

**No. 25**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Tuesday, March 14, 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

Pastor Dan Dickerson of Calvary Baptist Church of Midland offered the following invocation:

Father God, thank You for the privilege of being here in this place. We teach our people in our local churches to pray for those who are in authority over us. Lord, how much we do need to pray for Your wisdom and Your leadership to each of these who lead us. We thank You today that You have taught us to pray in Your Word. So we do come in the name of Jesus, and we pray our Father which art in heaven. We recognize You, God, as the One who is eminent. You are close. You allow a relationship for us with Yourself.

We thank You, Lord, that though You are the holy God of heaven, You care about us and You allow us to approach Your holy presence. So we do acknowledge that Your name is holy, that Your character is holy, and we recognize our need to give respect and honor and worth to who You are. So we come looking to You as our supplier, as our source, as our strength, and we humbly ask that You would forgive us our debts and our trespasses. Cleanse us of our sins when we enter into Your presence. We recognize the need for cleansing. We thank You that You have supplied that through the blood of the Lord Jesus Christ. We ask You to supply our needs. Give us this day our daily bread. We know each person here who serves also has needs in their own lives. We know our state has great needs, and so we do pray that You will bless each of those who serve us.

I thank You for Senator Stamas. I thank You for Senator Goschka—men who have taken time to come and even be in our local church and encourage our people; for Senator Cropsey and then many of the others here who I've met and don't know as intimately. I know each of them have needs in their personal lives and in their families. I would pray that You would supply their needs. Help each of them to have strong and godly homes, for we do believe, Lord, that our nation and our churches will be no stronger than our families. So we pray that You will bless each of these in their personal needs, in their private needs, and that You will meet their physical and financial and spiritual needs.

Lord, we come not only worshiping You, but recognizing that we want to serve You. So we pray, meet our needs so that we in turn can glorify God in our lives day by day. Use this day; may it not be just another day, but a day where we sense the presence of God. Fill each one here with the power of God to do the work of God, being servant leaders for the people here in the state of Michigan.

We pray these things in the name of the Lord Jesus Christ. 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.

10:51 a.m.

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

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

A quorum of the Senate was present.

### **Motions and Communications**

Senator Toy entered the Senate Chamber.

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

**Senate Bill No. 246**

**Senate Resolution No. 71**

The motion prevailed.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

February 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:00 p.m. this date, administrative rule (06-02-04) for the Department of Labor and Economic Growth, Director's Office, entitled "*Barber*." These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:05 p.m. this date, administrative rule (06-03-01) for the Department of Labor and Economic Growth, Workers' Compensation Agency, entitled "*Group Self-Insurance; Employee Leasing*." These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:07 p.m. this date, administrative rule (06-03-02) for the Department of Labor and Economic Growth, Workers' Compensation Agency, entitled "*Workers' Compensation Health Care Services Rules*." These rules become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:50 p.m. this date, administrative rule (06-03-03) for the Department of Natural Resources, Law Enforcement Division, entitled "*Local Snowmobile Control*." These rules become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Office of the Auditor General

March 8, 2006

Enclosed is a copy of the following audit report:  
Financial audit of the Michigan State Fair and Exposition Center, Department of Agriculture.

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

The communication was referred to the Secretary of record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 9:  
**House Bill Nos. 4807 5580 5640**

The Secretary announced that the following official bills were printed on Thursday, March 9, and are available at the legislative website:

**Senate Bill Nos. 1122 1124**  
**House Bill Nos. 5841 5842 5843 5844 5845 5846 5847**

The Secretary announced that the following official bills were printed on Friday, March 10, and are available at the legislative website:

**Senate Bill Nos. 1123 1125 1126 1127 1128 1129 1130**  
**House Bill Nos. 5848 5849 5850 5851**

### Messages from the Governor

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

**Senate Bill No. 272**  
**Senate Bill No. 271**  
**Senate Bill No. 264**  
**Senate Bill No. 274**  
**Senate Bill No. 281**  
**Senate Bill No. 175**  
**Senate Bill No. 236**  
**Senate Bill No. 892**  
**Senate Bill No. 893**  
**Senate Bill No. 956**  
**Senate Bill No. 957**  
**Senate Bill No. 179**  
 The motion prevailed.

The following messages from the Governor were received:

Date: March 9, 2006  
 Time: 11:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed  
**Enrolled Senate Bill No. 783 (Public Act No. 56), being**

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 11546 (MCL 324.11546), as amended by 2004 PA 41.

(Filed with the Secretary of State on March 13, 2006, at 11:35 a.m.)

Date: March 9, 2006  
 Time: 11:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed  
**Enrolled Senate Bill No. 570 (Public Act No. 53), being**

An act to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” by amending section 39c (MCL 208.39c), as amended by 2001 PA 69.

(Filed with the Secretary of State on March 9, 2006, at 1:48 p.m.)

Date: March 9, 2006  
Time: 11:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 569 (Public Act No. 52), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 266 (MCL 206.266), as amended by 2001 PA 70.

(Filed with the Secretary of State on March 9, 2006, at 1:46 p.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received and read:

March 9, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 20 of the Michigan Boxing Regulatory Act, 2004 PA 403, MCL 338.3620:

**Michigan Boxing Commission**

Mr. Charles K. Zurawski of 116 Green Valley Drive, Milan, Michigan 48160, county of Washtenaw, succeeding Bradley Wright, whose term has expired, representing the general public, for a term commencing March 9, 2006 and expiring February 19, 2010.

Mr. Albert J. Low of 9742 Tioga Trail, Pinckney, Michigan 48169, county of Livingston, reappointed to represent licensees, for a term expiring February 19, 2010.

Mr. Douglas J. Maskin of 87 Boulder Lane, Bloomfield Hills, Michigan 48304, county of Oakland, reappointed to represent licensees, for a term expiring February 19, 2010.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

**Messages from the House**

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

**Senate Bill No. 932**

The motion prevailed.

**Senate Bill No. 208, entitled**

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

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 7, after “of” by striking out “1,000,000” and inserting “500,000”.
2. Amend page 5, line 24, after “the” by striking out “county” and inserting “municipality”.

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

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

**Senate Bill No. 372, entitled**

A bill to allow for the review, oversight, and providing of recommendations regarding the operation of certain water and sewer systems within this state; to create the water accountability advisory board; and to provide for the powers and duties of certain governmental officials and entities.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**House Bill No. 4446, entitled**

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

The House of Representative has amended the Senate amendment as follows:

1. Amend the Senate Amendment, page 6, line 16, after the second “**VIEW**” by striking out the comma and “**OR NOT TO VIEW**,” and inserting “**OR DECLINE TO VIEW**”.

The House of Representatives has concurred in the Senate amendment as amended and agreed to the full title.

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

**Senate Bill No. 120, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 27b to chapter VIII.

(For text of amendment, see Senate Journal No. 23, p. 392.)

The question being on concurring in the amendment made to the bill by the House,

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

**Roll Call No. 133**

**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**

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

**Senate Bill No. 263, entitled**

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 760.1 to 777.69) by adding section 27c to chapter VIII.

Substitute (H-1).

The question being on concurring in the substitute made to the bill by the House, The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 134**

**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**

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

**Senate Bill No. 462, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 737a (MCL 168.737a), as added by 1996 PA 461.

(For text of amendment, see Senate Journal No. 23, p. 393.)

The question being on concurring in the amendment made to the bill by the House,  
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 135**

**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**

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

**Senate Bill No. 728, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9201, 9204, 9207, and 9227 (MCL 333.9201, 333.9204, 333.9207, and 333.9227), sections 9201 and 9227 as amended and section 9207 as added by 1996 PA 540.

(For text of amendment, see Senate Journal No. 23, p. 393.)

The question being on concurring in the amendment made to the bill by the House,  
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 136**

**Yeas—37**

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Scott
Birkholz	Garcia	Kuipers	Sikkema



Bishop  
 Brater  
 Brown  
 Cassis  
 Cherry  
 Clark-Coleman

George  
 Gilbert  
 Goschka  
 Hammerstrom  
 Hardiman

Leland  
 McManus  
 Olshove  
 Patterson  
 Prusi

Stamas  
 Switalski  
 Thomas  
 Toy  
 Van Woerkom

**Nays—0**

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

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

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

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

**House Bill No. 5258, entitled**

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending section 11 (MCL 400.1111), as amended by 2003 PA 123.

The bill was placed on the order of Third Reading of Bills.

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

**House Bill No. 4555, 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 section 10k (MCL 247.660k), as amended by 1982 PA 438.

Substitute (S-4).

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

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

**Senate Bill No. 969, entitled**

A bill to authorize the state administrative board to convey certain interests in property in Ingham county; to prescribe certain conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

Substitute (S-2).

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

1. Amend page 1, line 4, after "reentry" by inserting "contained".

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. 104**

The resolution consent calendar was adopted.

Senators Cherry, Olshove, Emerson, Johnson, Cassis, Bishop and Jacobs offered the following resolution:

**Senate Resolution No. 104.**

A resolution commemorating March 26, 2006, as Support Our Troops Day.

Whereas, Our troops who are currently serving our country deserve to have a day where they can be honored and recognized for the service they continue to provide us; and

Whereas, Alexandra Lynn McGregor, a sophomore at Waterford Kettering High School, is to be commended for seeking out this day to pay tribute to our soldiers around the world; and

Whereas, We need to have a day that shows the support of the present-day soldier; and

Whereas, It is important for the men and women of this country who serve to know that we respect them and thank them for their tireless, and sometimes thankless, service to all of us; and

Whereas, We would like to honor our troops at six o'clock Eastern Standard Time on the evening of March 26, 2006, by taking a moment of silence for our thoughts and prayers; now, therefore, be it

Resolved by the Senate, That we hereby proclaim March 26, 2006, as Support Our Troops Day in Michigan and urge the appropriate observance thereof; and be it further

Resolved, That a copy of this resolution be transmitted to Alexandra Lynn McGregor as a token of our esteem and support for her efforts.

Senators Barcia, Clarke, Cropsey, Garcia, Gilbert, Goschka, Hammerstrom, Jelinek, Prusi, Schauer, Scott, Switalski and Toy were named co-sponsors of the resolution.

Senators Hardiman, Brown, Allen, Birkholz, Jelinek, Sikkema, Cropsey offered the following concurrent resolution:

**Senate Concurrent Resolution No. 41.**

A concurrent resolution urging the Republican National Committee to consider Detroit as the host site for the 2008 Republican National Convention.

Whereas, Detroit is one of 31 cities to receive invitations to bid for the 2008 Republican National Convention. Cities have been asked to make their proposals to the National Republican Committee by early June 2006, and a decision on the site is expected to be made by February 1, 2007; and

Whereas, The capacity of the Motor City to host as large an event as a national political party convention can hardly be questioned, for in the past year Detroit successfully hosted the 2005 Major League Baseball All Star Game and

Super Bowl XL. In addition, in 2005 the Progressive National Baptist Convention met in the Motor City, and in 2004 the National Urban League and the Lions Clubs International held their conventions in Detroit; and

Whereas, If the Republican National Committee chooses Detroit as the site for the 2008 presidential nomination convention, it would not be the first time Detroit was selected for a Republican National Convention, since it was the site of the 1980 GOP National Convention that launched Ronald Reagan into the presidency; and

Whereas, The selection of Detroit as the host city for the 2008 Republican National Convention would be an important step in the rejuvenation of Detroit as a major urban center. In recent years, the city has made great economic strides with the relocation of the Compuware Corporation to downtown Detroit and the nearly \$500 million investment that General Motors has made to its Renaissance Center global headquarters. The Super Bowl infused more than \$300 million dollars into the local economy, and the hosting of the 2008 Republican National Convention would be another boost in the rejuvenation of this great and unique city; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Republican National Committee to select Detroit as the site of the 2008 Republican Convention; and be it further

Resolved, That copies of this resolution be transmitted to the Republican National Committee.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators Bishop, Garcia, Gilbert, Goschka, Kuipers, Switalski and Van Woerkom were named co-sponsors of the concurrent resolution.

By unanimous consent the Senate proceeded to the order of

### Statements

Senator Brater stated that had she been present on March 9 when the vote was taken on postponing the motion to discharge the Committee on Technology and Energy from further consideration of the following resolution, she would have voted “nay”:

#### **Senate Resolution No. 71**

Senator Brater stated that had she been present on March 9 when the votes were taken on the adoption of the substitute offered by Senator Sikkema and the final passage of the following bill, she would have voted “yea”:

#### **Senate Bill No. 318**

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

The motion prevailed.

Senator Scott’s statement is as follows:

I would like to read this statement from my website. It says, “Senator M. Scott, just a note to let you know that I have recently changed home insurance carriers. As with my automobile insurance, my home insurance costs were a joke. Allstate insurance initially was \$1,440 per year for my new home from September 2004-2005. Since this is my first home, I didn’t know any better. Allstate then increased my insurance premiums to \$1,550 beginning September 2005.

I have researched and found that my auto insurance carrier with Unitrin Direct also has homeowners insurance available. They gave me a policy last week for \$475 for 12 months. That’s a difference of 70 percent. I dropped Allstate and went with Unitrin homeowners insurance which is based in Scranton, Pennsylvania.

With all the talk in the news about outsourcing our money and jobs to other countries, I would think companies such as Allstate would want to keep their prices competitive to retain customers locally. Unfortunately, I outsource my money to another state just as Michigan manufacturing companies have outsourced their money and labor to other countries. Same difference, different scenario. It’s a shame, but this area is something that I do not read anywhere in the news.”

Senator Patterson’s statement is as follows:

I just want to remind everybody of a very pertinent statement that was put on the record back on March 8. I would like to read a pertinent part. This is a letter from a constituent of a previous speaker, the Senator from Highland Park. In pertinent part it says, “Redlining is the way it is in Detroit because Governor Granholm, U.S. Senators Levin and Stabenow, congressional members Conyers and Kilpatrick, State Senators and Representatives, city council members, Mayor Kilpatrick, county executives, and county commissions are not on the same page, and they only see Detroit residents at election time. Why? Because we allow it and they know that we will march, talk, meet, and go to church, but we will still vote them back into office with no real results for Detroit.” And it ends, “Nevertheless, keep the faith and good luck. May the force be with you because Democratic leadership won’t be.”

I would just like that to be placed on the record. I would like it printed as something with which I, again, concur.

By unanimous consent the Senate returned to the order of

**Introduction and Referral of Bills**

Senators Jacobs and Hardiman introduced

**Senate Bill No. 1131, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 44 (MCL 400.44), as amended by 1990 PA 270.

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

Senators Prusi, Schauer, Leland, Basham, Jacobs, Olshove, Cherry, Clarke, Thomas, Brater, Switalski, Barcia, Scott, Garcia, Clark-Coleman, Emerson, Van Woerkom and George introduced

**Senate Bill No. 1132, 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 section 11e (MCL 247.661e), as added by 1992 PA 223.

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

Senators Prusi, Garcia, Cherry, Allen, George, Clarke, Kuipers and Schauer introduced

**Senate Bill No. 1133, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending sections 1, 2, 2a, 2b, 2c, 3b, 3c, 3e, 4, 5a, 5d, 5g, 5h, 5i, 5p, 10, 16, 21b, 21c, 21d, 23, 24, 26, 28, 29, 30, and 32 (MCL 29.1, 29.2, 29.2a, 29.2b, 29.2c, 29.3b, 29.3c, 29.3e, 29.4, 29.5a, 29.5d, 29.5g, 29.5h, 29.5i, 29.5p, 29.10, 29.16, 29.21b, 29.21c, 29.21d, 29.23, 29.24, 29.26, 29.28, 29.29, 29.30, and 29.32), sections 1, 3b, 3c, 5a, and 5d as amended by 1996 PA 152, sections 2a and 21c as amended and sections 2b, 3e, and 5i as added by 1980 PA 247, section 2c as added by 1996 PA 147, section 4 as amended by 1980 PA 516, section 5g as amended by 1987 PA 70, section 5p as added by 1986 PA 67, and sections 26, 28, 29, 30, and 32 as added by 1982 PA 144, and by adding sections 1b, 1c, and 1d; 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 Economic Development, Small Business and Regulatory Reform.

Senators Van Woerkom, Garcia, Stamas, Toy, Hardiman, Birkholz, Bishop, Kuipers, Goschka, Jelinek, Cropsey and Schauer introduced

**Senate Bill No. 1134, entitled**

A bill to amend 1978 PA 170, entitled "An act to provide for a state arson strike force unit and to prescribe the powers and duties of the strike force unit and the department of state police," by amending section 2 (MCL 28.72).

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 Prusi, George, Clarke, Kuipers, Garcia, Barcia and Schauer introduced

**Senate Bill No. 1135, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 204 (MCL 259.204).

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 Jacobs, Prusi, George, Clarke, Kuipers and Schauer introduced

**Senate Bill No. 1136, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20155, 20156, and 22210 (MCL 333.20155, 333.20156, and 333.22210), section 20155 as amended by 2001 PA 218, section 20156 as amended by 1990 PA 179, and section 22210 as amended by 1993 PA 88; 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 Economic Development, Small Business and Regulatory Reform.

Senators Clarke, Prusi, George, Kuipers, Garcia, Barcia and Schauer introduced

**Senate Bill No. 1137, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 3 (MCL 338.973).

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 Jelinek, Garcia, Stamas, Toy, Van Woerkom, Hardiman, Birkholz, Bishop, Kuipers, Goschka, Cropsey and Schauer introduced

**Senate Bill No. 1138, entitled**

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 1b, 3, 4, and 5a (MCL 388.851b, 388.853, 388.854, and 388.855a), section 1b as added by 2002 PA 628.

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 Olshove, Prusi, George, Clarke, Kuipers, Garcia, Barcia and Schauer introduced

**Senate Bill No. 1139, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 10, 11, and 20 (MCL 400.710, 400.711, and 400.720), sections 10 and 20 as amended by 1986 PA 257 and section 11 as amended by 1992 PA 176.

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 Garcia, Stamas, Toy, Van Woerkom, Hardiman, Birkholz, Bishop, Kuipers, Goschka, Jelinek, Cropsey and Schauer introduced

**Senate Bill No. 1140, entitled**

A bill to amend 1942 (1st Ex Sess) PA 9, entitled "An act providing for compensation to certain fire fighters injured in the safeguarding of life and property, and payment to the surviving spouse and dependents in case of death; and to make an appropriation therefor," by amending section 1 (MCL 419.201).

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 Toy, Garcia, Birkholz, Stamas, Van Woerkom, Hardiman, Bishop, Kuipers, Goschka, Jelinek, Cropsey and Schauer introduced

**Senate Bill No. 1141, entitled**

A bill to amend 1944 (1st Ex Sess) PA 52, entitled "An act to provide for the establishment of and quieting the title to and the recreating of the public records of lands in counties where records of title have been destroyed in whole or in any material part by fire, flood or other major disaster, and to establish the procedure therefor and to provide an appropriation to pay certain costs thereof," by amending section 16 (MCL 561.16).

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 Scott, Prusi, George, Clarke, Kuipers, Garcia, Barcia and Schauer introduced

**Senate Bill No. 1142, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 138, 140, and 146 (MCL 330.1138, 330.1140, and 330.1146), section 138 as amended by 1995 PA 290.

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 Hardiman, Garcia, Stamas, Toy, Van Woerkom, Birkholz, Bishop, Kuipers, Goschka, Jelinek, Cropsey and Schauer introduced

**Senate Bill No. 1143, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 243b (MCL 750.243b).

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 Garcia, Stamas, Toy, Van Woerkom, Hardiman, Birkholz, Bishop, Kuipers, Goschka, Jelinek, Cropsey and Schauer introduced

**Senate Bill No. 1144, entitled**

A bill to amend 1988 PA 456, entitled "An act to provide certain immunity from civil action to certain instructors," by amending section 1 (MCL 29.401).

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 Cherry, Prusi, Clarke, Kuipers, Garcia, Barcia and Schauer introduced

**Senate Bill No. 1145, entitled**

A bill to amend 1988 PA 457, entitled "An act to provide certain immunity from civil liability to certain institutions of higher education and health facilities and employees of institutions of higher education and health facilities," by amending section 2 (MCL 29.412).

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 Cropsey and Van Woerkom introduced

**Senate Bill No. 1146, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 199 (MCL 750.199).

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

Senators Van Woerkom and Cropsey introduced

**Senate Bill No. 1147, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16j of chapter XVII (MCL 777.16j), as added by 1998 PA 317.

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

**House Bill No. 4807, entitled**

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

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. 5580, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 24c and 24d (MCL 168.24c and 168.24d).

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 Government Operations.

**House Bill No. 5640, entitled**

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

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 Commerce and Labor.

**Committee Reports**

The Committee on Health Policy reported

**Senate Bill No. 848, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3426.

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Emerson and Jacobs

Nays: None

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

The Committee on Health Policy reported

**Senate Bill No. 849, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 414b.

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Emerson and Jacobs

Nays: None

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

**COMMITTEE ATTENDANCE REPORT**

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, March 8, 2006, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 945, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 200 and 209 (MCL 168.200 and 168.209), section 200 as amended by 1998 PA 364 and section 209 as amended by 1990 PA 7.

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.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Thursday, March 9, 2006, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Toy (C), Birkholz, Goschka, Basham and Emerson

The Committee on Education reported

**Senate Bill No. 1124, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278a.

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.

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom 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 Education submitted the following:

Meeting held on Thursday, March 9, 2006, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom, Clark-Coleman and Leland

#### COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:

Meeting held on Thursday, March 9, 2006, at 8:30 a.m., Room 110, Farnum Building

Present: Senators Van Woerkom (C), Gilbert and Jelinek

Excused: Senators Brater and Thomas

#### COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, March 9, 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



## COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:  
Meeting held on Thursday, March 9, 2006, at 12:30 p.m., Rooms 402 and 403, Capitol Building  
Present: Senators Jelinek (C), Cropsey, Brown, Switalski and Scott

## COMMITTEE ATTENDANCE REPORT

The Joint Select Committee on Oversight of the 21st Century Jobs Funds (SCR 38) submitted the following:  
Meeting held on Thursday, March 9, 2006, at 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower  
Present: Senators Garcia (C), Bishop, Gilbert and Switalski

## COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees Investment Subcommittee submitted the following:  
Meeting held on Thursday, March 9, 2006, at 3:30 p.m., Room 927, South Tower, House Office Building  
Present: Senators Hammerstrom and Leland

**Scheduled Meetings**

**Agriculture, Forestry and Tourism** - Thursday, March 16, 8:30 a.m., Room 110, Farnum Building (373-1635)

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

**Community Colleges** - Wednesday, March 15, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Family Independence Agency/House Human Services Department** - Thursday, March 16, 1:30 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-1801)

**Higher Education** - Wednesday, March 15, 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

**K-12, School Aid, Education** - Thursday, March 16, 1:00 p.m., Rooms 402 and 403, Capitol Building; and Monday, March 20, 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-6960)

**Natural Resources Department** - Wednesday, 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)

**Banking and Financial Institutions** - Thursday, March 16, 1:00 p.m., Room 100, Farnum Building (373-2417)

**Education** - Thursday, March 16, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Finance** - Wednesday, March 15, 12:00 noon, Room 110, Farnum Building (373-1758) (CANCELED)

**Government Operations** - Wednesday, March 15, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797) (CANCELED)

**Senior Citizens and Veterans Affairs** - Wednesday, March 15, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Technology and Energy** - Wednesday, March 15, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 11:33 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 15, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate