

No. 94
STATE OF MICHIGAN
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REGULAR SESSION OF 2004

Senate Chamber, Lansing, Wednesday, September 29, 2004.

10:00 a.m.

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

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

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

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

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

Senator Gerald Van Woerkom of the 34th District offered the following invocation:

Our Father in Heaven, we come to You this morning, and we offer You thanks and praise. We are grateful for another beautiful day that You've given to us. We pray that each of us will be able to make the most of it. We pray for blessings today, Lord. We pray that You will give us the blessing of wisdom as we struggle with a number of issues today. I know the budget has weighed heavy on many of our hearts, and we pray that You will help us resolve the issues that are within the budget. Lord, we also face today the issue of marriage and divorce, and we pray that You will give us wisdom and guidance as we try to find a way in our state to help people resolve the difficulties that face them within their families.

Lord, we pray for our many families. We pray for comfort for the family who faced that tragedy in Detroit yesterday. We pray that You will be close to them and care for them. We pray, too, for the people down in Florida, many of whom are homeless at this point. We pray that You will provide for the needs they face there. We pray for our country as well. We continue to face the issue of war. We pray that the war may be resolved and be resolved quickly.

Be near us, Lord; help us. In Your name, Amen.

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

Motions and Communications

Senators Birkholz, Johnson and Emerson entered the Senate Chamber.

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

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

House Bill No. 5319

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

Senator Hammerstrom moved that the Committee on Appropriations be discharged from further consideration of the following bills:

House Bill No. 6208, entitled

A bill to amend 2002 PA 6, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances," by amending section 10.

House Bill No. 5528, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2005; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Hammerstrom 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:

House Bill No. 6208

House Bill No. 5528

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

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

Senator Garcia entered the Senate Chamber.

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

September 28, 2004

Pursuant to Joint Rule 3(a), I have made the following appointments to the Conference Committee on Senate Bill 1105:

Senator McManus, Senator Johnson and Senator Prusi

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, September 28, for her approval the following bills:

Enrolled Senate Bill No. 1104 at 2:40 p.m.

Enrolled Senate Bill No. 1111 at 2:42 p.m.

Enrolled Senate Bill No. 1112 at 2:44 p.m.

The Secretary announced that the following official bill was printed on Tuesday, September 28, and is available at the legislative Web site:

Senate Bill No. 1432

Messages from the Governor

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

Senate Bill No. 195
Senate Bill No. 364
Senate Bill No. 293
Senate Bill No. 265
Senate Bill No. 288
Senate Bill No. 540
Senate Bill No. 283
Senate Bill No. 464
Senate Bill No. 466
Senate Bill No. 395
Senate Bill No. 474
Senate Bill No. 840
Senate Bill No. 785
Senate Bill No. 788
Senate Bill No. 829
Senate Bill No. 841
Senate Bill No. 1093
Senate Bill No. 863
Senate Bill No. 865
Senate Bill No. 867
Senate Bill No. 869
Senate Bill No. 872
Senate Bill No. 875
Senate Bill No. 647
Senate Bill No. 320
Senate Bill No. 267

The motion prevailed.

The following message from the Governor was received:

Date: September 28, 2004

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1349 (Public Act No. 342), being

An act to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan

agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2e (MCL 21.142e), as added by 2001 PA 123.

(Filed with the Secretary of State on September 28, 2004, at 1:10 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received:

September 28, 2004

With this letter I return Enrolled Senate Bill 1062, which was presented to me on Monday, September 20, 2004 at 10:32 a.m. I return the enclosed bill because the Secretary of the Senate has requested its return and because the bill presented differs materially in substance from the measure as adopted by the 92nd Michigan Legislature.

Respectfully,
Jennifer M. Granholm
Governor

Senator Clarke entered the Senate Chamber.

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

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

Senate Bill No. 1384
House Bill No. 5414
House Bill No. 4766
House Bill No. 5467
House Bill No. 5469
House Bill No. 5470
House Bill No. 5471
House Bill No. 5472
House Bill No. 5474
Senate Bill No. 959
Senate Bill No. 961
Senate Bill No. 964
Senate Bill No. 966
Senate Bill No. 963
House Bill No. 5473
House Bill No. 5468
House Bill No. 5340
House Bill No. 5772
House Bill No. 5771
House Bill No. 6074
Senate Bill No. 1081
Senate Bill No. 1148

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1384, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 4a, 33b, and 64a.

The question being on the passage of the bill,

Senator Toy offered the following amendments:

1. Amend page 1, line 2, after "**to**" by striking out the balance of the line through "**from**" on line 3 and inserting "**file a police report with**".

2. Amend page 1, line 6, after “762.10c” by inserting a comma and “and to obtain a copy of that report from that law enforcement agency”.

3. Amend page 1, line 10, after “to” by striking out the balance of the line through “from” on line 11 and inserting “file a police report with”.

4. Amend page 2, line 3, after “762.10c” by inserting a comma and “and to obtain a copy of that report from that law enforcement agency”.

5. Amend page 2, line 7, after “to” by striking out the balance of the line through “from” on line 8 and inserting “file a police report with”.

6. Amend page 2, line 11, after “762.10c” by inserting a comma and “and to obtain a copy of that report from that law enforcement agency”.

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. 677

Yeas—36

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

Nays—0

Excused—1

Barcia

Not Voting—1

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

House Bill No. 5414, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 106 (MCL 400.106), as amended by 2003 PA 33.

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. 678**Yeas—36**

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

Nays—0**Excused—2**

Barcia	Johnson
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Not Voting—0

In The Chair: President

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4766, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 21335 and 21735.

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. 679**Yeas—36**

Allen	Clark-Coleman	Hardiman	Sanborn
Basham	Clarke	Jacobs	Schauer
Bernero	Cropsey	Jelinek	Scott
Birkholz	Emerson	Kuipers	Sikkema

Bishop
Brater
Brown
Cassis
Cherry

Garcia
George
Gilbert
Goschka
Hammerstrom

Leland
McManus
Olshove
Patterson
Prusi

Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—2

Barcia

Johnson

Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5467, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending sections 3 and 3a (MCL 551.103 and 551.103a), section 3 as amended by 1984 PA 346 and section 3a as amended by 1989 PA 270.

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. 680

Yeas—23

Allen
Bernero

Cropsey
Garcia

Jelinek
Kuipers

Schauer
Sikkema

Birkholz
Bishop
Brown
Cassis

George
Gilbert
Goschka
Hardiman

McManus
Olshove
Patterson
Sanborn

Stamas
Toy
Van Woerkom

Nays—14

Basham
Brater
Cherry
Clark-Coleman

Clarke
Emerson
Hammerstrom
Jacobs

Johnson
Leland
Prusi

Scott
Switalski
Thomas

Excused—1

Barcia

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the title of the bill.

Protests

Senators Jacobs, Basham, Johnson and Brater, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5467 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 Jacobs’ statement is as follows:

Like my esteemed colleague before me, I also rise to oppose this bill, as well as most of the bills in this package. In effect, what we are requiring is an unfunded mandate for people who want to get married in Michigan. We have talked about the idea of mental health parity, and so far, that concept certainly has not gotten legs in the state of Michigan. So we’re really requiring people who are not going to have these sessions necessarily covered by their health insurance policies to go and have counseling. And if you can’t afford these four counseling sessions, if you are too poor to afford these counseling sessions, then you will be penalized by having to wait for a longer waiting period before you get married. So we are really penalizing people by this unfunded mandate.

I would submit to this body that I believe poverty is a greater barrier to marriages. There are probably more failed marriages because people simply can’t afford to take care of their families. I think that we should be, as a body, addressing those issues as opposed to intruding into the personal lives and bedrooms of our Michigan residents.

I would also like my colleagues, many of whom here have been divorced and remarried or who have had divorces, perhaps by their own parents or their children, in their family to really and truly think about whether four hours of premarital counseling would have changed anything in the lives of themselves and their decisions to stay in a marriage or stay out of a marriage.

Again, I think this is well intentioned. I believe in strong marriages. I have been married for 33 years. I hope that my children will make the right decisions when they choose their spouses. But this government should not be involved in this. I feel so strongly about this. So, for that reason, I will personally be voting “no” against this bill, as well as most of the other bills in this package.

Senator Basham’s first statement is as follows:

I plan to vote against this bill, and as matter of fact, the entire package of radical bills not because I think premarital counseling is a bad idea. In fact, I think premarital counseling is a great idea. I encourage all new couples to have counseling before they walk down the aisle. What I don’t believe, Mr. President, is that it is any of the state’s business to push people unwillingly into premarital counseling. This is an unnecessary intrusion into people’s personal

relationships, and the state should concern itself with the legal aspects of marriage. But the family and the house of worship should concern itself with the relational aspects of the marriage, including premarital counseling.

If the state begins regulating personal relationships, what's next? Will the state start picking out the birthday gift I buy for my wife? How about telling couples how many children they can have? This intrusion, while well intentioned, is ill-conceived, and I encourage my colleagues to vote "no" on this package of bills.

Senator Basham's second statement is as follows:

I just would like to comment on some of the previous speakers, one in particular, the good Senator from the 11th District and I quote. He said, "Government should step in to shore up families," and I agree. And there are studies out that show that finances are a huge reason that people wind up getting divorced. I've heard no one from the other side of the aisle talk about living wage or affordable health care. Those things are very, very important to keeping the family structure together. So the next time we have the debate about living wage, I would hope some of my colleagues who stand up and talk about marriage and keeping it together would talk about a living wage and affordable health care. And finances again, Mr. President, are a huge problem with young working families. So we should be addressing it. If you want to talk about marriage, let's talk about living wage, and let's talk about affordable health care.

Senator Johnson's statement is as follows:

I probably shouldn't speak to this issue because it irritates and outrages me so. I joined the Republican Party in 1960, and that was the first year I was able to vote. I did so because it fought so hard and believed so strongly in the right of the individual—an individual's decisions and the individual's right to make his or her own choices—and I believe that to this day. The last thing in the world I want, or should anybody in this chamber or in this state or in this country want, is more and more government intrusion. And yet day after day after day, it is my own party that comes up with one study that says government should intrude for the better of us all. For the better of who? I can't help but be offended.

You know, Susan Munsell and I years ago, under the auspices of the leadership Paul Hillemonds, chaired a task force that went around this state from the U.P. to the south part of this state, from the east to the west, and we talked to people about family and child abuse, etc. The most tragic thing that we learned was there were families who believed that they should stay together in spite of the fact that fathers were sleeping with sons and daughters. Now that's where government should intrude. This is the most offensive piece of legislation in my entire years here, and this is my 24th. It's probably time for me to leave because, folks, if this is what you think government should be about, you are all wrong.

My parents knew each other for three weeks. My mother did not know my father's first name. My father did not know that my mother was 10 years younger than he. They didn't know that until they stood in front of city hall and took that oath. By God, they stayed together. They were the happiest damn people I've ever known. I envy them to this day, their marriage. I've been with my husband since I was 15 years old, and believe me, we've made many mistakes. We are far from the perfect couple, but the last thing in the world we want is for you, Mr. and Mrs. Legislator, to intrude in our personal lives. I would respectfully ask, Mr. President, that those individuals in this body who have experienced divorce, who have cost this state these dollars that we are talking about over the years, you should out of respect for the citizens of this state and your constituency abstain from voting.

Senator Brater's statement is as follows:

I regard this package of bills as government intrusion in the most personal matters in our lives. While some call these bills family protection, I call them family invasion. Indeed, some of my constituents when hearing about this said, "Well, isn't that social engineering?"

The decision to marry should be between the parties involved and their families, their clergy if they choose, and indeed any mental health professionals if they choose to get involved. It shouldn't be engineered by the state. The sponsors of these bills brought forth academic studies, as you have been hearing, showing what effects this program could have, but on consultation with experts in the field of psychology at the University of Michigan, I have been told that there are academic studies all over the map on the issues of marriage, divorce, effects on children, and effects of marriage counseling.

Indeed, we have been told by the ACLU that data collected from Florida for two years following the enactment of similar legislation revealed no impact on the rates of divorce. So, you know, you can bring in so-called scientific studies, and you have to look at whether they are from peer-reviewed journals. You have to study how the experiments were set up and what variables were controlled before you can evaluate them.

But the bottom line here is that the sponsors have really brought forth no conclusive evidence that four hours of premarital counseling prescribed in these bills would strengthen marriages or lower the likelihood of divorce. We should not create a two-tier system for issuing marriage licenses: one for those who can go to clergy or are able to pay for a private marriage counselor and one for those who cannot or will not.

The bill does not mandate premarital counseling, but it does create a two-tier system, a double standard for those who choose to undergo the marriage counseling and those who do not. So I would strongly urge my colleagues to stick with the position that many of those who are advocating for these bills often take, that government should stay out of our personal lives and refrain from interfering at this personal level in our constituents' lives.

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

The motion prevailed.

Senator Cropsey's first statement is as follows:

I think this is probably one of the most important issues that we may be discussing in this body, perhaps in the two-year term that we have had here so far. There are several misconceptions about this legislation that I would like to clear up. First of all, I think it is very interesting at least one of the previous two speakers said, "Hey, marital counseling is good, premarital counseling is good, but let's not mandate it." This does not mandate premarital counseling. All this does is say that we encourage premarital counseling. If you get premarital counseling, you still can get the marriage license within that three-day time period. If you don't get premarital counseling, we are saying that you need to spend longer thinking about this, and it will be 28 days instead of three days.

It is very interesting to note that after marriage takes place, there is 30 days to file the marriage certificate. So what we are talking about really is how do we encourage stronger marriages in our society today? Is there a role for government in that? Well, the government does give a marriage license. Let me tell you, if a marriage fails, government takes a very active, very intrusive, and in many cases a very negative role. The most intrusive area of government is not the Internal Revenue Service, and it's not the state tax system. The most intrusive area of government is our court system when it gets into domestic situations, when it gets into the Friend of the Court. Anybody who has handled a divorce case in this state where there are children involved understands how intrusive government is.

What government does in a divorce case is it tells the people this is when you can see your children; this is who has custody of your children; this is when you can't see your children; this is when you can call your children; this is the person who is going to take care of the needs of your children. By the way, we will tell you how much money you will spend for support of your children. Is that intrusive? That is extremely intrusive. I can't think of anything more intrusive in our government today than the Friend of the Court and the court system in a divorce situation.

If we can help strengthen marriages up front so that we do not get into that situation, we are getting government out of people's lives so that they can live a happier and more productive life.

This is one area in which we are seeing the social studies coming in, the technical studies have come in, and they are showing a very, very strong positive relationship with premarital counseling and happiness and success in marriage.

Let me go through some of these. This is from *Family Relations*, Volume 52, Number 2, pages 105-118. This was done by James Carroll and William Dougherty, in which the average person who participated in premarital counseling was significantly better off afterwards than 79 percent of the people who did not participate. The findings suggest that premarital programs are generally effective in producing immediate and short-term gains in interpersonal skills and overall relationship quality, and these improvements are significantly better than nonintervention couples in these areas. It goes on to state that successful marriage is a highly valued goal for the majority of Americans. In fact, 93 percent of Americans say having a happy marriage is one of the most important objectives in life. And more than 70 percent believe that marriage involves a lifelong commitment that should only be ended under extreme circumstances. The report goes on and quotes several other reports that say, "The current state of marriage in the United States is troublesome because a growing body of research shows successful marriages promote mental, physical, and family health, where conflicted and unstable marriages undermine well-being and encourage large, social, and financial costs for communities—not just for the individuals involved, not just for the children involved, but for the whole community. In an effort to reduce the current rates of marital distress and divorce, scholars and educators have advocated for the development and implementation of premarital programs."

In our United States armed forces, there is a program that is used that is called Prep. Many of our Navy, Army and Air Force installations require marriage education classes. Remember we aren't requiring it. We are just saying if you don't do it, we are going to have a longer window before your marriage license becomes valid. These courses, these Prep courses, reduce divorce and violence and actually increase the re-enlistment in our armed forces. This is what the summary of the research shows on marriage education and marriage counseling.

I want to go to the Prep program and the study that has been done on the Prep program. Three years after the intervention, after the couples took the Prep program, the couples maintained higher levels of relationship satisfaction, sexual satisfaction, and lower problem intensity than match controlled couples. In other words, for couples who didn't go through the program, the Prep participants demonstrated significantly more positive interaction of the four years of post-intervention, including greater communication skills, support validation, positive effect, positive escalation, and overall positive communication relative to a match control group. The Prep couples also showed greater communication skills, positive effect, and overall positive communication than couples who declined the intervention years earlier.

These kinds of differences are very important because such patterns are strongly correlated with marital distress, violence, and break-up. And that was done by a different study. Prep couples reported fewer instances of physical violence with their spouse than did controlled group couples across three- to five-year follow-ups. The follow-ups with a gender sample also revealed that the controlled group and the decliner couples had statistically greater chance of premarital break-ups than those who went through the Prep premarital counseling.

What are they saying? They are saying this counseling helps with communication between the two people, and because it helps with communication and they are discussing the issues before they are married, you have less physical violence and less women abused in a marital relationship. Isn't that something we are all looking for? Isn't that something we all want? We have a study here that shows that that is true.

This program has been used not only among the military, but with other various couples, including Jewish, Christian, African-American, and even in transition to parenthood classes. The strong empirical basis for both testing of outcomes and the content being largely based on empirical findings is updated regularly with ongoing research.

Folks, this is something that we have the research on, and we have the basis to say if we want strong marriages and strong communities, then let's encourage people to get the premarital counseling that they need. One of the things that was done and many of these things is there is an assessment that goes on with the counselors with people asking them questions and going through questionnaires. And people say, "I don't see what a questionnaire will do." It gets the couple to start to think. Recent studies have shown that the quality of premarital relationships substantially predicts marital stability and satisfaction. A study of 393 couples examined the relationships between four premarital types that were identified by the study and relationship outcome over a three-year period. The substantial correlation found that of the four types, being the best type was vitalized and the worst type was conflicted, going through the questionnaire and with subsequent counseling, people moved up and their marriages had better satisfaction when they went in the marriage. About 10 to 15 percent of the couples who went through this program decided either not to marry or postponed their wedding date because they realized they weren't ready for it. In essence, what had happened was they realized that there is more maturity that takes place, more thought that goes into it, and you have women not going into a relationship so readily that could turn out to be very abusive. These findings suggest that the couple probably made a wise decision in choosing not to marry that person at that time.

This program is a very useful prevention program for increasing marital satisfaction and reducing divorce. If we want marriages to be more fulfilled and we want fewer divorces because there are better marriages, then we need to be encouraging the premarital counseling program. That's what this legislation does. We also have subsequent legislation that says if you have a hard time paying for the program, we are giving a \$50 tax credit to help make families stable, bring about stable families. I think it is a tremendous bargain for the people of this state, to say nothing about the happiness for that couple.

I would hope that when you take a look at the research, the research is there. There is no research indicating anything contrariwise. The research is there saying we need to be encouraging a good relationship in a marriage. The programs are there, and we need to be encouraging people to take the programs. Does this say they have to take the programs? No, it doesn't. There is an incentive, though, that says if you take the program, you can get a tax credit; if you take the program, you can get the marriage license within three days. If you don't take a program, then wait, wait, and evaluate what you are doing. Give them time to think. That's all we are doing on this. It's just common sense. We are facing tremendous problems in our society today because of the breakdown in the family. If we encourage strong marriages, we are encouraging strong families.

Senator Cropsey's second statement is as follows:

Mr. President, I appreciate the seriousness of which this issue is being treated today by yourself as the chair and also by this body. I think there's a few misconceptions in things that have been said today that definitely need to be cleared up.

We are not talking about one study. We're not talking about two studies. We're talking about the overwhelming evidence of hundreds of studies. The statement has been made by one of the Senators who represents one of the premier research institutions in the United States today: "You can find academic studies all over the board on this." What's very interesting—but I don't know of one academic study that was presented by that Senator's invitation to anybody from that institution who could have come before the Senate Judiciary Committee could not come up with one academic study in opposition.

I don't know of one academic study that was presented in the House of Representatives. I challenged them to come up with the studies that they say are there on this because it has not been presented to the Legislature, even though there is ample opportunity to do so and even though that institution of higher education is noted as one of the premier institutions of higher education in the world today. If there was a study there, they should have been here informing the Legislature. If there are the studies, they have failed to do their job as an institution of higher education to give us that information as we set policy in this state.

I can tell you, though, that there are studies on the other side—that there are hundreds of studies, and those were presented to our committee. I have here a compendium of several of the studies that were done by our United States government. It was done by the Special Assistance for Marriage Education at the Office of the Assistant Secretary of the Administration of Children and Families. They went through the studies, and this is what they came up with. And we could go through the studies that they cited. A study in 1988 was done by Markman, Floyd, Stanley and Storaasli—"Prevention of Marital Distress: A Longitudinal Investigation." It was published in the *Journal of Consulting and Clinical Psychology*. Another one by Markman, Renick, Floyd, Stanley and Clements. It's "Preventing marital distress

through communication and conflict management training: A four and five year follow-up," published in the *Journal of Consulting and Clinical Psychology*. There were studies done by Sillman, Stanley, Coffin, Markman and Jordan called "Preventive Interventions for Couples." This is published in *Family Psychology: Science-based Interventions*. They are out of Washington, D.C. There is study after study after study after study that are recited here, published by our government saying that this is necessary if you want to follow the social research, the social sciences in this.

Nobody has come up to this committee chairman with a study in opposition. I challenge you to do so. I challenge you to show me the majority of the studies say anything different. It can't be done and hasn't been done, and certainly, if it is there, then our institutions of higher education have failed us. For people to go about perpetrating that falsehood is absolutely wrong when we're supposed to be making our judgments based upon the best research that we have available to us. I'm offended by somebody coming up and saying, "Well, the committee didn't have any studies," when we had people there who went through the studies and summarized the studies, and we had this information available to us in the committee.

Another thing I find interesting by the people who are saying they are voting against this is they are saying marriages are important, and so they can nitpick and say four hours is really important enough. Well, what do you want? Offer an amendment to say, do you want 12 hours? What else do you want? All we've heard are naysayers and not any constructive solutions to a huge problem that is facing our society. How do I face this problem? I'll tell you how we face this problem. We spent \$1.8 billion on a correctional system in this state. How intrusive is that? I'll tell you it's intrusive enough to come and get money out of your pocket, money out of my pocket, and money out of my constituents' pockets.

We can talk to educators in this state. Does family break-up have an impact on education in this state? You better believe it. Everybody knows that. All we hear is, "We don't think four hours is enough. Will that really make a difference?" Well, come up with a constructive solution instead of nitpicking it and saying, "Well, it's not a problem, and we shouldn't get involved." We are involved whether we like it or not. I challenge the people who are saying they're voting against it to come up with a constructive solution because you haven't offered one thing.

Senator Hardiman's first statement is as follows:

Mr. President, I rise today to speak in favor of the marriage package. I also want to offer a few comments on this very important piece of legislation.

You've heard the discussion and the debate that has taken place so far, and I won't try to go over those items and issues. But if I may, let me just add from a personal perspective why I support this package. Several years ago in the Grand Rapids area, I helped to found a program that would strengthen marriages, and at the essence, we want to empower couples for a lifelong marriage. I believe that restraint in some ways helps to add some stability to the marriage, but we were really seeking commitment. I believe that it is important to keep that in mind. I carried that theme with me as I came to the Senate. I looked very carefully at the package of bills, and I support this package. I think the cornerstone is premarital preparation. In the Grand Rapids community, we have made that our cornerstone as well. As mayor of the city of Kentwood for about ten years, I could perform marriage ceremonies. I declined to do it, even for personal friends who came to me, because I felt that it was so important, and I wanted to see individuals get the help and support they needed for a lifelong marriage.

Now there are programs there because of some of our efforts that would make premarital preparation available to folks. I support the judges who are taking advantage of that and doing the marriages since the couples have had the premarital preparation. This position of mine came from a deep-seated need and desire to see the institution fortified in our communities. I believe it is so essential.

Now, some point to the fact that there are members here who have been through a divorce. I am one of those members. I was married early in my life for about three and a half years and went through a divorce. And while I have been married to my wife Clova for about 30 years now, we have an awesome marriage; it didn't start out that way. But I believe the premarital preparation, the counseling that is being incentivized here is so very important. That's why I strongly support this package. Government is not telling folks that they have to have this, but we are providing an incentive for it. Perhaps it's not a great incentive, but it is an incentive and it is a start. As I said, I believe that the commitment is the key, restraint and some stability, but the commitment. I believe there are so many couples who have gone through this that I know of who have learned so much about each other. It has caused a stronger, much stronger marriage relationship.

We talk about not getting involved in the personal lives and that government should stay out of personal relationships, out of divorce. I don't think that we can afford to do that, and I don't believe we do that now. We are involved in personal lives, as was already stated. Once there is divorce, we are involved. Once there are programs that are needed to help families, who have gone through very unfortunate situations, we are involved very heavily. As the chair of the Families and Human Services Committee for this Senate and also the Appropriations Subcommittee chair of FIA, I see that we are involved in all kinds of ways. This is one way that we can incentivize in the affront of a simple process that will make a major difference.

Now, one of the bills in the package, the one I introduced, also has a check-off just to add so that there can be statistics and help us ascertain how very valuable this is. I think this is something else that the government can do. Again, we are not mandating it, but we are incentivizing it. It's very important to the well-being of our communities. I think we would all agree that marriage is very important, and I would ask my Senate colleagues to support this package of legislation. I think it is crucial for the state of Michigan.

Senator Hardiman's second statement is as follows:

Mr. President, I just wanted to say one thing about some of the studies that have been noted in this debate. I have had the honor of meeting many of the folks who are involved in this issue on the national basis and who are doing the studies. Believe me, this is not a group of right-winged individuals. Some of the folks whom I've met would certainly hold different political ideologies than I do, but we agree on the very importance of marriage and the crucial times that we are in.

Let me mention something else. One criticism that has been heard suggested these bills are a ploy to trap women in abusive situations. Let me be very clear about this topic. I've seen abuse from a very close range as a young person growing up. It's an awful, awful thing. I would not be a part of anything that I thought was going to enhance that. Improving marriage, I believe, would help to minimize that. And these bills clearly give leeway and latitude in situations where abuse is present or simply the judge decides the factors warrant such treatment. So that is not something that is desired by the sponsors of these bills.

I urge your support of this package.

Senator Sanborn's statement is as follows:

I came to this chamber to make a difference. I did a 20-year study working in the juvenile court system. I watched families falling down around me everywhere. I came here to make a difference, and today by supporting these bills, I believe that I am.

One of the important issues here is the impact of divorce. One of the fastest-growing segments of families falling under the level of poverty is single parents. Eighty-four percent of the families, the kids whom I worked with in the juvenile court system for 20 years were from broken homes. If you do not believe that broken homes have a tremendous impact on kids and that so many of them will be impacted in such a way that they will even be adjudicated into the juvenile court system, then you are just not getting the message. Some would say that government has no role here; that it is an intrusion on our family, but I believe anything that the government can do to strengthen marriage and family is an important role here. The government certainly has a role.

Now, I believe that marriage and family are the cornerstone of our society, making our society stronger because stronger, healthier families make for a stronger, healthier society. I spoke about the 84 percent of the kids who end up in the juvenile court system, and I spoke about the families who fall into poverty because of that. That means there are not only social implications, but there are implications with regard to the taxpayers of Michigan. So many of these families cannot afford to reimburse an already overwhelmed juvenile court system, so the burden falls, the financial hardship falls financially to the taxpayers. As each child ends up in the juvenile court system, whether they are in youth homes or placements around the state, it may be anywhere from \$150 to \$400 per day, per child. And the breakdown of marriage contributes to that. So the financial hardship falls back to the taxpayers.

More important than the fiscal impact is the social impact because each child who ends up in the juvenile court system is a child who is socially just not contributing to our society. Our juvenile court system is overwhelmed now as it is. Our government has a role in stepping in and doing everything it can within its power to shore up our families. It will have both fiscal implications and social implications by passing this bill.

I came here to make a difference, and I believe by supporting this package of bills today I am doing what I came here to do—I'm making a difference. I urge your support for these bills.

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

Senate Bill No. 1148

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1148, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43536a (MCL 324.43536a), as amended by 2003 PA 4.

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. 681**Yeas—37**

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

Nays—0**Excused—1**

Barcia

Not Voting—0

In The Chair: President

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 President, Lieutenant Governor Cherry, designated Senator Bishop as Chairperson.

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

House Bill No. 5528, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2005; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 19, following line 17, by inserting:

“Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both.”

2. Amend page 28, line 20, by striking out all of sections 372 and 373.

3. Amend page 29, line 20, by striking out all of section 377.

4. Amend page 30, line 9, after “379.” by striking out the balance of the line through “247.660b.”

5. Amend page 30, line 14, after “agency” by inserting “in accordance with section 10b(3) of 1951 PA 51, MCL 247.660b”.

6. Amend page 31, following line 5, by inserting:

“This section does not apply to travel by the governor, attorney general, or the secretary of state.”.

7. Amend page 40, following line 15, by inserting:

“Sec. 634. From the funds appropriated in part 1, the department shall install traffic signals at the intersection of Ann Arbor Road and McClumpha Road in Plymouth Township, Wayne County, and at the intersection of King Road and Telegraph Road in Brownstown Township, Wayne County.”.

8. Amend page 49, line 11, after “CTF,” by inserting “sufficient”.

9. Amend page 49, line 12, after “agencies.” by striking out the balance of the section.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 5528

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

The following bill was read a third time:

House Bill No. 5528, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2005; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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. 682

Yeas—35

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

Nays—0

Excused—1

Barcia

Not Voting—2

Clarke

Johnson

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect. The motion prevailed, 2/3 of the members serving voting therefor. The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of
General Orders

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

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

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

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151; and to repeal acts and parts of acts.

Substitute (S-3).

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

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

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

House Bill No. 5319

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

The following bill was read a third time:

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan

transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151; 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. 683

Yeas—36

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

Nays—0

Excused—1

Barcia

Not Voting—1

Garcia

In The Chair: President

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

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

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

House Bill No. 6165

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

By unanimous consent the Senate returned to the order of
General Orders

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

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

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

House Bill No. 6208, entitled

A bill to amend 2002 PA 6, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances," by amending section 10.

The bill 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. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

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:

House Bill No. 6208

House Bill No. 6165

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

The following bill was read a third time:

House Bill No. 6208, entitled

A bill to amend 2002 PA 6, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances," by amending section 10.

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. 684

Yeas—36

Allen	Clark-Coleman	Hardiman	Sanborn
Basham	Clarke	Jacobs	Schauer
Bernero	Cropsey	Jelinek	Scott
Birkholz	Emerson	Johnson	Sikkema

Bishop	Garcia	Kuipers	Stamas
Brater	George	Leland	Switalski
Brown	Gilbert	Olshove	Thomas
Cassis	Goschka	Patterson	Toy
Cherry	Hammerstrom	Prusi	Van Woerkom

Nays—0

Excused—1

Barcia

Not Voting—1

McManus

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

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. 685

Yeas—36

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

Nays—0

Excused—1

Barcia

Not Voting—1

Johnson

In The Chair: President

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

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

“An act to impose a state excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests in certain counties; to provide for the levy, assessment, and collection of the tax; to provide for the disposition and appropriation of the collections from the tax; to create a convention facility development fund; to authorize the distributions from the fund; to authorize the use of distributions from the tax as security for any bonds, obligations, or other evidences of indebtedness issued to finance convention facilities as provided by law; to prescribe certain other matters relating to bonds, obligations, or other evidences of indebtedness issued for such purposes.”

The Senate agreed to the full title.

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

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

The following bill was read a third time:

House Bill No. 5469, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” (MCL 551.101 to 551.111) by amending the title, as amended by 1998 PA 333, and by adding section 12.

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. 686**Yeas—21**

Allen	Cropsey	Hardiman	Patterson
Bernero	Garcia	Jelinek	Sanborn
Birkholz	George	Kuipers	Sikkema
Bishop	Gilbert	McManus	Stamas
Brown	Goschka	Olshove	Toy
Cassis			

Nays—14

Basham	Emerson	Prusi	Switalski
Brater	Hammerstrom	Schauer	Thomas
Cherry	Jacobs	Scott	Van Woerkom
Clarke	Leland		

Excused—3

Barcia	Clark-Coleman	Johnson
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Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5470, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding section 5.

The question being on the passage of the bill,

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

Roll Call No. 687**Yeas—22**

Allen	Cropsey	Hardiman	Sanborn
Bernero	Garcia	Jelinek	Sikkema
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Toy
Cassis	Hammerstrom		

Nays—12

Basham	Emerson	Patterson	Scott
Brater	Jacobs	Prusi	Thomas
Cherry	Leland	Schauer	Van Woerkom

Excused—3

Barcia	Clark-Coleman	Johnson
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Not Voting—1

Clarke

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor. The Senate agreed to the title of the bill.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5471, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 4 (MCL 722.24), as amended by 1998 PA 482.

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. 688

Yeas—26

Allen	Cropsey	Jelinek	Sanborn
Bernero	Garcia	Kuipers	Sikkema
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Clarke	Hardiman		

Nays—9

Basham	Emerson	Johnson	Scott
Brater	Jacobs	Leland	Thomas
Cherry			

Excused—2

Barcia	Clark-Coleman
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Not Voting—1

Schauer

In The Chair: President

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

Protests

Senators Jacobs and Brater, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5471.

Senator Jacobs moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Jacobs’ statement, in which Senator Brater concurred, is as follows:

I just want to draw members’ attention to a memo that was put on our desks yesterday from the Family Law Section of the State Bar of Michigan, whose members deal with these issues as part of their job on a daily basis. Let me quote from this memo: “The section opposes HB 5471. The concept of sitting and developing a written parenting plan in a vacuum is simply unrealistic. Issues in a divorce action are seldom discreet, which is to say that all of the issues interact with each other. Resolution of one issue often depends on the resolution of one or more other issues. The process needs to remain fluid and flexible, especially when it comes to developing a parenting plan. Once developed, the parenting plan is set forth in the judgment of divorce, which is, de facto, the written parenting plan suggested in the bill. The Section feels that the imposition of having to develop a stand-alone written parenting plan is unrealistic and will simply duplicate what is already being done by parties and their attorneys to produce the judgment of divorce.”

With this in mind, I would ask members to seriously consider voting “no” on this bill because it is a duplicate of what is already going on in the process.

The following bill was read a third time:

House Bill No. 5472, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” by amending section 45 (MCL 552.45).

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. 689

Yeas—36

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

Nays—0

Excused—2

Barcia	Clark-Coleman
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Not Voting—0

In The Chair: President

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

Senator Schauer stated that he had intended to vote “yea” on the passage of the following bill:

House Bill No. 5471

The following bill was read a third time:

House Bill No. 5474, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16905 (MCL 333.16905), as added by 1995 PA 126.

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. 690

Yeas—36

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

Nays—0

Excused—2

Barcia	Clark-Coleman
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Not Voting—0

In The Chair: President

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 959, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16901 and 16903 (MCL 333.16901 and 333.16903), as added by 1995 PA 126.

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. 691

Yeas—35

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

Nays—0

Excused—2

Barcia	Clark-Coleman
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Not Voting—1

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 961, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” (MCL 551.101 to 551.111) by amending the title, as amended by 1998 PA 333, and by adding section 12.

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. 692

Yeas—22

Allen	Cropsey	Hardiman	Patterson
Bernero	Garcia	Jelinek	Sanborn
Birkholz	George	Kuipers	Sikkema

Bishop
Brown
Cassis

Gilbert
Goschka
Hammerstrom

McManus
Olshove

Stamas
Toy

Nays—14

Basham
Brater
Cherry
Clarke

Emerson
Jacobs
Johnson
Leland

Prusi
Schauer
Scott

Switalski
Thomas
Van Woerkom

Excused—2

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 964, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending the title and section 2 (MCL 551.102), as amended by 1998 PA 333, and by adding sections 2a and 2b.

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. 693

Yeas—23

Allen
Bernero
Birkholz
Bishop
Brown
Cassis

Cropsey
Garcia
George
Gilbert
Goschka
Hardiman

Jelinek
Kuipers
McManus
Olshove
Patterson
Sanborn

Schauer
Sikkema
Stamas
Toy
Van Woerkom

Nays—12

Basham
Brater
Cherry

Clarke
Emerson
Hammerstrom

Jacobs
Leland
Prusi

Scott
Switalski
Thomas

Excused—2

Barcia

Clark-Coleman

Not Voting—1

Johnson

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 966, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7a (MCL 722.27a), as amended by 1996 PA 19.

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. 694**Yeas—28**

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

Nays—8

Basham	Cherry	Jacobs	Leland
Brater	Emerson	Johnson	Scott

Excused—2

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 963, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending section 4 (MCL 551.104).

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. 695

Yeas—25

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

Nays—11

Basham	Clarke	Jacobs	Prusi
Brater	Emerson	Johnson	Scott
Cherry	Hammerstrom	Leland	

Excused—2

Barcia	Clark-Coleman
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5473, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending section 4 (MCL 551.104).

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. 696

Yeas—25

Allen	Garcia	Kuipers	Sikkema
Bernero	George	McManus	Stamas
Birkholz	Gilbert	Olshove	Switalski

Bishop
Brown
Cassis
Cropsey

Goschka
Hardiman
Jelinek

Patterson
Sanborn
Schauer

Thomas
Toy
Van Woerkom

Nays—11

Basham
Brater
Cherry

Clarke
Emerson
Hammerstrom

Jacobs
Johnson
Leland

Prusi
Scott

Excused—2

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was not concurred in, 2/3 of the members serving not voting therefor.
The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5468, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 263.

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. 697**Yeas—21**

Allen
Bernero
Birkholz
Bishop
Brown
Cassis

Cropsey
Garcia
George
Gilbert
Goschka

Hardiman
Jelinek
Kuipers
McManus
Olshove

Patterson
Sanborn
Sikkema
Stamas
Toy

Nays—15

Basham
Brater
Cherry
Clarke

Emerson
Hammerstrom
Jacobs
Johnson

Leland
Prusi
Schauer
Scott

Switalski
Thomas
Van Woerkom

Excused—2

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5340, entitled

A bill to amend 2002 PA 440, entitled “An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance,” by amending section 6.

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. 698**Yeas—36**

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

Nays—0**Excused—2**

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

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

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5772, 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 added by 2002 PA 30.

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. 699

Yeas—36

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

Nays—0

Excused—2

Barcia	Clark-Coleman
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Not Voting—0

In The Chair: President

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

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719), sections 11703, 11704, and 11709 as amended by 2004 PA 325, and by adding sections 11715b, 11715d, 11717b, and 11720.

The question being on the passage of the bill,

Senator McManus offered the following amendments:

1. Amend page 30, line 2, after “**the**” by striking out the balance of the line through “**promulgated**” on line 3 and inserting “**report is approved under subdivision (a)**”.

2. Amend page 30, line 7, after “**the**” by striking out the balance of the line through “**(1)**” on line 8 and inserting “**report is approved under subdivision (a)**”.

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. 700

Yeas—35

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

Nays—1

Sanborn

Excused—2

Barcia

Clark-Coleman

Not Voting—0

In The Chair: President

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

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

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 1301, 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.1301, 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719), section 1301 as added and sections 11703, 11704, and 11709 as amended by 2004 PA 325, and by adding sections 11715b, 11715d, 11717b, and 11720.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Senator Clark-Coleman entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 6074, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21502, 21504, 21505, 21506, 21508, 21546, 21548, and 21550 (MCL 324.21502, 324.21504, 324.21505, 324.21506, 324.21508, 324.21546, 324.21548, and 324.21550), sections 21506 and 21508 as amended by 1995 PA 269, sections 21546 and 21548 as amended by 1996 PA 181, and section 21550 as amended by 1995 PA 252, by amending the part heading of part 215, and by adding sections 21506a and 21552; 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. 701

Yeas—32

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

Nays—5

Bishop	Goschka	Patterson	Sanborn
Cassis			

Excused—1

Barcia

Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1081, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies;” by amending section 2 (MCL 225.2).

The question being on the passage of the bill,

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

The motion prevailed.

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

House Bill No. 5121

House Bill No. 5906

House Bill No. 5907

The motion prevailed.

The following bill was read a third time:

House Bill No. 5121, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1240.

The question being on the passage of the bill,

Senator Cropsey offered the following substitute:

Substitute (S-4).

The question being on the adoption of the substitute,

Senator Kuipers offered the following amendment to the substitute:

1. Amend page 2, following line 18, by inserting:

“Enacting section 2. Section 451 of the revised school code, 1976 PA 451, MCL 380.451, is repealed.”.

The amendment to the substitute was adopted.

The substitute, as amended, was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 702

Yeas—37

Allen	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Scott
Birkholz	Garcia	Kuipers	Sikkema
Bishop	George	Leland	Stamas
Brater	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Thomas

Cassis
Cherry
Clark-Coleman

Hammerstrom
Hardiman

Patterson
Prusi

Toy
Van Woerkom

Nays—0

Excused—1

Barcia

Not Voting—0

In The Chair: President

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

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

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1240; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5906, entitled

A bill to allow governing boards of certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

The question being on the passage of the bill,

Senator Patterson offered the following amendment:

1. Amend page 3, line 10, after “attorney” by inserting “and the sheriff”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hardiman offered the following amendment:

1. Amend page 3, line 17, after “property.” by inserting “If all the property of the public body is located within a county which does not have a first class school district as defined in 1976 PA 451, the public body shall also obtain the approval of the county sheriff.”.

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

The question being on the passage of the bill,

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

Roll Call No. 703**Yeas—37**

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

Nays—0**Excused—1**

Barcia

Not Voting—0

In The Chair: President

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

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

A bill to allow certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5907, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2001 PA 186 and section 9 as amended by 1998 PA 237.

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. 704**Yeas—37**

Allen	Clarke	Jacobs	Sanborn
Basham	Cropsey	Jelinek	Schauer
Bernero	Emerson	Johnson	Scott
Birkholz	Garcia	Kuipers	Sikkema
Bishop	George	Leland	Stamas
Brater	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Thomas

Cassis
Cherry
Clark-Coleman

Hammerstrom
Hardiman

Patterson
Prusi

Toy
Van Woerkom

Nays—0

Excused—1

Barcia

Not Voting—0

In The Chair: President

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

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

“An act to provide for the creation of the commission on law enforcement standards; to prescribe its membership, powers, and duties; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund; and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

House Bill No. 5347, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 465a. Substitute (S-2).

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

1. Amend page 2, line 17, after the first “**that**” by striking out “**prescribes**” and inserting “**proscribes**”.
2. Amend page 2, line 23, after “**“Theatrical facility”**” by inserting “**means a facility being used to exhibit a motion picture to the public, but**”.

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 amendments, the following bill:

House Bill No. 5336, entitled

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

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

1. Amend page 2, line 9, by striking out “**motion picture**” and inserting “**theatrical**”.
2. Amend page 2, line 13, by striking out “**motion picture**” and inserting “**theatrical**”.

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 4335, entitled

A bill to regulate certain forms of boxing; to create certain commissions and to provide certain powers and duties for certain state agencies and departments; to license certain persons engaged in boxing; to regulate certain persons connected to the business of boxing and persons conducting certain contests and exhibitions; to confer immunity under certain circumstances; to provide for the conducting of certain tests; to assess certain fees; to create certain funds; to adopt rules; to provide for penalties and remedies; and to repeal acts and parts of acts.

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. 4336, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 447 (MCL 750.447).

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 amendment, the following bill:

Senate Bill No. 1321, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 2 (MCL 492.102), as amended by 1995 PA 166.

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

1. Amend page 6, line 27, after "of" by striking out the balance of the line through "services" on line 1 of page 7 and inserting "labor and economic growth".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 1386, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2917a.

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. 1387, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2953a.

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. 1184, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 1999 PA 55.

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. 517, entitled

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," by amending sections 2a, 2b, and 36 (MCL 38.1502a, 38.1502b, and 38.1536), as amended by 1996 PA 220; and to repeal acts and parts of acts.

Substitute (S-3).

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

Resolutions

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

Senate Resolution No. 175

Senate Resolution No. 139

Senate Resolution No. 241

Senate Concurrent Resolution No. 40

The motion prevailed.

Senator Hammerstrom offered the following concurrent resolution:

Senate Concurrent Resolution No. 47.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the House of Representatives adjourns on Wednesday, September 29, 2004, it stands adjourned until Thursday, November 4, 2004, at 10:00 a.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, October 7, 2004, it stands adjourned until Wednesday, November 3, 2004, at 10:00 a.m.

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

Senator Hammerstrom moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Jacobs and Switalski were named co-sponsors of the concurrent resolution.

Senator Garcia stated that had he been present, he would have voted "yea" on the passage of the following bill:

House Bill No. 5319

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Though I have not been overly encouraged by the response I have been getting from my colleagues in terms of my cry for help with insurance premiums in this state, I must say that I have been impressed with the motivation, drive, and commitment from individuals and groups in and around the Detroit area who, in fact, are the ones most impacted by skyrocketing insurance premiums.

Let me just say that large numbers of people are organizing and are ready to take on this issue with the goal of bringing down unfair insurance costs that are continuing to cause financial difficulty for many. In fact, just yesterday, I was walking out of the State Capitol with someone who is familiar to many of us here in this chamber, and this person mentioned that they were contemplating on moving to Detroit or back to Detroit. However, the high cost of insurance was a significant factor for this individual and was a serious impediment to actually moving to the Motor City. And just today, another person whom we all know said to me, "Well, I really want to come back to Detroit, but I can't as long as these insurance rates continue."

I continue to receive e-mails and correspondence from citizens all across the state with encouraging words to keep up the fight. One recent e-mail I received described outrage about the high cost of car insurance. The e-mail ended with: "Will you help?" and was signed "Taxpayer."

So, I ask you, when will you help?

Senator Clarke's statement is as follows:

Today I supported an amendment that would remove the power of the Detroit CEO from raising taxes on Detroit citizens. It would also remove the power from an elected school board in Detroit, if there is one reinstated, also from raising taxes pursuant to a statute that has been on the books for several decades. I supported that amendment because no one person in the city of Detroit should have the power to raise taxes, but this amendment also illustrates the problem with the current situation in Detroit school governance and Proposal E. The Detroit CEO has too many powers, powers that have been taken away from the people of the city of Detroit and from their elected school board. Yes, it's true, the power to tax was one of many controversial powers that I feel are improperly vested in one person who is not directly accountable to Detroiters or to elected representatives who have the power to hire and fire that person.

Committee Reports

The Committee on Appropriations reported

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151.

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.

Shirley Johnson
Chairperson

To Report Out:

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

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 Appropriations submitted the following:

Meeting held on Tuesday, September 28, 2004, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Barcia

The Committee on Judiciary reported

Senate Bill No. 1175, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2003 PA 183.

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1176, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 395.

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 L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5763, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 54a and section 6023a.

With the recommendation that the following amendments be adopted and that the bill then pass:

1. Amend page 5, line 9, after "(o)" by striking out "**Real property**" and inserting "**Property**".
2. Amend page 5, line 10, after "**entirety**," by striking out the balance of the subdivision and inserting "**except that this exemption does not apply with regard to a claim based on a joint debt of the husband and wife.**".
3. Amend page 7, line 23, after "**6023a.**" by striking out "**Real property**" and inserting "**Property**".

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Schauer and Brater

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, September 28, 2004, at 1:00 p.m., Room 210, Farnum Building

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

The Committee on Commerce and Labor reported

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, McManus, Schauer and Olshove

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 Commerce and Labor submitted the following:

Meeting held on Wednesday, September 29, 2004, at 9:30 a.m., Room 100, Farnum Building

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

Excused: Senator Kuipers

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, September 28, 2004, at 3:00 p.m., Room 100, Farnum Building

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

Excused: Senator Olshove

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Capital Outlay submitted the following:

Meeting held on Tuesday, September 28, 2004, at 4:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George, Cropsey, Goschka, Hardiman, Prusi, Clarke and Cherry

Excused: Senator Johnson (C)

COMMITTEE ATTENDANCE REPORT

The Legislative Council submitted the following:

Meeting held on Wednesday, September 29, 2004, at 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Sikkema (C), Allen, Hammerstrom, Emerson, Schauer, Sanborn and Jacobs

Absent: Senators Patterson and Brown

Scheduled Meetings

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

Banking and Financial Institutions - Thursday, September 30, 12:00 noon, Room 100, Farnum Building (373-2417)

Education - Thursday, September 30, 2:00 p.m., Room 210, Farnum Building (373-6920)

Transportation - Tuesday, October 5, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 1:39 p.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Thursday, September 30, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

