

No. 47
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Wednesday, May 17, 2006.

10:00 a.m.

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

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

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

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

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

Senator Bill Hardiman of the 29th District offered the following invocation:

Father God, we thank You for Your love, Lord. Father, in these challenging times that we face here in this Senate chamber with work to do the business of the people of Michigan, sometimes we forget about Your goodness and the wonderful gifts that You have given to us. We thank You for life and liberty. We thank You for family and friends. We thank You for the glorious sunshine that You've given even this day.

Father, You are good. Your mercies are new every morning. We thank You for that. Father, for each and everyone here, those of us who are elected to serve in this Senate, those who work and support us, and the many wonderful residents and citizens who are here to observe, I thank You for each and everyone.

Father, help us as we move to work for the people of Michigan. May it be in accordance with Your will. Father, we not only pray for us, but we pray for the House, the Governor; we pray for our federal government, the President, and all who work there.

Father, bless us to do good things this day. Help us to do it with civility, respect, love, and kindness. Now, Father, we thank You and we invite Your presence here today. We ask Your rich blessings upon us. We ask these things in the precious Lord Jesus Christ. Amen.

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

Motions and Communications

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

Senate Bill No. 246

The motion prevailed.

Senator Hammerstrom moved that Senator Sanborn be temporarily excused from today's session.

The motion prevailed.

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

House Bill No. 6021

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

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

The motion prevailed.

Senator Hardiman stated that had he been present on May 16 when the votes were taken on the passage of the following bills, he would have voted "yea":

House Bill No. 5760

Senate Bill No. 1107

House Bill No. 5630

House Bill No. 5631

House Bill No. 5653

Senate Bill No. 1121

Senate Bill No. 1224

House Bill No. 5607

House Bill No. 5979

House Bill No. 5450

House Bill No. 5451

House Bill No. 5449

Senators Garcia and Leland entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 16:

House Bill Nos. 5633 5955 5956 5957 5958

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, May 16, for her approval the following bills:

Enrolled Senate Bill No. 1132 at 1:54 p.m.

Enrolled Senate Bill No. 1192 at 1:56 p.m.

Enrolled Senate Bill No. 872 at 1:58 p.m.

Enrolled Senate Bill No. 908 at 2:00 p.m.

Enrolled Senate Bill No. 1199 at 2:02 p.m.

Enrolled Senate Bill No. 1171 at 2:04 p.m.

Enrolled Senate Bill No. 1229 at 2:06 p.m.

The Secretary announced that the following official bill was printed on Tuesday, May 16, and is available at the legislative website:

Senate Bill No. 1268

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

The motion prevailed.

Senator Birkholz's statement is as follows:

I am going to shortly be joined here by the Majority Leader Senator Sikkema and Senator Hardiman. I would like to have all my colleagues and you help us welcome, first of all, former State Representative Vic Krause. He is in the north Gallery and he is joined by members of the Hearing Loss Association of Michigan and the Michigan Deaf Association.

On the east side of the Gallery we have interpreters. On the right side, the west side of Gallery, we have caption screening for them to be able to hear what we are saying today. This is the first time we've had caption screening here in the State Senate.

Many members will remember last week they joined me—all the members of the Senate, both sides of the aisle—in a resolution acknowledging May 2006 as Hearing Loss Awareness Month. We do have 31 million American's who do have a hearing loss; 1.4 million in the state of Michigan. It is the third most treatable, but disabling condition. The Senate resolution was presented to them this morning, along with the House resolution from Representative Kooiman from Grand Rapids.

Today I will have on my desk a Senate resolution which encourages Congress to step up to the plate and allow for a hearing aid tax credit on income tax forms to allow more people to be able to access hearing aids.

I hope you will help me welcome them. They will be here all day visiting your offices. There is a luncheon at noon. I hope you will join with me in welcoming them.

By unanimous consent the Senate proceeded to the order of

General Orders

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

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

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

House Bill No. 5843, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8b (MCL 722.628b), as amended by 1998 PA 484.

House Bill No. 5844, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2002 PA 693.

House Bill No. 5930, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 6 (MCL 722.626), as amended by 1984 PA 418.

Senate Bill No. 649, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

House Bill No. 6021, entitled

A bill to amend 1986 PA 196, entitled "Public transportation authority act," by amending sections 8 and 18 (MCL 124.458 and 124.468), section 8 as amended by 1998 PA 168.

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

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

House Bill No. 4460, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending the title and section 19 (MCL 29.19), the title as amended by 1984 PA 314 and section 19 as amended by 1998 PA 45.

Substitute (S-3).

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

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

Senate Bill No. 1108, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending the title and section 19 (MCL 29.19), the title as amended by 1984 PA 314 and section 19 as amended by 1998 PA 45.

Substitute (S-2).

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

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

House Bill No. 4778, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 44520a.

Substitute (S-1).

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

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests of Senator Gilbert admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

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

The motion prevailed, the time being 10:31 a.m.

10:37 a.m.

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

During the recess, Senator Gilbert introduced the Marysville High School Girls Volleyball Team, 2006 Class B State Champions, and Coach John Knuth; and presented them with a Special Tribute.

Coach Knuth responded briefly.

Resolutions

Senator Hammerstrom 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. 139

The resolution consent calendar was adopted.

Senator Switalski offered the following resolution:

Senate Resolution No. 139.

A resolution honoring the ThunderChickens, world champions in the FIRST Robotics Competition Championship.

Whereas, It is a great pleasure to congratulate the students, mentors, teachers, and parents of the ThunderChickens, who shared the honor of being the world champions in the FIRST Robotics Competition Championship along with two other teams. On behalf of the people of Michigan, we thank everyone who has contributed to this success of these Utica Community Schools students; and

Whereas, FIRST—"For Inspiration and Recognition of Science and Technology"—seeks to inspire young people’s interest and participation in science and technology through a competition that melds robotics and sports. Teams have six weeks to design and build, from a kit of hundreds of parts, a robot that competes in various sporting events; and

Whereas, This year, students created robots that fired foam balls through hoops, plowed into floor goals, and used a vision system to navigate on the field. More than 1,130 teams from the United States and six other nations participated at the Georgia Dome in Atlanta in April; and

Whereas, The ThunderChickens, which competed as Team 217 in the competition, is comprised of the following students:

Eisenhower High School

Michael DelBene
Jessica Zavadil
Shannon Willaert
Gregory Petty
Annette Palazzolo
Jacob Miller
Joseph Guzzardo
Sara Craun
Nina Fabian
Kyle Yaxley

Stevenson High School

Stephanie Hasty
Sala Sadaps
Steven Perry
Joshua Bails
Brian Turoski
Irene Zhu
James Courtois
Tony Kraus
Michael Harrison
Ryan Boyle
Brett Ankawi
Michael Lee

Ford II High School

Anthony Schuller
Michael Ross
Ashley VanMaldeghem
Shayna Kunz
David Orban
Paul Szymanski
Andrew Fonk
Gregory Lau
Aaron Vedolich
Brian Lademan
Mihai Bulic
Heather Hampton
Ed Lionte

Utica High School

Salvatore Mattera
Joseph Scharnitzke

Sterling Heights High School

Chad Thornbro

; and

Whereas, The mentors at the Utica Center for Mathematics, Science, and Technology include:

Teacher Mentors

Ron Arscheene
Mike Attan
Anita Stafford
Janet Kent

Engineering and Technical Mentors

Paul Copioli
Ed Debler
Bob Korson
Mike Copioli
Mike Beem

Jim Yaxley
Rick Thornbro
Omar Zrien
Bill Baedke

; and

Whereas, While the ThunderChickens team has won various regional and other awards since 1999, its members also find time to participate in community events. The team volunteers at Give Kids a Smile, a dental day for children without insurance, and other events around Macomb County; now, therefore, be it

Resolved by the Senate, That we hereby honor the ThunderChickens as world champions in the FIRST Robotics Competition Championship; and be it further

Resolved, That a copy of this resolution be transmitted to the ThunderChickens as a token of our highest esteem and congratulations.

Senators Birkholz, Brater, Cassis, Clark-Coleman, Clarke, Cropsey, Goschka, Hardiman, Jacobs, Prusi, Schauer and Van Woerkom were named co-sponsors of the resolution.

Senate Resolution No. 127.

A resolution to request the Department of Community Health, the Department of Labor and Economic Growth, and the Department of History, Arts, and Libraries be added as co-chairs to the Michigan After-School Partnership, to urge the partnership to expand and add additional programs, and to urge the partnership to report on its progress in reaching its goals.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Hammerstrom moved that Senator Garcia be excused from the balance of today's session.

The motion prevailed.

Senator Birkholz offered the following resolution:

Senate Resolution No. 140.

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Tax Credit Act.

Whereas, Hearing is clearly one of our most essential senses. It is often taken for granted, unfortunately, until the time one begins to experience hearing loss. At this point it is too late to reverse the damage. Hearing aids are the ready solution to the problems associated with hearing loss, but the costs associated with good quality equipment is expensive, is not always covered by one's insurance or Medicaid, and is too often foregone for more immediate needs. A federal tax credit would provide immediate and necessary relief for tens of thousands; and

Whereas, Indeed, it has been estimated that hearing aids would help ninety-five percent of those suffering from hearing loss. Only twenty-two percent of the population, however, currently uses a hearing device, because the average out-of-pocket costs associated with hearing aids is over \$2,800. Thousands upon thousands of individuals and family members are impacted by these soaring costs. It is estimated that close to 2 million people are affected by untreated hearing loss; and

Whereas, In Michigan, legislation was enacted in 1978 to exempt hearing aids from the state sales tax. This initiative was a clear recognition of the importance of cost savings to those in need of hearing aids. The Congress should follow this stellar example and enact similar tax incentives in the U.S. Tax Code; now, therefore, be it

Resolved by the Senate, That we hereby memorialize the Congress of the United States to enact the Hearing Aid Tax Credit Act; and be it further

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

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

Senator Hammerstrom moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Hammerstrom moved that the resolution be referred to the Committee on Finance.

The motion prevailed.

Senators Brater, Cassis, Clarke, Cropsey, Goschka, Hardiman, Jacobs, Prusi and Van Woerkom were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Cropsey's statement is as follows:

Today in the east Gallery I have a special guest. I need to read a tribute for him and then in a little bit I think we will recognize him. It's really neat when you have somebody who does something that's extraordinary in the ordinary course of their daily living. So for that, here's a Special Tribute:

“LET IT BE KNOWN, That it is a great honor and privilege to pay tribute to Ron Mc Comb for his outstanding efforts to save the life of a 14-month-old baby. The man is nothing short of a hero. His efforts are a rarity in today’s society. It is a pleasure and privilege to honor an individual who brings great pride to his family and community.

Ron was at the Red Lobster for a birthday party with his fiancée when a 14-month-old baby needed immediate medical attention. The restaurant was completely full and very crowded. The staff of the Red Lobster ran through the dining rooms looking for a doctor or a nurse. No one responded with the exception of Ron Mc Comb.

He came from the opposite side of the crowded restaurant to a group of people gathered around the baby. Upon hearing people exclaiming that the baby was choking and that they should try back blows on the small child, Ron stepped in and immediately took over the situation. He properly asserted that the child was having a seizure and was burning up with a very high temperature. He considered that the baby may have meningitis. Ron continued to valiantly work on the child until the emergency medical services arrived and the child was taken to Sparrow Hospital and admitted for a very long stay. The staff at Red Lobster was told that back blows on a baby could have proven fatal and Ron did the right thing.

After saving the life of the child, Ron went back to his table and continued eating as if nothing had happened. His humbleness touched everyone and further information tells us that this is not the first time he has assisted someone in need. When Ron was given the opportunity to have his bill paid for him, he refused, stating that some day he hoped that someone would be there for him in his time of need.”

We’ve signed this tribute on behalf of myself for the State Senate and Representative Scott Hummel on behalf of the State House of Representatives.

Senator Scott’s statement is as follows:

This comes from my website on insurance and is from Highland Park: “I am in the process of purchasing a vehicle for my wife. Upon purchase, the insurance amount was astronomical, over \$700 just to initiate the policy. The per month payments were in excess of \$340 per month, plus the car note, \$261 per month, which means over \$600 per month just to drive, not counting gas and preventative maintenance items. I am now on disability. I get \$764 per month SSDI.

I have a wife and seven children. My insurance policy was forced into default for delinquent payments. I am now uninsured, and to make matters worse, my wife was involved in an automobile accident May 5, 2006. The person who hit her says he was distracted with his stereo at the time of the accident. He is insured. When I contacted his insurance agent, I was given a sarcastic lesson from the agent about Michigan state’s law of no-fault. Question: If an accident is caused by negligence and is still regarded as an accident, shouldn’t the negligent party be held accountable for damages incurred by accidental means? Because of insurance companies’ interpretation of this law, I am now without a quality vehicle. Can I sue for damages in any court level? I need help with solving this dilemma. I know I am not the only one who has suffered loss because of high insurance premiums.

What can we do? We will not go away and we will not stop driving. We need insurance policies that poor people can afford. Let’s do some statistics to see how many drivers in the state of Michigan are poor. Poor people have been driving since there have been cars. Now we’re penalized because we cannot afford the insurance premiums, which, in my opinion, are astronomical for whatever reasons.”

Senator George’s statement is as follows:

I wanted to make my colleagues aware of a recent development in another state regarding Medicaid. Last week, the Bush administration announced approval of a Medicaid waiver for the state of West Virginia. The approval includes creation of an incentive program for Medicaid recipients. Medicaid recipients will be asked to take prescribed medications, follow up with physician appointments, exercise, and follow other healthy behaviors. In return, they will receive credits in a healthy rewards account which they can use towards optional health care services. They can use these credits to purchase optional services which are not part of the typical Medicaid package.

I point this out because it was over a year ago that I asked our Department of Community Health to consider doing something like this in a Medicaid waiver application. The response that I got was, “Well, we don’t think we can do that. We think a waiver would take a really long time, and we don’t know how we would ever administer it.”

I point this out because, of course, currently the Governor is saying she’s going to get a waiver and she’s going to get a billion dollars from the federal government to expand Medicaid to cover new populations. I just want to point out that this would be a great opportunity—a great opportunity—to follow the lead of West Virginia’s governor, Democratic Governor Joe Manchin, who said, “I’m asking people to partner with us, to take better care of themselves, and we will reward them if they do.” We need desperately to get this program under control and better utilize our limited health care dollars.

So, colleagues, I point this out because Michigan should be following West Virginia’s lead. It’s unfortunate that we didn’t try this a year ago, but the door is still open, and while we are looking for a Medicaid waiver, we should make this one of our priorities.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Jacobs and Brater introduced

Senate Joint Resolution L, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to permit a public transportation authority to levy a supplemental sales tax.

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

Senator Van Woerkom introduced

Senate Bill No. 1269, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4404 (MCL 500.4404), as amended by 1995 PA 210.

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

Senators Jelinek and Goschka introduced

Senate Bill No. 1270, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 41 (MCL 125.1041).

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Birkholz, Goschka, Kuipers and Allen introduced

Senate Bill No. 1271, entitled

A bill to amend 2003 PA 226, entitled "Joint municipal planning act," by amending sections 5 and 7 (MCL 125.135 and 125.137).

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

Senator Van Woerkom introduced

Senate Bill No. 1272, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8102) by adding section 5106a.

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

Senator Sanborn introduced

Senate Bill No. 1273, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding section 2408.

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

House Bill No. 5633, entitled

A bill to designate an official language of this state.

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 Local, Urban and State Affairs.

House Bill No. 5955, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending sections 1 and 3 (MCL 446.201 and 446.203), section 1 as amended by 2004 PA 585 and section 3 as amended by 2002 PA 469.

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 Commerce and Labor.

House Bill No. 5956, entitled

A bill to amend 1945 PA 231, entitled “An act to prescribe additional regulations and requirements for pawnbrokers, secondhand dealers and junk dealers; to provide for the taking of fingerprints and the making of reports to enforcement officers; to prescribe penalties for the violation of the provisions of this act; and to declare the effect of this act,” by amending sections 1 and 6 (MCL 445.471 and 445.476).

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 Commerce and Labor.

House Bill No. 5957, entitled

A bill to amend 1917 PA 350, entitled “An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,” by amending sections 1 and 3 (MCL 445.401 and 445.403).

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 Commerce and Labor.

House Bill No. 5958, entitled

A bill to amend 1981 PA 95, entitled “The precious metal and gem dealer act,” by amending sections 2 and 3 (MCL 445.482 and 445.483), section 2 as amended by 1990 PA 34.

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 Commerce and Labor.

Senator Sanborn entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 1052

Senate Bill No. 803

House Bill No. 5854

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1052, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 2 and 4 (MCL 431.302 and 431.304).

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. 369

Yeas—37

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

Nays—0

Excused—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 803, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 8 (MCL 211.8), as amended by 2002 PA 620.

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. 370**Yeas—37**

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

Nays—0**Excused—1**

Garcia

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. 5854, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending sections 35 and 37 (MCL 205.735 and 205.737), as amended by 2003 PA 131, and by adding section 35a.

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. 371**Yeas—37**

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

Nays—0**Excused—1**

Garcia

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 create the tax tribunal; to provide for personnel, jurisdiction, functions, practice and procedure; to provide for appeals; and to prescribe the powers and duties of certain state agencies; and to abolish certain boards;”.

The Senate agreed to the full title.

Committee Reports

The Committee on Transportation reported

House Bill No. 6021, entitled

A bill to amend 1986 PA 196, entitled “Public transportation authority act,” by amending sections 8 and 18 (MCL 124.458 and 124.468), section 8 as amended by 1998 PA 168.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, May 16, 2006, at 1:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on History, Arts, and Libraries submitted the following:
Meeting held on Tuesday, May 16, 2006, at 12:00 noon, Rooms 402 and 403, Capitol Building
Present: Senators George (C), McManus and Clarke

COMMITTEE ATTENDANCE REPORT

The Subcommittee on General Government submitted the following:
Meeting held on Tuesday, May 16, 2006, at 1:00 p.m., Room 405, Capitol Building
Present: Senators Garcia (C), McManus and Switalski

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Transportation submitted the following:
Meeting held on Tuesday, May 16, 2006, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Johnson (C), Stamas and Barcia

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:
Meeting held on Tuesday, May 16, 2006, at 3:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Cropsey (C), Brown, Garcia, Switalski and Prusi

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:
Meeting held on Wednesday, May 17, 2006, at 8:00 a.m., Rooms 402 and 403, Capitol Building
Present: Senators Hardiman (C) and Scott
Excused: Senator George

Scheduled Meetings

21st Century Jobs Funds Joint Select Oversight Committee (SCR 38) - Thursday, May 25, 1:30 p.m., Room 519, South Tower, House Office Building (373-2420)

Agriculture, Forestry and Tourism - Thursday, May 18, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Agriculture - Thursday, May 18, 3:30 p.m., Room 100, Farnum Building (373-5932)

Capital Outlay - Thursday, May 18, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce, Labor and Economic Development - Tuesday, May 23, 8:30 a.m., Room 405, Capitol Building (373-2420)

Human Services Department - Thursday, May 18, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1801)

State Police and Military Affairs - Thursday, May 18, 2:00 p.m., Room 100, Farnum Building (373-5932)

Transportation Department - Tuesday, May 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523) (CANCELED)

Government Operations - Tuesday, May 23, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797)

Local, Urban and State Affairs - Thursday, June 8, 1:00 p.m., Room 110, Farnum Building (373-1707)

State Drug Treatment Court Advisory Committee - Tuesday, May 23, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Subcommittees -

Certification - Tuesday, May 23, immediately after the full State Drug Treatment Court Advisory Committee meets, Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Cross Assignment - Tuesday, May 23, immediately after the full State Drug Treatment Court Advisory Committee meets, Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Transportation/House Transportation - Thursday, May 18, 12:30 p.m. or later after committees are given leave by the House to meet, Room 519, South Tower, House Office Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:01 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, May 18, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

