

No. 18
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Thursday, February 23, 2006.

10:00 a.m.

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

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

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

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

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

Minister Chris Maniaci of St. Charles and St. Helena Catholic Church of Clio offered the following invocation:

Dear Heavenly Father, as we enter this workplace, the Capitol of the state of Michigan, may we bring Your presence with us. May we speak Your peace, Your grace, Your mercy, and Your perfect order into this place. We acknowledge Your power over all that will be thought, spoken, decided, and done within these walls.

Lord, we thank You for Your gifts that You have blessed us with. May we commit to using them responsibly in Your honor. Give us a fresh supply of strength to do our job to help our constituents. Anoint our projects, our ideas, and our energy so that even our smallest accomplishments may bring You glory.

Lord, when we are confused, guide us. When we are weary, energize us. When we are burned out, infuse us with the light of the Holy Spirit. May the work that we do and the way that we do it bring forth faith, joy, and a smile to all that we come in contact with today.

Lord, when we leave this place, give us traveling mercy. Bless our family, our friends, and home to be in Your order. Lord, we thank You for everything You've done, everything You're doing, and everything You're going to do for us today.

God made us a family. We need one another. We love one another. We study together. We work together. We play together. We pray together. We worship together. Together we hear God's Word. Together we serve our God. Together we hope for heaven. These are our hopes and ideals. Help us to attain them, O God, through Jesus Christ our Lord.

In the name of God of all creation, may there be peace. Amen.

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

Motions and Communications

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

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

Senate Bill No. 246

Senate Bill No. 318

The motion prevailed.

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

The motion prevailed.

The following communication was received:

Groundwater Conservation Advisory Council

February 6, 2006

Enclosed is a report of the Groundwater Conservation Advisory Council required under Section 32803(3) of 2003 PA 148 (Act 148). The report addresses the issues contained in Section 32803(2) as follows:

(a) Study the sustainability of the state's groundwater use and whether the state should provide additional oversight of groundwater withdrawals.

(b) Monitor Annex 2001 implementation efforts and make recommendations on Michigan's statutory conformance with Annex 2001, including whether groundwater withdrawals should be subject to best management practices or certification requirements and whether groundwater withdrawals impact water-dependent natural features.

(c) Study the implementation of and the results from the groundwater dispute resolution program created in part 317.

The report will be placed on the Michigan Department of Environmental Quality's (MDEQ) Web site at the following address: <http://www.deq.state.mi.us/documents/deq-gwcac-legislature.pdf>.

The Groundwater Conservation Advisory Council was appointed in accordance with Act 148 and consists of the following members:

Voting Members

Mr. Jon Allan, Consumers Energy Company

Mr. James Clift, Michigan Environmental Council

Mr. Jon Coleman, Tri-County Regional Planning Commission

Mr. Kurt Heise, Wayne County Department of Environment

Mr. Fred Henningsen, Michigan State University

Mr. Craig Hoffman, The Rock on Drummond Island

Mr. Rod Mersino, Mersino Dewatering, Inc.
 Mr. Thomas Newhof, Prein and Newhof
 Mr. Michael Newman, Michigan Aggregates Association
 Dr. Alan Steinman, Annis Water Resources Institute, Grand Valley State University
Nonvoting Members/State Department Representatives
 Mr. James K. Cleland, Michigan Department of Environmental Quality
 Mr. Michael R. Gregg, Michigan Department of Agriculture
 Dr. Paul Seelbach, Michigan Department of Natural Resources

This report results from an extensive volunteer work effort by the council members, who generously gave of their time and effort without compensation, in cooperation with their employers or sponsoring organizations for the past two years. The council is especially thankful for the many people who prepared formal presentations on various groundwater subjects and to the individuals who regularly attended the public meetings as public participants.

The council work, and the preparation of this report, was made possible through the excellent work of Mr. James Nicholas, United States Geological Survey, who worked on the project under a Joint Funding Agreement with the MDEQ providing additional matching funds to assure the success of the project.

Sincerely,

Jon Allan
 Consumers Energy Company

Kurt Heise
 Wayne County Department of Environment

James K. Cleland
 Michigan Department of Environmental Quality

The communication was referred to the Secretary for record.

The following communication was received:
 Department of Human Services

February 16, 2006

Section 902(5) of 2005 Public Act No. 147 requires the Department of Human Services (DHS) to submit quarterly reports to the legislature on expenditures and improvements made from a one-time appropriation of \$17,800,000 to fix and improve the Michigan Child Support Enforcement System (MiCSES). The appropriation of \$17,800,000 assumes the collection of \$6,100,000 of state funds from an arrearage settlement program.

Please accept this letter as DHS's first quarterly report for fiscal year 2006. As of the end of the first quarter, none of the \$17,800,000 appropriated has been spent. Also, there has not yet been any collections from the Michigan Arrears Collection Special Project (MACS Project) which began on February 1, 2006 and ends on April 30, 2006. The child support Program Leadership Group (PLG) developed and approved a two-year plan that prioritizes the enhancements and fixes that will be made to MiCSES with whatever funds are collected from the MACS Project. In the meantime, DHS continues to use the MiCSES baseline appropriation for routine maintenance and fixes in MiCSES.

If you any questions, please contact John Sorbet, Chief Administrative Officer, DHS, at (517) 373-7787.

Sincerely,
 Marianne Udow

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, February 22:

House Bill Nos. 5449 5450 5451 5675

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, February 22, for her approval the following bills:

Enrolled Senate Bill No. 179 at 3:07 p.m.
Enrolled Senate Bill No. 561 at 3:09 p.m.
Enrolled Senate Bill No. 128 at 3:11 p.m.

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, February 22, and are available at the legislative website:

Senate Bill Nos. 1048 1049 1050 1051 1052
Senate Joint Resolution J
House Bill Nos. 5717 5718 5719 5720 5721 5722 5723 5724 5725 5726 5727 5728 5729 5730
5731 5732 5733 5734 5735 5736 5737

Messages from the Governor

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

Senate Bill No. 272

Senate Bill No. 271

Senate Bill No. 264

Senate Bill No. 274

Senate Bill No. 281

Senate Bill No. 175

Senate Bill No. 236

Senate Bill No. 892

Senate Bill No. 893

Senate Bill No. 956

Senate Bill No. 957

The motion prevailed.

The following message from the Governor was received and read:

February 22, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 21 of the State Housing Development Authority Act of 1966 PA 346, MCL 125.1421:

Michigan State Housing Development Authority

Mr. Robert W. Swanson, Jr., Acting Director of the Department of Labor and Economic Growth, 1744 Chester Road, Lansing, Michigan 48912, county of Ingham, succeeding David Hollister, who has resigned, representing principal department heads of the executive branch of the state government, for a term commencing February 22, 2006 and expiring at the pleasure of the Governor.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

February 22, 2006

Due to a typographical error on the December 29, 2005 letter filed with your office pursuant to Section 15 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1015, please be advised of the following correction:

General Industry Safety Standards Commission

Mr. Dennis M. Emery of 4391 Stewart Road, Metamora, Michigan 48455, county of Lapeer, succeeding Timothy J. Khoury, whose term has expired, representing the management of principal industries of this state with 200 or fewer employees, for a term commencing December 29, 2005 and expiring March 26, 2008.

Mr. Jeffrey Radjewski of 26449 Birchcrest Drive, Chesterfield, Michigan 48051, county of Macomb, succeeding John Pettinga, whose term has expired, representing labor, for a term commencing December 29, 2005 and expiring March 26, 2008.

Mr. Thomas J. Pytlik of 3306 Westway Drive, Bay City, Michigan 48706, county of Bay, reappointed to represent the management of principal industries of this state, for a term expiring **March 26, 2007**.

Sincerely,
Jennifer M. Granholm
Governor

The message was referred to the Committee on Government Operations.

Senators Garcia and Thomas entered the Senate Chamber.

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

The motion prevailed.

Senator Cherry's statement is as follows:

I have some sad news for me, but good news for the Governor. Denise Flannery, who has worked in my office now since I have been in the Senate, and worked for you, Lieutenant Governor, for a number of years—she's been working in the Senate for ten years total, I think—is going to be leaving and going to be working in the Governor's legislative

staff. I wanted to take just a moment to thank her for her service. She's been great. I've depended on her so much over the past four years, and I know that the Lieutenant Governor also depended on her as she worked with you in the past. I guess she won't be going very far away from you since she will be over in the Governor's office and working on legislative issues. So I know you won't miss her, but I will.

I want to thank Denise very much for all of her help. She's been, as I said earlier, very, very important to me. I've relied on her. She's become a good friend and I'm going to miss her very much.

So, Denise, I have a tribute for you and from those in our office too. Thank you, Denise.

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 Stamas 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. 4642, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 12 (MCL 28.432), as amended by 2004 PA 99.

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.

Resolutions

Senators Thomas and Jacobs offered the following resolution:

Senate Resolution No. 98.

A resolution to memorialize the Congress of the United States to enact legislation, such as the Broadband Investment and Consumer Choice Act, which encourages innovation and investment in communications infrastructure and promotes competition in video, voice, and data services.

Whereas, Consumers benefit from greater choice, better products, and better prices when the communications marketplace is driven by innovation and competition between many different providers and technologies; and

Whereas, Recent technological advances, like wireless telephony and broadband communications, are widely available at reasonable prices today because policymakers empowered consumers instead of regulation to drive the marketplace; and

Whereas, Most consumers want new technologies and are best served by public policies that do not hinder technological innovation. Policies which eliminate the barriers to infrastructure deployment and innovation will ensure that communications providers are able to offer new services, including Internet-based video services, that can compete with traditional cable television service; and

Whereas, Encouraging new video service providers to offer services to consumers in Michigan under a rational, streamlined process which imposes minimal regulation will enhance infrastructure investment and maximize consumer savings from competition; now, therefore, be it

Resolved by the Senate, That we hereby memorialize the Congress of the United States to enact legislation, such as the Broadband Investment and Consumer Choice Act, which encourages innovation and investment in communications infrastructure and promotes competition in video, voice, and data services; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Technology and Energy.

The motion prevailed.

Senator Switalski was named co-sponsor of the resolution.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Sanborn's statement is as follows:

You know, I'm sure that all of you watched in horror as more and more news regarding the heinous crime that took place in my district in New Baltimore last week has come to light. First of all, it was the news of a young couple that had been brutally slain. Then it was a run from the law as the couple accused of the crime escaped. Luckily, they were turned in by an acquaintance, but with their capture have come the sad news that they had taken another life during the crime spree.

As I opened my *Detroit News* today, I was horrified to see that these crimes could have been avoided if not for a mistake by the Department of Corrections. You see, the man was accused of a crime spree while on parole in 2005. When he was arrested and held on charges of domestic assault, he was held but was not scheduled for a hearing in the allotted 45 days, which is a violation of the Department of Corrections procedure. Because he had been held without a hearing for 45 days, he was released and placed back on parole, even though the Corrections spokesman told the *Detroit News* that his crime warranted him being placed back in prison. That very day, he became engaged to the woman who helped him take part in the murder spree, and they celebrated by stealing a gun—the first of many crimes that would occur during this crime spree.

I cannot help but think that the Department of Corrections, if they had followed the proper protocol, this tragic series of events could have been avoided. This is a travesty of justice where a known felon is allowed back on the streets because of bureaucratic oversight, and as a result, three innocent people are dead. Guilty of nothing more than wanting to extend a helping hand, they lost their lives.

Now I am aware that the Department of Corrections has suspended the staffer who was responsible for this oversight, but I do not believe that is enough. The Department of Corrections has the responsibility not only to the loved ones of these who lost their lives, but also this body, which provides its funding, to provide a full account of what happened in this case and what will be done to ensure that this never happens again.

Already this morning, I've had an opportunity to talk to the chairman of Judiciary, Chairman Cropsey. He shares in my outrage, and he assures me that he will take up my request that he will hold hearings and get full disclosure as to just what happened that these three innocent people lost their lives, two of which were church-going, law-abiding citizens from my district. Chairman Cropsey, I thank you for that. I hope that we are able to fully disclose to this body just what happened and that we hold all accountable.

Senator Scott's statement is as follows:

This was a handwritten letter; it did not come from my e-mail, but it says, "Dear Ms. Scott, bravo! I commend you in your crusade to get insurance rates down in urban areas of the state lowered. I am amused and incensed by the rhetoric and stance of some others on this matter. It is reminiscent of the mind-set, mentality, and philosophy of such stalwart preservers of the status quo as Maddox of "axe handle" fame and bilbo of Mississippi. Good luck and Godspeed."

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:22 a.m.

10:27 a.m.

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

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senators Barcia, Patterson, Basham, Birkholz, Stamas, Allen, Goschka, Cropsey and Toy introduced
Senate Bill No. 1061, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43537, 74117, and 83106 (MCL 324.43537, 324.74117, and 324.83106), section 43537 as amended by 1996 PA 585, section 74117 as amended by 2003 PA 170, and section 83106 as added by 1998 PA 418.

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

Senators Gilbert, Goschka, Stamas, Allen and Birkholz introduced

Senate Bill No. 1062, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 2 (MCL 125.2782). The bill was read a first and second time by title and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

Senators Brater, Jacobs, Thomas, Switalski, Leland and Schauer introduced

Senate Bill No. 1063, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 8627.

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

Senators Brater, Jacobs, Thomas, Leland and Schauer introduced

Senate Bill No. 1064, entitled

A bill to amend 1981 PA 93, entitled "Michigan right to farm act," by amending sections 2 and 4 (MCL 286.472 and 286.474), section 2 as amended by 1995 PA 94 and section 4 as amended by 1999 PA 261.

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

Senators Brater, Jacobs, Thomas, Leland and Schauer introduced

Senate Bill No. 1065, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8609, 8611, 8613, 8615, 8617, 8619, and 8621.

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

Senators Schauer, Brater, Jacobs, Thomas and Leland introduced

Senate Bill No. 1066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8623 and 8625.

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

Senators Schauer, Brater, Jacobs, Thomas and Leland introduced

Senate Bill No. 1067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 8635.

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

Senators Jacobs, Brater, Thomas, Switalski, Leland and Schauer introduced

Senate Bill No. 1068, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8629, 8631, and 8633.

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

Senators Switalski, Brater, Jacobs, Thomas, Leland and Schauer introduced

Senate Bill No. 1069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

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

Senators Thomas, Brater, Jacobs, Leland and Schauer introduced

Senate Bill No. 1070, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32708 (MCL 324.32708), as amended by 2003 PA 148.

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

Senators Thomas, Brater, Jacobs, Switalski, Leland and Schauer introduced

Senate Bill No. 1071, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8637 and 8639.

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

Senators Leland, Jacobs, Thomas, Schauer and Brater introduced

Senate Bill No. 1072, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3115 and 3120 (MCL 324.3115 and 324.3120), section 3115 as amended by 2004 PA 143 and section 3120 as added by 2004 PA 91.

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

Senators Allen, Goschka, Barcia, Birkholz and Cropsey introduced

Senate Bill No. 1073, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 7 (MCL 252.307), as amended by 1998 PA 533.

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

Senators Gilbert, Brown, Patterson, Cropsey, Allen, Bishop, Jelinek, Birkholz, Toy, Kuipers, Sikkema, Hammerstrom, Garcia, Van Woerkom, Johnson, Olshove, Leland, Cherry and Thomas introduced

Senate Bill No. 1074, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

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

Senators Kuipers, Brown, Patterson, Cropsey, Gilbert, Allen, Bishop, Jelinek, Birkholz, Toy, Sikkema, Hammerstrom, Garcia, Goschka, Van Woerkom, Johnson, Olshove, Leland, Schauer, Cherry and Thomas introduced

Senate Bill No. 1075, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 213 (MCL 18.1213).

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

Senators Jelinek, Brown, Patterson, Cropsey, Bishop, Birkholz, Toy, Kuipers, Sikkema, Hammerstrom, Garcia, Goschka, Van Woerkom, Johnson, Olshove, Leland, Schauer, Cherry and Thomas introduced

Senate Bill No. 1076, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 78.

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

Senators Barcia, Brown, Patterson, Cropsey, Gilbert, Allen, Bishop, Jelinek, Hardiman, Birkholz, Toy, Kuipers, Sikkema, Hammerstrom, Garcia, George, Goschka, Van Woerkom, Johnson, Olshove, Leland, Schauer, Cherry and Thomas introduced

Senate Bill No. 1077, entitled

A bill to create a commission to investigate alternative fuels; to define certain alternative fuels; to determine certain powers and duties of the commission; and to repeal acts and parts of acts.

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

Senators Patterson, Brown, Cropsey, Gilbert, Allen, Bishop, Jelinek, Birkholz, Toy, Kuipers, Sikkema, Hammerstrom, Garcia, Goschka, Van Woerkom, Johnson, Olshove, Leland, Cherry and Thomas introduced

Senate Bill No. 1078, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

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

Senators Brown, Gilbert, Patterson, Cropsey, Bishop, Jelinek, Birkholz, Toy, Kuipers, Sikkema, Hammerstrom, Garcia, Cassis, Van Woerkom, Johnson, Olshove, Leland, Schauer, Cherry and Thomas introduced

Senate Bill No. 1079, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 2, 3, 4a, 5, 6, and 7 (MCL 290.642, 290.643, 290.644a, 290.645, 290.646, and 290.647), sections 2 and 7 as amended by 1993 PA 236, sections 3 and 5 as amended by 2002 PA 13, section 4a as amended by 2002 PA 425, and section 6 as amended by 2004 PA 278.

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

House Bill No. 5449, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16q of chapter XVII (MCL 777.16q), as amended by 2005 PA 302.

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

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

House Bill No. 5450, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 349 (MCL 750.349).

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

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

House Bill No. 5451, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 349b.

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

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

House Bill No. 5675, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), section 1230 as amended and section 1230c as added by 2005 PA 129, section 1230a as amended by 2005 PA 138, section 1230d as added by 2005 PA 131, and section 1230g as added and sections 1535a and 1539b as amended by 2005 PA 130, and by adding section 1230h.

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

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

Committee Reports

The Committee on Transportation reported

Senate Bill No. 183, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 262, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2004 PA 493.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 314, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710d (MCL 257.710d), as amended by 1999 PA 29.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 491, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2005 PA 1.

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.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers and Goschka

Nays: None

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

The Committee on Transportation reported

Senate Bill No. 1041, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka, Leland and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5240, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 5, 320a, 627, 628, 629, and 629c (MCL 257.5, 257.320a, 257.627, 257.628, 257.629, and 257.629c), section 320a as amended by 2004 PA 495, section 627 as amended by 2004 PA 62, section 628 as amended by 2003 PA 65, section 629 as amended by 1988 PA 368, and section 629c as amended by 1996 PA 320; and to repeal acts and parts of acts.

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

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Leland

Nays: None

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

The Committee on Transportation reported

House Bill No. 5241, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 61 (MCL 257.1861).

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Leland

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, February 21, 2006, at 1:04 p.m., Room 110, Farnum Building

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

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 881, entitled

A bill to create the veterans memorial property commission; to authorize the acquisition of certain property; and to provide for certain duties of certain state agencies.

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.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Gilbert, Clark-Coleman and Olshove

Nays: None

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

The Committee on Senior Citizens and Veterans Affairs reported

Senate Bill No. 882, entitled

A bill to designate the use of state land that is set aside to memorialize veterans; to prohibit certain acts; and to prescribe penalties.

With the recommendation that the bill pass.

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

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Gilbert, Clark-Coleman and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, February 22, 2006, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Gilbert, Clark-Coleman and Olshove

Excused: Senator Stamas

The Committee on Banking and Financial Institutions reported

House Bill No. 5624, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1305 (MCL 500.1305), as amended by 1992 PA 182.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Van Woerkom, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

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 Banking and Financial Institutions submitted the following:

Meeting held on Wednesday, February 22, 2006, at 12:00 noon, Room 210, Farnum Building

Present: Senators Bishop (C), Van Woerkom, Sanborn, Stamas, Leland, Olshove and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Colleges submitted the following:

Meeting held on Wednesday, February 22, 2006, at 12:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Stamas and Switalski

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, February 22, 2006, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hammerstrom (C), George and Jacobs

Excused: Senators Patterson and Emerson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Wednesday, February 22, 2006, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Johnson, Jelinek, Barcia and Cherry

COMMITTEE ATTENDANCE REPORT

The Joint Select Oversight Committee on 21st Century Jobs Funds (SCR 38) submitted the following:

Meeting held on Thursday, February 23, 2006, at 8:30 a.m., Room 519, South Tower, House Office Building

Present: Senators Garcia (C), Bishop, Gilbert and Switalski

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, February 23, 2006, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), George, Cropsey, Hardiman, Prusi, Clarke and Cherry

Excused: Senator Goschka

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

Community Health Department - Tuesdays, February 28 and March 14, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7946)

Environmental Quality Department - Tuesdays, February 28 (CANCELED), March 7 and March 14, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Higher Education - Fridays, February 24, 10:00 a.m., Western Michigan University, Dorothy Upjohn Dalton Fine Arts Center, Room 1006, 1903 W. Michigan, Kalamazoo; March 3, Kettering University, Campus Center, Room A, 1700 W. Third Avenue, Flint; and Monday, March 13, Saginaw Valley State University, Curtiss Hall, Emeriti Room, University Drive, University Center (373-1760)

Judiciary and Corrections - Tuesdays, February 28 (CANCELED), March 7 and March 14, 3:00 p.m., Room 402, Capitol Building (373-3760)

K-12, School Aid, Education - Thursdays, March 2 and March 9, 12:30 p.m., Rooms 402 and 403, Capitol Building (373-0897)

Natural Resources Department - Wednesdays, March 1, March 8 and March 15, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

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

Education - Monday, February 27, 5:30 p.m., Brownstown Middle School, 20135 Inkster Road, Brownstown (373-6920)

Families and Human Services - Tuesday, February 28, 3:00 p.m., Room 210, Farnum Building (373-1801)

Gaming and Casino Oversight - Wednesday, March 1, 1:00 p.m., Room 210, Farnum Building (373-2413)

Judiciary - Tuesday, February 28, 1:00 p.m., Room 210, Farnum Building (373-3760)

Legislative Retirement Board of Trustees - Wednesday, March 1, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Michigan Law Revision Commission - Monday, February 27, 1:00 p.m., Legislative Council Administrator's Conference Room, 4th Floor, Boji Tower (373-0212)

Transportation - Tuesday, February 28, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 10:38 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, February 28, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

