

No. 37
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Tuesday, April 25, 2006.

10:00 a.m.

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

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

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

Garcia—present
George—present
Gilbert—present
Goschka—present
Hammerstrom—excused
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
Whitmer—present

Pastor Scott Bradstreet of Cornerstone Baptist Church of Gladwin offered the following invocation:

Father God, we thank You for this day. We thank You for another opportunity to serve You. Lord, we thank You for our country. We thank You for the freedoms that You have given us here, and we thank You for this great state of Michigan. We thank You for those whom You have placed here in the Senate and that You have placed as leaders.

Lord, we pray that they would keep in mind those things that would be pleasing to You as they make decisions on a day-to-day basis. Lord, we pray that You would guide their decisions in every way.

We thank You for the many privileges You give us here, and we thank You for Your Son Jesus Christ.

In His name we pray. Amen.

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

Motions and Communications

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

Senator Cropsey moved that consideration of the following bill be postponed for today:
Senate Bill No. 246
The motion prevailed.

Senator Toy entered the Senate Chamber.

Senator Cropsey moved that Senator Brown be temporarily excused from today's session.
The motion prevailed.

Senator Cropsey moved that Senator Hammerstrom be excused from this week's sessions.
The motion prevailed.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, April 20:
House Bill No. 5479

The Secretary announced that the following official bills were printed on Thursday, April 20, and are available at the legislative website:

Senate Bill Nos. 1207 1208 1209 1210 1211 1212 1213
House Bill Nos. 5952 5953 5954 5955 5956 5957 5958

The Secretary announced that the following official bills were printed on Friday, April 21, and are available at the legislative website:

Senate Bill Nos. 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226
House Bill Nos. 5959 5960 5961

Messages from the Governor

Senator Cropsey 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
Senate Bill No. 1026
Senate Bill No. 1027
Senate Bill No. 1028
Senate Bill No. 372
 The motion prevailed.

The following message from the Governor was received:

Date: April 20, 2006
 Time: 9:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1124 (Public Act No. 124), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1278a.

(Filed with the Secretary of State on April 20, 2006, at 10:30 a.m.)

Respectfully,
 Jennifer M. Granholm
 Governor

Senator Thomas entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 1196
House Bill No. 5823
House Bill No. 5824
House Bill No. 5490
 The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1196, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 40a (MCL 791.240a), as amended by 1993 PA 346.

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. 256

Yeas—36

Allen
Barcia

Clarke
Cropsey

Jelinek
Johnson

Schauer
Scott

Basham	Emerson	Kuipers	Sikkema
Birkholz	Garcia	Leland	Stamas
Bishop	George	McManus	Switalski
Brater	Gilbert	Olshove	Thomas
Cassis	Goschka	Patterson	Toy
Cherry	Hardiman	Prusi	Van Woerkom
Clark-Coleman	Jacobs	Sanborn	Whitmer

Nays—0

Excused—2

Brown	Hammerstrom
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5823, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 49, 159j, and 535a (MCL 750.49, 750.159j, and 750.535a), section 49 as amended by 1998 PA 38, section 159j as added by 1995 PA 187, and section 535a as amended by 1999 PA 185.

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. 257

Yeas—36

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

Nays—0

Excused—2

Brown	Hammerstrom
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Not Voting—0

In The Chair: President

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

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5824, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7523 (MCL 333.7523), as amended by 1990 PA 336.

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. 258

Yeas—36

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

Nays—0

Excused—2

Brown	Hammerstrom
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Not Voting—0

In The Chair: President

Senator Brown entered the Senate Chamber.

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

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification,

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5490, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 4703, 4704, 4705, and 4708 (MCL 600.4703, 600.4704, 600.4705, and 600.4708), as added by 1988 PA 104.

The question being on the passage of the bill,

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

Roll Call No. 259

Yeas—37

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

Nays—0

Excused—1

Hammerstrom

Not Voting—0

In The Chair: President

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

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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil

claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Cropsy 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 Scott 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. 1039, entitled

A bill to amend 2004 PA 175, entitled “Streamlined sales and use tax revenue equalization act,” (MCL 205.171 to 205.191) by adding section 14.

House Bill No. 5154, entitled

A bill to amend 1987 PA 248, entitled “Airport parking tax act,” by amending section 7a (MCL 207.377a), as added by 2002 PA 680.

The bills were placed on the order of Third Reading of Bills.

Resolutions

Senator Cropsy moved that consideration of the following resolution be postponed for today:

Senate Resolution No. 71

The motion prevailed.

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

Senate Resolution No. 122

The resolution consent calendar was adopted.

Senator Gilbert offered the following resolution:

Senate Resolution No. 122.

A resolution designating April 29, 2006, as Dale Earnhardt Day in Michigan.

Whereas, NASCAR racing legend Ralph Dale Earnhardt was born on April 29, 1951; and

Whereas, Dale Earnhardt amassed 76 victories during his career, including seven Winston Cup Championships, four IROC Championships, ten wins at Talladega Superspeedway, and 34 wins at Daytona International Speedway; and

Whereas, His twenty-one-year career at the Michigan International Speedway (MIS), spanning from 1979 to 2000, included 63 starts in the Winston Cup, IROC, and Busch Series. His two wins in the Winston Cup Series, two in the IROC Series, and six second-place finishes provided Michigan fans with memories they will never forget; and

Whereas, Dale Earnhardt was truly the face of NASCAR, inspiring fans throughout Michigan and the nation with his skills on the track, accumulating records that attest to the talent and ability of one of the greatest drivers ever to have raced the short tracks and superspeedways of NASCAR. In 1998, he added to his incredible legacy when NASCAR honored him and his father Ralph as two of the 50 Greatest Drivers in NASCAR history; and

Whereas, When “The Intimidator” took to the track in the black Chevrolet, fans stood, cheered, and watched every move. He is still admired, still respected, and will never be forgotten. He was loved not so much for the number of checkered flags and championships he won, but for the spectacular style with which he won them. He deeply touched countless people, and the loss of this great icon of auto racing and his presence at the Michigan International Speedway and tracks across the country will be missed for generations to come; now, therefore, be it

Resolved by the Senate, That we hereby designate April 29, 2006, as Dale Earnhardt Day in the state of Michigan. We encourage all citizens to remember Dale Earnhardt on the occasion of this birthday for his passion for racing, his

devotion to his family and fans, and his countless contributions to the racing industry in Michigan and throughout the United States; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Dale Earnhardt as evidence of our esteem, respect, and admiration for his outstanding life and career.

Introduction and Referral of Bills

Senator Switalski introduced
Senate Bill No. 1227, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1259. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Toy and Gilbert introduced
Senate Bill No. 1228, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 168 (MCL 750.168) and by adding section 167d.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senators Toy and Gilbert introduced
Senate Bill No. 1229, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senators Kuipers, Gilbert, Cassis, Bishop, Cropsey, George and Garcia introduced
Senate Bill No. 1230, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1315.

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

House Bill No. 5479, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1263 (MCL 380.1263), as amended by 1990 PA 159.

The House of Representatives has passed the bill.

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:23 a.m.

10:34 a.m.

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

By unanimous consent the Senate returned to the order of
Messages from the House

Senate Bill No. 242, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Substitute (H-4).

The question being on concurring in the substitute made to the bill by the House, Senator Johnson offered the following substitute to the House substitute:

Substitute (S-5).

The question being on the adoption of the substitute, Senator Emerson offered the following amendment to the substitute:

1. Amend page 6, following line 23, by inserting:

“(4) DEPARTMENT OF EDUCATION

School for the deaf renovations.....	\$	100
GROSS APPROPRIATION	\$	100
Appropriated from:		
State general fund/general purpose	\$	100”

and adjusting the subtotals, totals, and section 201 accordingly.

The amendment to the substitute was adopted.

The substitute, as amended, was adopted.

The question being on concurring in the House substitute, as substituted,

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

Roll Call No. 260

Yeas—37

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

Nays—0

Excused—1

Hammerstrom

Not Voting—0

In The Chair: President

The Senate agreed to the title as amended.

By unanimous consent the Senate proceeded to the order of
Statements

Senator Goschka stated that had he been present on April 19 when the vote was taken on the appointment of Kirk Steudle as Director of the Department of Transportation, he would have voted “yea.”

Senator Goschka stated that had he been present on April 20 when the votes were taken on the adoption of the amendments to the following bill, he would have voted “nay”:

Senate Bill No. 1111

Senator Goschka stated that had he been present on April 20 when the votes were taken on the passage of the following bills, he would have voted “yea”:

Senate Bill No. 43

Senate Bill No. 927

Senate Bill No. 928

Senate Bill No. 1111

House Bill No. 5627

Senate Bill No. 784

Senate Bill No. 1176

House Bill No. 4502

Senate Bill No. 1074

Senate Bill No. 1075

Senate Bill No. 1076

Senate Bill No. 1077

Senate Bill No. 1079

Senate Bill No. 1078

Senate Bill No. 1109

Senate Bill No. 1132

Senate Bill No. 1192

House Bill No. 5336

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

The motion prevailed.

Senator Brater’s statement is as follows:

Mr. President and colleagues, I am rising to note that today is Equal Pay Day. The Michigan Pay Equity Network has made a statement that is on your desk to remind you of the fact that April 25th is the day when women finally receive as much as men were paid in the previous year.

So, if the women on this floor were not constitutionally guaranteed the same pay as the men, we would be having to work—if we were in the private sector on an average of doing a comparable job as a man is doing—we would have to work until this day, April 25th, in order to make all of the money that a man made in one year of the previous calendar year.

Now, I happen to be the mother of a son and a daughter, I think, as many of you. We have that in common that we have both children of both genders in our families. We all also have nieces and nephews or friends who are bringing up daughters, and we want those young women to have every expectation that when they get an education and they join the workforce that they will be paid an equal amount for the job that they are doing as a man doing a comparable job. Michigan ranks 49th among the states in terms of pay equity. In the United States, the average pay of women is 77 percent of the average pay of men, and in Michigan, women are paid only 67 percent of what men are paid on average. We lag behind the nation as a whole in this disturbing trend.

I would just like to remind you, colleagues, that Senate Bill No. 122 was introduced by me earlier this session. Former Representative Gretchen Whitmer, when she was in the House, introduced House Bill No. 4609. We would ask that these bills be taken up for a hearing and that this very serious issue be considered, so that if these bills were adopted, it would make it a violation of civil rights to fail or refuse to provide compensation equally for work of comparable value in terms of the composite skill, responsibility, effort, hours worked, experience, seniority, education or training, and working conditions—because of religion, race, color, national group, age, sex, height, weight, or marital status. We are just trying to level the playing field here. I really hope that you will give this some thought and we will soon have a hearing for these bills.

Senator Scott's statement is as follows:

I also would like to bring attention to the bill of the previous Senator who spoke from Ann Arbor and House Bill No. 4609 for pay equity for women. You know, these are the same women who have to pay these high insurance rates. So that means that they are not making as much as the men are making, yet they are paying through the nose in certain areas of this state. I would ask my colleagues to certainly support those bills.

Now, from my website today from the city of Hamtramck, this person says, "Count me in. My insurance rates on my tiny, little house in Hamtramck are as much as the expensive homes in the Shores. Where is the fairness in all of this? We cannot all be wealthy and thank God we are all not poor, but you continue to make people poor."

Senator Clarke's statement is as follows:

I am glad to be following the comments of the Senator from Highland Park. I appreciate her leadership on the issue of insurance fairness, and it is because of my work with her that I am able to make the following announcement.

Yesterday, I did disclose that the fourth-largest auto insurer in the country, known as Geico, charges drivers higher automobile insurance rates simply on the basis that they don't have a graduate degree or college degree and because they work hard at a blue-collar job. The Consumer Federation of America, in conjunction with one of the leading not-for-profit automobile insurance companies in the country from New Jersey, known as NJ CURE, has documented that in the city of Detroit Geico will charge two people vastly different rates.

I'll give you the example that was cited. You take a janitor with a high school diploma and compare that person with the president of a white-collar company who has a law degree. Let's assume the two of them drive the same vehicle, have the same driving record, and yes, live in the same neighborhood. Considering all those similarities, the janitor with the high school diploma will likely have to most likely pay twice as much in auto insurance than the white-collar president with a law degree.

Not only is Geico using the practice of charging people auto insurance based on their occupation and education in Michigan, but they are doing it in 43 other states in the country. I want to ask all of the viewers who are watching right now, do you think it is fair, if you have a good driving record with no tickets and no accidents, that you should pay more for your auto insurance because you could not afford to go to college or because you dropped out of school to support your family? Of course not.

Insurance is all about spreading risks, and there is no documentation that Geico can offer that a person with a GED is a more dangerous driver than a person with a Ph.D. As a matter of fact, a Ph.D. doesn't make you a safer driver.

I will soon be offering legislation to ban any insurance company from charging auto insurance rates based on education and occupation. Right now Geico has admitted that they use those factors; so has Liberty Mutual. Other insurance companies who are relatively fairer in the way that they charge auto insurance rates may feel compelled to adopt Geico's practices in order to compete with Geico; because Geico is going after the richer driver; the driver with the money to buy boats, so that maybe Geico can offer them insurance on their boats, or where Geico and other insurance companies can offer them banking products, since the college graduate who is working at the white-collar firm is most likely to have more assets to invest with.

Again, we know that there are exceptions, but those exceptions prove the rule that those who have graduate college degrees are likely to make more money than those who have a high school diploma.

So this is the inherent unfairness of this issue, as Geico and Liberty Mutual and other insurance companies who may follow their practices are charging the highest insurance rates to those who can least afford it. As a footnote, I would like to add that we all commend our soldiers in Iraq, but under Geico's own underwriting guidelines, an Army officer who is under a certain pay grade will always be locked into paying the highest insurance rate it has to offer. That is really not fair to our troops, especially those who are risking their lives overseas.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 465, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16177 and 20175 (MCL 333.16177 and 333.20175), section 16177 as amended by 1998 PA 332 and section 20175 as amended by 2000 PA 319, and by adding sections 16213 and 20175a.

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, Whitmer 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. 466, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 111b (MCL 400.111b), as amended by 2000 PA 187.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Whitmer 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. 467, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 17020, and 17520 (MCL 333.16221, 333.17020, and 333.17520), section 16221 as amended by 2004 PA 214 and sections 17020 and 17520 as added by 2000 PA 29, and by adding sections 17020a, 17520a, and 20170a.

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, Whitmer 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. 468, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2002 PA 437.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, April 19, 2006, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Technology and Energy reported

House Bill No. 4423, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1c (MCL 445.111c), as added by 2002 PA 612.

With the recommendation that the bill pass.

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Thomas

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Technology and Energy reported

House Bill No. 5811, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 3 (MCL 445.113), as amended by 2002 PA 612.

With the recommendation that the bill pass.

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

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Thomas

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, April 19, 2006, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Thomas

The Committee on Agriculture, Forestry and Tourism reported

House Bill No. 5453, entitled

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

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 Whitmer

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 20, 2006, at 9:00 a.m., Room 110, Farnum Building

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

The Committee on Education reported

Senate Resolution No. 108.

A resolution to memorialize the United States Congress to add social studies to the testing requirements of the No Child Left Behind Act of 2001.

(For text of resolution, see Senate Journal No. 30, p. 550.)

With the recommendation that the resolution be adopted.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, April 20, 2006, at 2:00 p.m., Room 210, Farnum Building

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

The Committee on Banking and Financial Institutions reported

House Bill No. 4976, entitled

A bill to amend 1978 PA 232, entitled "An act to permit banks and savings and loan associations to suspend business in the event of an existing or impending emergency; to prescribe the powers and duties of bank and savings and loan association officers and certain state officials; and to declare the legal effect of the suspensions of business authorized by this act," by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 487.941, 487.942, 487.943, 487.944, 487.945, and 487.946).

With the recommendation that the bill pass.

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

Michael D. Bishop
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

House Bill No. 5045, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 30b and 30c (MCL 125.2330b and 125.2330c).

With the recommendation that the bill pass.

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

Michael D. Bishop
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Thursday, April 20, 2006, at 12:00 noon, Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, April 20, 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 State Police and Military Affairs submitted the following:

Meeting held on Thursday, April 20, 2006, at 2:04 p.m., Room 100, Farnum Building

Present: Senators Brown (C), Stamas and Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:

Meeting held on Thursday, April 20, 2006, at 3:36 p.m., Room 100, Farnum Building

Present: Senators Brown (C), Jelinek and Barcia

Scheduled Meetings

21st Century Jobs Funds Joint Select Oversight Committee (SCR 38) - Thursday, April 27, 1:30 p.m. or later after committees are given leave by the House to meet, Room 519, South Tower, House Office Building (373-2420)

Appropriations - Wednesday, April 26, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittees -

Agriculture - Thursdays, April 27, May 4, May 11 and May 18, 3:30 p.m., Room 100, Farnum Building (373-5932)

Commerce, Labor and Economic Development - Wednesdays, April 26, May 10 and May 17, 3:00 p.m., Room 405, Capitol Building (373-2420)

General Government - Tuesdays, May 2, May 9 and May 16, 1:00 p.m., Room 405, Capitol Building (373-2420)

History, Arts, and Libraries - Tuesdays, May 9 and May 16, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

Human Services Department - Wednesdays, April 26, May 3, May 10 and May 17, 8:00 a.m., Rooms 402 and 403, Capitol Building (373-1801)

Judiciary and Corrections - Tuesday, May 2, 3:00 p.m., Room 402, Capitol Building (373-3760)

State Police and Military Affairs - Thursdays, April 27, May 4, May 11 and May 18, 2:00 p.m., Room 100, Farnum Building (373-5932)

Transportation Department - Tuesdays, 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, April 27, 12:00 noon, Room 100, Farnum Building (373-2417)

Economic Development, Small Business and Regulatory Reform - Wednesday, April 26, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Thursday, April 27, 2:00 p.m., Room 210, Farnum Building (373-6920)

Senior Citizens and Veterans Affairs - Wednesday, April 26, 1:00 p.m., Room 100, Farnum Building (373-1707)

Technology and Energy - Wednesday, April 26, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 10:51 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, April 26, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

