

No. 19  
STATE OF MICHIGAN  
**Journal of the Senate**

**93rd Legislature**  
**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Tuesday, February 28, 2006.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Imam Baqir Berry of Islamic Institute of Knowledge of Dearborn offered the following invocation:

O Lord, respond to our supplication. O Lord, I begin in Thy name, the compassionate, the caring, and the loving God. Thank You for all the good gifts You have given us. Thank You for the opportunity to invoke good tidings and goodwill to the Senators of this great state of Michigan.

O Lord, You have permitted us to invoke You, therefore, hear our prayers. It is You who said in Your holy book, the Quran, "Call upon me I will answer You, and remember me I will remember You." And You also told Your inspired Prophet Muhammad (peace be upon him), "When my servants ask thee concerning me I am indeed close to them. I listen to the prayer of every supplicant when she or he calleth on me. Let them also with a will listen to my call, and believe in me, that they may tread the right path."

O Lord, it's You we remember and worship. O Lord, respond to our supplication. Guide and bless our Senators; grant them Your wisdom to govern and make their decisions. Direct us to Your path, the path of those upon whom You have bestowed Your grace. O Lord, to You we turn, asking You to bestow Your blessings upon our legislators. Help them succeed in serving our state and our society.

O Lord, help us in our efforts to make unity and spread love, understanding, and peace amongst all humans. Assist us in our effort to better our society and to alleviate the sufferings and distress of those in hardships and in need.

We ask You, God, to grant our supplication, Elahee. Amen.

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

### Recess

Senator Schauer moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

10:19 a.m.

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

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

A quorum of the Senate was present.

### Motions and Communications

Senator Goschka entered the Senate Chamber.

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

**Senate Bill No. 246**

**Senate Bill No. 318**

The motion prevailed.

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

#### **State Tax Commission**

Mr. Frederick W. Morgan, a Democrat, of 19604 Brandywine, Riverview, Michigan 48193, county of Wayne, succeeding Robert Lupi, whose term has expired, for a term commencing December 20, 2005 and expiring September 13, 2011.

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

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

**House Bill No. 5176**

The motion prevailed.

The following communication was received:  
Department of Human Services

February 16, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Renewal	Iron County DHS	CP360201200

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

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

Sincerely,  
Marianne Udow

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, February 27, for her approval the following bills:

**Enrolled Senate Bill No. 569 at 11:48 a.m.**

**Enrolled Senate Bill No. 570 at 11:50 a.m.**

The Secretary announced that the following official bills were printed on Thursday, February 23, and are available at the legislative website:

**Senate Bill Nos. 1053 1054 1055 1056 1057 1058 1059 1060**

**House Bill Nos. 5738 5739 5740 5741 5742 5743 5744 5745**

The Secretary announced that the following official bills were printed on Friday, February 24, and are available at the legislative website:

**Senate Bill Nos. 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074**  
**1075 1076 1077 1078 1079**

**House Bill Nos. 5746 5747 5748 5749 5750 5751 5752 5753 5754 5755**

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

February 23, 2006

Pursuant to Senate Rule 3.203c, I am hereby re-referring House Bill 5675 from the Education Committee to the Judiciary Committee.

Respectfully yours,  
Ken Sikkema  
Senate Majority Leader

The communication was referred to the Secretary for record.

### 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 messages from the Governor were received:

Date: February 22, 2006

Time: 8:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 351 (Public Act No. 30), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16322 and part 165.

(Filed with the Secretary of State on February 23, 2006, at 11:17 a.m.)

Date: February 22, 2006

Time: 8:26 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 794 (Public Act No. 31), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding sections 5430 and 5432.

(Filed with the Secretary of State on February 23, 2006, at 11:19 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received on February 27, 2006, and read:

**EXECUTIVE ORDER**

No. 2006-6

**Declaration of State of Emergency**

WHEREAS, a severe storm moved through central Lower Michigan between the night of Wednesday, February 15, 2006 and the early morning hours of Friday, February 17, 2006, causing significant damage to trees and electrical power lines due to high winds and ice accumulation;

WHEREAS, the areas primarily affected are the cities of Greenville and Stanton, as well as numerous townships in the county of Montcalm;

WHEREAS, the severe winds and ice accumulation downed numerous trees and electrical power lines and caused damage to water and wastewater infrastructure, public buildings, schools, and publicly owned utility systems within the affected local jurisdictions;

WHEREAS, the downed trees create a significant debris clearance and removal problem that poses a threat to the safety and well being of the public, creates potentially hazardous traffic conditions, and could cause difficulties with snow removal operations;

WHEREAS, the county of Montcalm has declared a local state of emergency and activated the disaster response and recovery aspects of their emergency operations plan to cope with the situation;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in Montcalm County.
2. The Emergency Management Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local governments and officials in Montcalm County and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions, but in no case longer than March 23, 2006.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of February, in the year of our Lord, two thousand and six.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following messages from the Governor were received and read:

February 24, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to state office under Sections 16121 and 17421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17421:

**Michigan Board of Optometry**

Mr. Harvey M. Curley of 24519 Lexington, Eastpointe, Michigan 48021, county of Macomb, succeeding Nancy Stecker, whose term has expired, representing the general public, for a term commencing February 24, 2006 and expiring June 30, 2007.

Mr. Kays T. Zair of 2575 Hiller Road, West Bloomfield, Michigan 48325, county of Oakland, succeeding David M. Pierce, Sr., who has resigned, representing the general public, for a term commencing February 24, 2006 and expiring June 30, 2006 and reappointed for a term commencing July 1, 2006 and expiring June 30, 2010.

February 24, 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 Sections 16121 and 18221 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18221:

**Michigan Board of Psychology**

Ms. Monica P. Navarro of 996 Mountainside, Lake Orion, Michigan 48362, county of Oakland, succeeding James C. Pascoe, whose term has expired, representing the general public, for a term commencing February 24, 2006 and expiring December 31, 2009.

February 24, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 18705 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.18705:

**Michigan Board of Respiratory Care**

Ms. Maryellen Baker of 3971 South Creek, Rochester, Michigan 48306, county of Oakland, reappointed to represent respiratory therapists, for a term expiring December 31, 2009.

Mr. James R. Berry, Jr., of 14747 Rutland, Detroit, Michigan 48227, county of Wayne, reappointed to represent respiratory therapists, for a term expiring December 31, 2009.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

February 24, 2006

I am writing to inform you of my withdrawal of the following appointment filed with your office on December 22, 2005 pursuant to Section 76103 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76103:

**Underwater Salvage and Preserve Committee**

Mr. Mark S. Kistner of 5003 Harbor Place, St. Clair Shores, Michigan 48080, county of Macomb, appointed to represent the general public, for a term commencing December 22, 2005 and expiring August 17, 2007.

Sincerely,  
Jennifer M. Granholm  
Governor

The message was referred to the Committee on Government Operations.

**State Tax Commission**

Mr. Frederick W. Morgan, a Democrat, of 19604 Brandywine, Riverview, Michigan 48193, county of Wayne, succeeding Robert Lupi, whose term has expired, for a term commencing December 20, 2005 and expiring September 13, 2011.

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

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

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

**Roll Call No. 96**

**Yeas—37**

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	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—0**

**Not Voting—0**

Senators Thomas, Cassis, Clark-Coleman 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 Thomas' statement is as follows:

Mr. President and colleagues, I rise to support the appointment of Frederick Morgan to the State Tax Commission. Mr. Morgan is perhaps one of the most extraordinarily well-qualified appointments we have seen come through this chamber. For the last eight years, he has served as the chief assessor for the city of Detroit. He is also a former judge and chief judge of the State Tax Tribunal, where he served for seven years. As the members know, the tribunal is very similar to the Tax Commission, with both having charge of tax dispute issues.

Prior to that service, Mr. Morgan served for more than 20 years as a property appraiser for Wayne County and has also worked in the private sector. He is nominated to hold the State Tax Commission's statutory assessor position, and he does hold the state's highest accreditation for this position.

In short, with more than 40 years of experience with tax issues, he is singularly qualified to hold the position, and I'm sure he will do us all very proud in the coming years on the State Tax Commission.

Senator Cassis' statement is as follows:

Senate colleagues, as my good colleague and the minority vice chair of the Senate Finance Committee just mentioned and highlighted Mr. Morgan's excellent qualifications and credentials, I want to second those comments. He is eminently well-qualified for this post in terms of his background, his experience, and his expertise. Our Finance Committee unanimously, among those who were present, supported and recommended the Governor's appointment of Mr. Morgan to the full Senate. We were extremely satisfied with all his answers.

At this time, I would like to ask that all of you join with us in supporting the adoption of this appointment.

Senator Clark-Coleman's statement is as follows:

It is indeed a great honor for me to also recommend his appointment, and certainly, urge support. I happen to be old enough to have served with him when he was with the Wayne County Road Commission, and he had certainly done himself proud since then and has gone on to be an expert in this area.

So I can think of no person better qualified for this position than Frederick W. Morgan. I urge your support.

Senator Clarke's statement is as follows:

I also had the privilege of working directly with Frederick Morgan. He has counseled me on property tax issues as it related to our legislative agenda. There is nothing else I need to say about his qualifications that has not already been said by the Senator from northwest Detroit, so I will end my comments here and do support his appointment.

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:

**House Bill No. 4893**

**House Bill No. 4642**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4893, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16263 (MCL 333.16263), as amended by 2004 PA 97, and by adding section 16336 and part 179.

The question being on the passage of the bill,

Senator Hammerstrom offered the following substitute:

Substitute (S-1).

The substitute 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. 97**

**Yeas—36**

Allen  
Barcia

Clark-Coleman  
Clarke

Hardiman  
Jacobs

Prusi  
Schauer

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

**Nays—1**

Sanborn

**Excused—0**

**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 Hammerstrom offered to amend the title to read as follows:

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 16263 (MCL 333.16263), as amended by 2006 PA 30, and by adding section 16336 and part 179.

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. 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.

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. 98****Yeas—33**

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

**Nays—4**

Brater	Clark-Coleman	Jacobs	Scott
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**Excused—0****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.

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 Switalski 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 bills:

**Senate Bill No. 705, entitled**

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

functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1j.

**House Bill No. 5241, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 61 (MCL 257.1861). The bills were placed on the order of Third Reading of Bills.

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

**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.

Substitute (S-2).

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

1. Amend page 12, line 10, after "THAN" by striking out "25" and inserting "15".

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

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

**House Bill No. 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.

Substitute (S-3).

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

1. Amend page 2, line 24, after "AND" by inserting "PROVIDES A CERTIFICATION BY AN OFFICER OF THE DOMESTIC INSURER THAT, AS OF THE DATE OF THE NOTICE,".

2. Amend page 3, line 4, after "ORGANIZATIONS" by inserting "AND APPROVED BY THE COMMISSIONER".

3. Amend page 3, line 7, by striking out "\$100,000,000.00" and inserting "\$1,000,000,000.00".

4. Amend page 3, line 24, after "EXCEED" by inserting "THE LESSER OF 50% OF CAPITAL AND SURPLUS OR".

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

## Resolutions

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

**Senate Resolution No. 99**

The resolution consent calendar was adopted.

Senators Olshove, Jacobs and Brater offered the following resolution:

**Senate Resolution No. 99.**

A resolution designating September 2006 as Children's Internet Safety Month.

Whereas, The Internet is one of the most effective tools available for purposes of education and research and gives children the means to make friends and freely communicate with peers and family anywhere in the world; and

Whereas, It is vital to the well-being of children that the Internet offer them a wholesome environment to explore and that its capacity to deliver pornographic material to the innocent be responsibly monitored and effectively screened; and

Whereas, Children are ill-equipped to cope with lurid Internet content and cyberpredators and are at risk in their own homes, schools, and libraries; and

Whereas, Parents, religious and government leaders, educators, and rational-thinking people everywhere are concerned about children's Internet safety, Web manipulation by the unscrupulous, and the rising tide of pornographic Web sites; and

Whereas, Objectionable material, such as violent, obscene, or sexually-explicit adult material, may be received by a minor in an unsolicited form; and

Whereas, It is imperative that Michigan parents, guardians, grandparents, teachers, and family members, along with churches, business and community leaders, and organizations, be alerted to the pervasiveness and danger of pornography on the Internet. Support of this public service initiative will improve the Internet culture within their own spheres of influence; and

Whereas, The century of instant global communication holds great promise for achieving better understanding among people of the world. A broader resolve is heralded to protect the safety of children in order that the Internet not be perceived as an instrument of cunning pornographic invitation to the young, but as evidence of profound respect for human dignity, creative inquiry, and commitment to excellence; now, therefore, be it

Resolved by the Senate, That we hereby commemorate September 2006 as Children's Internet Safety Month and express our support for efforts to protect our children against harmful Internet materials; and be it further

Resolved, That a copy of this resolution be transmitted to Governor Jennifer Granholm and Lieutenant Governor John Cherry.

Senators Birkholz, Cherry, Clark-Coleman, Cropsey, Goschka, Hammerstrom, Prusi, Schauer, Scott, Switalski and Toy were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

#### **Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

I have an e-mail from, I believe, it's from Detroit? Yes. "I believe my story answers for many Detroit residents. It's always talk around town how it's unfair that we pay more on auto and homeowners insurance. Why? Even now amongst our younger adults, the high costs are not affordable, yet we need transportation and a home. I thank you, Detroit thanks you for seeing this problem. I support any and all matters concerning a change in these high costs. Although it's been said the reasons for these high prices are due to many auto accidents, thefts and break-ins, it should not be the fault of innocent people who are not involved. Go after those that cause these problems. Why should those that are doing the right thing be blamed for someone else's wrongdoings?"

These are my views, and hopefully, there will be some resolution soon. Thank you."

Senator Jacobs moved that her name be removed as co-sponsor of the following resolution:

#### **Senate Resolution No. 98**

The motion prevailed.

#### **Recess**

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

The motion prevailed, the time being 11:03 a.m.

11:08 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 and Emerson introduced

#### **Senate Bill No. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require

reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

Senators Prusi and Emerson introduced

**Senate Bill No. 1081, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; to provide for expenditures under the supervision of the director of the department of management and budget and the state administrative board; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to prescribe standards and conditions relating to the appropriations; to make appropriations for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Senators Switalski and Emerson introduced

**Senate Bill No. 1082, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Senators Cherry and Emerson introduced

**Senate Bill No. 1083, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2007, to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

Senators Switalski and Emerson introduced

**Senate Bill No. 1084, entitled**

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

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

Senators Scott and Emerson introduced

**Senate Bill No. 1085, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

Senators Barcia and Emerson introduced

**Senate Bill No. 1086, entitled**

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

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

Senators Switalski and Emerson introduced

**Senate Bill No. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

Senators Cherry and Emerson introduced

**Senate Bill No. 1088, entitled**

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

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

Senators Clarke and Emerson introduced

**Senate Bill No. 1089, entitled**

A bill to make appropriations for the department of history, arts and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Senators Scott and Emerson introduced

**Senate Bill No. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

Senators Prusi and Emerson introduced

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Senators Prusi and Emerson introduced

**Senate Bill No. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth, and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Senators Clarke and Emerson introduced

**Senate Bill No. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

Senators Barcia and Emerson introduced

**Senate Bill No. 1094, entitled**

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

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

Senators Switalski and Emerson introduced

**Senate Bill No. 1095, entitled**

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

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

Senators Clarke and Emerson introduced

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

Senators Barcia and Emerson introduced

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; 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 bill was read a first and second time by title and referred to the Committee on Appropriations.

Senator Hammerstrom introduced

**Senate Bill No. 1098, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 320a, 628, 629c, 732, and 907 (MCL 257.204a, 257.320a, 257.628, 257.629c, 257.732, and 257.907), section 204a as amended by 2004 PA 362, sections 320a and 732 as amended by 2004 PA 495, section 628 as amended by 2003 PA 65, section 629c as amended by 1996 PA 320, and section 907 as amended by 2005 PA 1, and by adding sections 615a and 649a; and to repeal acts and parts of acts.

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

Senator Bishop introduced

**Senate Bill No. 1099, entitled**

A bill to create a lien against real property for unpaid commercial real estate broker's commissions and services; and to provide remedies.

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

Senator Jelinek introduced

**Senate Bill No. 1100, entitled**

A bill to amend 1965 PA 285, entitled "Private detective license act," by amending section 5 (MCL 338.825), as amended by 2002 PA 474.

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

Senator Emerson introduced

**Senate Bill No. 1101, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5b (MCL 211.905b), as amended by 2004 PA 543.

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

Senators George, Basham, Cropsey and Birkholz introduced

**Senate Bill No. 1102, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," (MCL 722.951 to 722.960) by adding section 4e.

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

Senators George, Johnson, Barcia and Allen introduced

**Senate Bill No. 1103, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 420.

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

Senator Cropsey introduced

**Senate Bill No. 1104, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2534 (MCL 600.2534), as amended by 1996 PA 378.

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

### Committee Reports

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

**House Bill No. 5315, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 5316, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 5317, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

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

**House Bill No. 5318, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.



The Committee on Economic Development, Small Business and Regulatory Reform reported  
**House Bill No. 5319, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported  
**House Bill No. 5320, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported  
**House Bill No. 5321, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported  
**House Bill No. 5323, entitled**

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

With the recommendation that the bill pass.

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

Alan Sanborn  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development, Small Business and Regulatory Reform submitted the following:  
Meeting held on Wednesday, February 22, 2006, at 3:00 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Sanborn (C), Allen, Gilbert, Jacobs and Basham

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 867, entitled**

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending section 7 (MCL 124.757).

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, Birkholz, Basham and Emerson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 868, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 59, 78, 78m, 87b, 87c, and 87d (MCL 211.59, 211.78, 211.78m, 211.87b, 211.87c, and 211.87d), section 59 as amended by 2001 PA 97, section 78 as added by 1999 PA 123, section 78m as amended by 2003 PA 263, section 87b as amended by 2002 PA 198, section 87c as amended by 2002 PA 165, and section 87d as amended by 1982 PA 503.

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.

Laura M. Toy  
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Basham and Emerson

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 870, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 14 and 15 (MCL 247.664 and 247.665), section 14 as amended by 1987 PA 234 and section 15 as amended by 1999 PA 50.

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, Birkholz, Basham and Emerson

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 872, entitled**

A bill to amend 1963 (2nd Ex Sess) PA 43, entitled "An act to provide for public hearings on budgets of local units of government," by amending section 3 (MCL 141.413).

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, Birkholz, Goschka, Basham and Emerson

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 874, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending the title and section 102 (MCL 4.1102), the title as amended by 1988 PA 100 and section 102 as amended by 1995 PA 189, by amending the heading to chapter 8, and by adding sections 801, 802, 803, 804, and 805; and to repeal acts and parts of acts.

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.

Laura M. Toy  
Chairperson

## To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Emerson

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 875, entitled**

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 1997 PA 196.

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, Birkholz, Goschka, Basham and Emerson

Nays: None

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 908, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 27 and 29 (MCL 55.287 and 55.289).

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, Birkholz, Goschka, Basham and Emerson

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 Local, Urban and State Affairs submitted the following:  
 Meeting held on Thursday, February 23, 2006, at 12:00 noon, Room 110, Farnum Building  
 Present: Senators Toy (C), Birkholz, Goschka, Basham and Emerson

The Committee on Agriculture, Forestry and Tourism reported

**Senate Bill No. 912, entitled**

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

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.

Gerald Van Woerkom  
 Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert and Jelinek

Nays: Senators Brater and Thomas

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

The Committee on Agriculture, Forestry and Tourism reported

**Senate Bill No. 913, entitled**

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

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.

Gerald Van Woerkom  
 Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Jelinek, Brater and Thomas

Nays: None

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

The Committee on Agriculture, Forestry and Tourism reported

**Senate Bill No. 914, entitled**

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

With the recommendation that the bill pass.

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

Gerald Van Woerkom  
 Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert and Jelinek

Nays: Senators Brater and Thomas

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:  
 Meeting held on Thursday, February 23, 2006, at 8:30 a.m., Room 110, Farnum Building  
 Present: Senators Van Woerkom (C), Gilbert, Jelinek, Brater and Thomas

## COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:  
 Meeting held on Thursday, February 23, 2006, at 8:43 a.m., Room 100, Farnum Building  
 Present: Senators Cassis (C), McManus, Thomas and Brater  
 Excused: Senator Garcia

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Thursday, February 23, 2006, at 12:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Jelinek (C), Switalski and Scott

Excused: Senators Cropsey and Brown

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Public hearing held on Friday, February 24, 2006, at 10:00 a.m., Western Michigan University, Dorothy Upjohn Dalton Fine Arts Center, Room 1006, 1903 W. Michigan, Kalamazoo

Present: Senators Goschka (C) and Hardiman

Excused: Senators Johnson, Cherry and Prusi

**Scheduled Meetings**

**Agriculture, Forestry and Tourism** - Thursday, March 2, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, March 1, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Subcommittees -**

**Community Colleges, Joint Senate/House** - Tuesday, March 7, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

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

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

**Higher Education** - Friday, March 3, 10:00 a.m., 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, 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** - Friday, March 3, 10:00 a.m., Macomb ISD, 44001 Garfield Road, Clinton Township, and 3:00 p.m., Port Huron High School, 2215 Court Street, Port Huron; and Monday, March 6, 1:00 p.m., Marquette Senior High School, 1203 W. Fair Avenue, Marquette (373-6920)

**Finance** - Wednesday, March 1, 12:00 noon, Room 110, Farnum Building (373-1758)

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

**Health Policy** - Wednesday, March 1, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

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

**Senior Citizens and Veterans Affairs** - Wednesday, March 1, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, March 1, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:23 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 1, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate