heard lots of testimony about the great pool in Grand Rapids. I do think it's a very good program, and we know that schools can do those already. But the thing that I think is important about that pool is that it operates under the insurance code now and the rules and regulations that we have in place currently, and this package does not.

There are so many concerns that need to be addressed, those being the issues of making sure that there's enough funds in the catastrophic claims account, the issue of voluntary versus nonvoluntary, and how that impacts upon the rate. Unlike the previous Senator, the issue of a group going in and out does have some cherry-picking concerns. Although I hate that term—I always have hated that term—it just is not the right one to use. But, in any rate, it is often used and that's a very legitimate concern because it affects the rates that people are going to pay.

In addition, it is important that any kind of insurance program that we have be concerned about protection for the people who are part of that insurance program or pool, or whatever we choose to call it. And that's what the insurance code is there for. This is outside of that realm, and I again hope that members oppose this bill.

The following bill was read a third time:

Senate Bill No. 895, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 632 (MCL 380.632) and by adding sections 506a, 527a, 633, 1255, and 1311m.

The question being on the passage of the bill,

Senator Hammerstrom moved that the previous question be ordered.

The motion prevailed.

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

Roll Call No. 641

Yeas—23

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

Nays—12

Barcia	Cassis	Jacobs	Prusi
Basham	Cherry	Olshove	Schauer
Brater	Clarke	Patterson	Switalski

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 897, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

The question being on the passage of the bill,

Senator Hammerstrom moved that the previous question be ordered.

The motion prevailed.

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

Roll Call No. 642**Yeas—24**

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

Nays—11

Barcia	Cherry	Olshove	Schauer
Basham	Clarke	Patterson	Switalski
Brater	Jacobs	Prusi	

Excused—3

Bernero	Clark-Coleman	Emerson
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Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 898, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 123 and 124 (MCL 389.123 and 389.124), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

The question being on the passage of the bill,

Senator Hammerstrom moved that the previous question be ordered.

The motion prevailed.

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

Roll Call No. 643**Yeas—24**

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

Nays—11

Barcia	Cherry	Olshove	Schauer
Basham	Clarke	Patterson	Switalski
Brater	Jacobs	Prusi	

Excused—3

Bernero

Clark-Coleman

Emerson

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Gilbert introduced

Senate Bill No. 911, entitled

A bill to amend 1925 PA 368, entitled “An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act,” by amending section 1a (MCL 247.171a), as added by 2002 PA 151.

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

Senators Van Woerkom, Jelinek, Garcia, Birkholz, Stamas, Johnson, Allen and Gilbert introduced

Senate Bill No. 912, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2003 PA 105, and by adding section 7jj; and to repeal acts and parts of acts.

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

Senators Stamas, Van Woerkom, Jelinek, Garcia, Birkholz, Johnson, Allen and Gilbert introduced

Senate Bill No. 913, entitled

A bill to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

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

Senators Allen, Jelinek, Garcia, Birkholz, Van Woerkom, Johnson and Gilbert introduced

Senate Bill No. 914, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

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

Senators Gilbert, Jelinek, Garcia, Van Woerkom, Stamas, Johnson, Birkholz and Allen introduced

Senate Bill No. 915, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51105, 51106, 51108, 51113, and 51116 (MCL 324.51105, 324.51106, 324.51108, 324.51113, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, 51113, and 51116 as added by 1995 PA 57.

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

Senators Patterson, Van Woerkom, Jelinek, Garcia, Birkholz, Stamas, Johnson, Allen and Gilbert introduced
Senate Bill No. 916, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 51101, 51103, and 51104 (MCL 324.51101, 324.51103, and 324.51104), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

Senators Johnson, Van Woerkom, Jelinek, Garcia, Birkholz, Stamas, Allen and Gilbert introduced
Senate Bill No. 917, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 512.

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

Senators Jelinek, Garcia, Van Woerkom, Stamas, Johnson, Birkholz, Allen and Gilbert introduced
Senate Bill No. 918, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52512.

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

Senators Birkholz, Jelinek, Garcia, Van Woerkom, Stamas, Johnson, Allen and Gilbert introduced
Senate Bill No. 919, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2000 PA 259, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

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

Senators Allen, Toy and Birkholz introduced
Senate Bill No. 920, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 224 (MCL 18.1224), as added by 2003 PA 12.

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

Senators Allen, Toy and Birkholz introduced
Senate Bill No. 921, entitled

A bill to require departments and regulatory agencies of this state to acknowledge timely receipt of information requests submitted by mail as the postmark date; and to provide for rule-making authority.

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

Senators Sikkema and Hardiman introduced
Senate Bill No. 922, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 8a (MCL 125.2686 and 125.2688a), as amended by 2004 PA 430.

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

House Bill No. 5315, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 735 (MCL 450.1735), as amended by 1997 PA 118.

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

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

House Bill No. 5316, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 823 (MCL 450.1823), as amended by 1989 PA 121.

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

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

House Bill No. 5317, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 611 (MCL 450.1611), as amended by 1997 PA 118.

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

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

House Bill No. 5318, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 528 (MCL 450.1528), as amended by 1997 PA 118.

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

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

House Bill No. 5319, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 441 (MCL 450.1441), as amended by 1989 PA 121.

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

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

House Bill No. 5320, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 442 (MCL 450.1442).

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

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

House Bill No. 5321, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 143 (MCL 450.1143), as amended by 2001 PA 57.

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

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

House Bill No. 5322, entitled

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

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

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

House Bill No. 5323, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 106, 261, and 489 (MCL 450.1106, 450.1261, and 450.1489), sections 106 and 489 as amended by 2001 PA 57 and section 261 as amended by 1993 PA 91.

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

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

House Bill No. 5398, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 2005 PA 133.

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 Health Policy.

Committee Reports

The Committee on Commerce and Labor reported

Senate Bill No. 906, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred," (MCL 17.1 to 17.3) by adding section 2b.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Toy, McManus, Schauer and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, November 29, 2005, at 3:00 p.m., Room 100, Farnum Building

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

The Committee on Families and Human Services reported

Senate Bill No. 892, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57e and 57f (MCL 400.57e and 400.57f), as amended by 2001 PA 280.

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

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

Senate Bill No. 893, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 43 and 57g (MCL 400.43 and 400.57g), section 57g as amended by 2001 PA 280.

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

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

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

The Committee on Families and Human Services reported

Senate Bill No. 894, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d and 57g (MCL 400.57d and 400.57g), as amended by 2001 PA 280.

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

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

Bill Hardiman

Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom, Sanborn and Jacobs

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, November 29, 2005, at 3:16 p.m., Room 210, Farnum Building

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

Excused: Senator Clark-Coleman

The Committee on Transportation reported

House Bill No. 4920, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80124a, 80307, 80309, 81112, and 82105 (MCL 324.80124a, 324.80307, 324.80309, 324.81112, and 324.82105), section 80124a as added by 2003 PA 293, sections 80307, 80309, and 81112 as added by 1995 PA 58, and section 82105 as amended by 1998 PA 297.

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, Kuipers and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5057, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 91.

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, Kuipers and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5200, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 233, 235a, and 811d (MCL 257.219, 257.233, 257.235a, and 257.811d), sections 219 and 233 as amended by 1999 PA 267, section 235a as amended by 1987 PA 238, and section 811d as added by 2000 PA 77.

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, Kuipers and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 670, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 33901, 33902, 33903, 33904, 33908, 33910, 33911, 33916, 33924, 33929, and 33935 (MCL 324.33901, 324.33902, 324.33903, 324.33904, 324.33908, 324.33910, 324.33911, 324.33916, 324.33924, 324.33929, and 324.33935), as added by 1995 PA 59; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 757, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 14i (MCL 400.14i), as amended by 2004 PA 571.

With the recommendation that the bill pass.

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

Shirley Johnson
Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Tuesday, November 29, 2005, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Excused: Senator Cropsey

The Committee on Health Policy reported

House Bill No. 4446, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson and George

Nays: Senator Jacobs

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

House Bill No. 5025, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204 (MCL 333.16204), as added by 1994 PA 234.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson and Jacobs

Nays: Senator George

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, November 30, 2005, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Hammerstrom (C), Patterson, George and Jacobs

Excused: Senator Bernero

The Committee on Economic Development, Small Business and Regulatory Reform reported

Senate Bill No. 625, entitled

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

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

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

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

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 4959, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 107, 113, 203, 537, 543, and 607 (MCL 436.1107, 436.1113, 436.1203, 436.1537, 436.1543, and 436.1607), sections 107 and 537 as amended by 2001 PA 223, section 203 as amended by 2000 PA 289, and section 543 as amended by 2005 PA 97.

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

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

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 Economic Development, Small Business and Regulatory Reform submitted the following:

Meeting held on Wednesday, November 30, 2005, at 3:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Finance reported

Senate Bill No. 203, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 54 (MCL 208.54), as added by 1999 PA 115.

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.

Nancy Cassis

Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus and Thomas

Nays: None

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

The Committee on Finance reported

Senate Bill No. 909, entitled

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

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.

Nancy Cassis

Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia and McManus

Nays: None

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

The Committee on Finance reported

Senate Bill No. 910, entitled

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

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.

Nancy Cassis

Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia and McManus

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 Finance submitted the following:

Meeting held on Wednesday, November 30, 2005, at 1:05 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), Garcia, McManus and Thomas

Excused: Senator Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:

Meeting held on Wednesday, November 30, 2005, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senator George (C), McManus and Clarke

Scheduled Meetings**Appropriations -****Subcommittees -**

Commerce, Labor and Economic Development - Thursday, December 8, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2420)

Judiciary and Corrections - Wednesday, December 7, 9:00 a.m., Room 402, Capitol Building (373-3760)

Education - Thursday, December 8, 2:00 p.m., Room 210, Farnum Building (373-6920)

Transportation - Tuesday, December 6, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 3:12 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Tuesday, December 6, 2005, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate