

No. 23
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Wednesday, March 8, 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

Senator Thomas M. George of the 20th District offered the following invocation:

Colleagues, I offer as our invocation Old Testament images which invoke the changing seasons.

God remembered Noah and all the wild animals and the livestock that were within the ark, and He sent a wind over the earth and the waters receded. Now the springs of the deep and the floodgates of the heavens closed, and the rain stopped falling from the sky. The waters receded and the tops of the mountains became visible.

Noah opened the window he had made in the ark and sent the dove forth. When the dove returned to him in the evening, there in its beak was a freshly plucked olive leaf. Then God said to Noah, "Come out of the ark, you and your family. Bring out every kind of living creature that is with you—the birds, the animals, and all the creatures who move along the ground—so they can multiply on the earth and be fruitful and increase in number upon it.

I now establish my covenant with you and with your descendants after you. Never again will all life be cut off by the waters of a flood; never again will there be a flood to destroy the earth. As a sign of this covenant, I have set my rainbow in the clouds. Whenever I bring clouds over the earth and the rainbow appears, I will remember my covenant between me and you and all living creatures of every kind."

For, lo, the winter is past, the rain is over and gone; the fig tree putteth forth her green figs and the vines with the tender grapes give a good smell; the flowers appear on the earth; the time of the singing of birds is come and the voice of the turtle is again heard in our land. Amen.

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

Motions and Communications

Senators Birkholz, Schauer, Thomas and Emerson entered the Senate Chamber.

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

Senate Bill No. 246

Senate Bill No. 318

The motion prevailed.

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

State Transportation Commission

Mr. James S. Scalici, a Republican, of 23675 Woodlyne Drive, Bingham Farms, Michigan 48025, county of Oakland, succeeding Robert Bender, whose term has expired, appointed for a term commencing January 12, 2006 and expiring December 21, 2008.

Mr. Ted B. Wahby, a Democrat, of 30117 Elmgrove Street, St. Clair Shores, Michigan 48082, county of Macomb, reappointed for a term expiring December 21, 2008.

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

Senator Schauer moved that Senators Barcia and Brater be temporarily excused from today's session.

The motion prevailed.

The following communications were received:

Department of State

Administrative Rules Notices of Filing

January 19, 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 2:14 p.m. this date, administrative rule (06-01-05) for the Department of State Police, Michigan Commission on Law Enforcement Standards, entitled "*Justice Training Fund Programs*." 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.

February 15, 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 4:33 p.m. this date, administrative rule (06-02-03) for the Department of Civil Service, State Board of Ethics, entitled "*Rules of Practice and Procedure.*" These rules become effective immediately upon filing with the Secretary of State.

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 1:02 p.m. this date, administrative rule (06-02-05) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 6. Emission Limitations and Prohibitions - Existing Sources for Volatile Organic Compounds Emissions.*" 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.

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 1:04 p.m. this date, administrative rule (06-02-06) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 10. Intermittent Testing and Sampling.*" 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.

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 1:06 p.m. this date, administrative rule (06-02-07) for the Department of Community Health, Bureau of Community Living, Children and Families, entitled "*Blood Lead Analysis Reporting.*" 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.

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 Secretary announced that the following House bills were received in the Senate and filed on Tuesday, March 7:
House Bill Nos. 5082 5508 5704

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 message from the Governor was received and read:

March 6, 2006

I am writing to inform you of my withdrawal of the following appointment filed with your office on February 1, 2006 pursuant to Section 3 of Article 5 of the Michigan Constitution of 1963:

Director, Department of Labor and Economic Growth

Ms. Paula D. Cunningham of 1625 Sagebrush, Lansing, Michigan 48917, county of Ingham, appointed for a term commencing March 6, 2006 and expiring at the pleasure of the Governor.

Sincerely,
 Jennifer M. Granholm
 Governor

The message was referred to the Committee on Government Operations.

Senator Brater entered the Senate Chamber.

State Transportation Commission

Mr. James S. Scalici, a Republican, of 23675 Woodlyne Drive, Bingham Farms, Michigan 48025, county of Oakland, succeeding Robert Bender, whose term has expired, appointed for a term commencing January 12, 2006 and expiring December 21, 2008.

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

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

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

Roll Call No. 124

Yeas—36

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

Nays—0

Excused—1

Barcia

Not Voting—0

In The Chair: President

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

The motion prevailed.

Senator Gilbert’s statement is as follows:

It is my honor to speak in support of James Scalici’s appointment to the State Transportation Commission. James is currently the president and founder of the American Construction Engineers, and in that role, he has worked in partnership for a number of years with the Little Caesar Enterprises to oversee the growth of the future Little Caesar company stores.

James’ knowledge of engineering principles and support for an asset management approach to address Michigan’s infrastructure program makes him an ideal candidate to serve on the State Transportation Commission.

I urge all members to give their advice and consent of the appointment of James Scalici to serve on the State Transportation Commission.

Senator Barcia entered the Senate Chamber.

State Transportation Commission

Mr. Ted B. Wahby, a Democrat, of 30117 Elmgrove Street, St. Clair Shores, Michigan 48082, county of Macomb, reappointed for a term expiring December 21, 2008.

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

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

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

Roll Call No. 125

Yeas—35

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

Nays—0

Excused—0

Not Voting—2

Basham Toy

In The Chair: President

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

The motion prevailed.

Senator Leland’s statement is as follows:

Mr. President, I rise to support the nomination of Ted Wahby to serve on the Transportation Commission, the policymaking body for all transportation programs. Mr. Wahby has a long record of distinguished service to the state. He was appointed to the Transportation Commission by Governor Engler in 1997. Governor Engler reappointed

Mr. Wahby to the commission twice. Governor Granholm appointed him as chair of the commission in 2003 and is now reappointing him for a term ending December of 2008.

Mr. Wahby is from St. Clair Shores and holds the office of Macomb County treasurer, to which he was first elected in 1995. He has also been elected as mayor of St. Clair Shores from 1983 to 1995; councilman of St. Clair Shores from 1981 to 1983; and White Shore School Board member from 1979 to 1981. Amongst several positions in the community and civic organizations held by Mr. Wahby are chairman of the board of Mt. Clemens General Hospital; treasurer of Macomb County Billing Authority; member of the Macomb County Growth Alliance; and chairman of the St. Clair Shores Activity Committee.

Mr. Wahby formerly served as vice chair of the Ferris State University Board of Regents, to which he was reappointed by Governor Blanchard; chair of the Ferris State University Board Finance Committee; and for thirty-one years he was employed as vice president of Comerica Bank. He is experienced and highly qualified for this appointment.

The Transportation Committee recommended his appointment without opposition. I urge your support of advice and consent of the appointment of Ted Wahby to the State Transportation Commission.

Senator Gilbert's statement is as follows:

The previous speaker certainly spoke very highly of Mr. Wahby. The committee met and found that he is very qualified, and I recommend his reappointment to the State Transportation Commission.

Senator Sanborn's statement is as follows:

I rise to echo the statements of the previous speakers. I think Ted Wahby will be a wonderful addition as far as his appointment of advice and consent. On a personal note, I know Ted Wahby well. He is a friend of mine. He is a very bipartisan guy. He is a doer. He is the kind of guy who gets things done. He is always the first guy into work, even though he is the boss, and he is always the last guy to leave.

That is the kind of guy you want working for you and that's the kind of guy you want in this position.

I rise to support the advice and consent of Ted Wahby.

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. 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.

The House of Representatives has amended the bill as follows:

1. Amend page 3, following line 9, by inserting:

"(6) THIS SECTION APPLIES TO TRIALS AND EVIDENTIARY HEARINGS COMMENCED OR IN PROGRESS ON OR AFTER MAY 1, 2006."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 263, 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.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

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.

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

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.

The House of Representatives has amended the bill as follows:

1. Amend page 1, line 7, after "the" by striking out "**TUESDAY**" and inserting "**SECOND** Friday".

The House of Representatives has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

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.

The House of Representatives has amended the bill as follows:

1. Amend page 3, following line 2, by inserting:

"(3) UPON RECEIPT OF A WRITTEN REQUEST FROM AN INDIVIDUAL WHO IS 20 YEARS OF AGE OR OLDER, THE DEPARTMENT SHALL MAKE ANY IMMUNIZATION INFORMATION IN THE REGISTRY PERTAINING TO THAT INDIVIDUAL INACCESSIBLE. THE WRITTEN REQUEST SHALL BE IN A FORM PRESCRIBED OR OTHERWISE AUTHORIZED BY THE DEPARTMENT."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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 Allen as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 5063, 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.

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.

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

House Bill No. 5063

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

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

Senate Bill No. 403

House Bill No. 5063

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16346 and part 183A.

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. 126

Yeas—35

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

Nays—2

Gilbert	Sanborn
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Excused—0

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. 5063, 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.

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. 127

Yeas—36

Allen	Clarke	Jacobs	Sanborn
Barcia	Cropsey	Jelinek	Schauer
Basham	Emerson	Johnson	Scott

Bishop	Garcia	Kuipers	Sikkema
Brater	George	Leland	Stamas
Brown	Gilbert	McManus	Switalski
Cassis	Goschka	Olshove	Thomas
Cherry	Hammerstrom	Patterson	Toy
Clark-Coleman	Hardiman	Prusi	Van Woerkom

Nays—0

Excused—0

Not Voting—1

Birkholz

In The Chair: President

Senator Hammerstrom moved that Senator Birkholz be excused from the balance of today's session.
The motion prevailed.

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 the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator George's statement is as follows:

This bill is interesting because it points out, I think, some of the issues that face us within the Medicaid program. The bill, as you know, would allow for laboratory screening services for early detection of renal disease. That is certainly a beneficial thing, and I am going to be voting for the bill. I look forward to that, but it begs the question.

The question is this for our Medicaid program: If we identify patients who are at risk to develop renal disease, what do we do with them? This is important to try to prevent. Renal failure takes a great toll in producing human suffering, and it would cost our Medicaid system millions of dollars to treat patients with advanced renal disease. If we can identify them early, that's great. But what does the Medicaid program offer to treat them to prevent them from going into renal failure? It begs the question: What are we going to do when we identify those patients?

Let me just give you a scenario to illustrate what I am talking about. Let's say you have an adult who seems to himself to be healthy and they encounter an accident and break their ankle. They have no health insurance, come into the hospital, they need surgery to fix their ankle, and in the course of that hospital admission, they are enrolled with one of our Medicaid plans, for example. In the course of their preparation for surgery, they have testing done, and let's say they have this renal screening done and they are found to be at risk to develop renal disease. They have their ankle

fixed and is discharged from the hospital. What will happen? I am guessing what will happen is they will be told, “You know, you have this abnormal test, and you should go and have some follow-up with a primary care physician.” Maybe they would be given an appointment steered to a primary care physician’s office.

Well, what happens when they don’t show up for the visit? We know there is a 30 to 50 percent no-show rate when patients with Medicaid get a referral to a primary care office from the hospital—30 to 50 percent no-show rate. What happens then? Does the physician’s office have some incentive to call them and say, “Hey, you didn’t show up for your appointment? Look, you had this abnormal test and we need to check things out here.” Does the physician’s office have an incentive to do that? Do they do that now? The answer is no. If the patient does come in, they are going to get paid, what, \$10 or \$15 to see them. Most physicians will say they are going to get 20 cents on the dollar. They are going to have all this paperwork to do. It’s going to be a big hassle. They don’t have an incentive to call this patient and reel them in for care.

What if the patient does come in and has screening and treatment? Let’s say they are found to be pre-diabetic, or they have high blood pressure and so they are recommended to take some medication, or maybe it’s recommended that they exercise and address their diet. What incentive does the patient have to do any of those things to prevent themselves from developing renal failure? They feel fine. They may not understand that this is a potentially serious problem. They feel fine. Why should they bother to take blood pressure medicine? It makes them feel bad. So often than not, they are not going to come back, and then what happens? Does the doctor call them again? No. There is no such incentive in our current Medicaid program.

What incentive does the health plan have to provide disease management to this patient? We contract with our HMOs to provide care. What is their incentive? They have none. Their incentive is that they are better off if the patient doesn’t come back. They are paid per patient to take care of them per month. They are financially better off if the patient is never seen again. The health plan doesn’t have any incentive to bring them back in for treatment.

You might say, “Well, if we can prevent them from getting renal disease, the health plan will save something down the line.” The time course for renal failure may be a decade, and the re-enrollment period for Medicaid for our health plan is every six months. If the patient doesn’t take action to re-up with that plan, they are going to drop out. What will happen is years down the road, they will get their kidney failure and they will end up in the emergency room. Then they will sign up and maybe then they will be in another plan.

So the plan that they are initially in has little or no incentive to provide them with disease management. There is no incentive for the recipient, there is no incentive for the providers, and there is no incentive for the plan. This is a perfect example of how our Medicaid program remains dysfunctional and unable to prevent people from developing disease. We really have very little in the way of disease management incentives within our program. Great gains are possible in our state because the condition of our health is so poor. If we could create incentive for the patients, pay for incentives performance for the plans and for the providers, we could make great gains in Michigan.

Now this could have been part of a waiver proposal that this body suggested in last year’s budget to the Governor—to the administration—but they refuse to do that. Instead, they prefer to expand Medicaid rather than fixing it first.

So I think this bill is a perfect illustration of how, you know, we are good at doing tests, but the Medicaid program doesn’t really have a plan to treat the patients once it identifies them.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

House Bill No. 5744

House Bill No. 5745

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

By unanimous consent the Senate returned 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 Allen 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. 5744, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

House Bill No. 5745, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

House Bill No. 5744

House Bill No. 5745

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

The following bill was read a third time:

House Bill No. 5744, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

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. 128

Yeas—21

Allen	George	Jelinek	Sanborn
Bishop	Gilbert	Johnson	Sikkema
Brown	Goschka	Kuipers	Stamas
Cassis	Hammerstrom	McManus	Toy
Cropsey	Hardiman	Patterson	Van Woerkom
Garcia			

Nays—15

Barcia	Clark-Coleman	Leland	Scott
Basham	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas
Cherry	Jacobs	Schauer	

Excused—1

Birkholz

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 not concurred in, 2/3 of the members serving not voting therefor.

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil

admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Basham’s statement is as follows:

Again, the rule-making process is still underway. The meetings are ongoing. The administration has testified that they will work toward a consensus before any rules are promulgated. Better trained, better compensated workers attract a more reliable workforce, which will help reduce worker turnover. Better trained and better compensated workers provide a better level of care.

The following bill was read a third time:

House Bill No. 5745, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

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. 129

Yeas—21

Allen	George	Jelinek	Sanborn
Bishop	Gilbert	Johnson	Sikkema
Brown	Goschka	Kuipers	Stamas
Cassis	Hammerstrom	McManus	Toy
Cropsey	Hardiman	Patterson	Van Woerkom
Garcia			

Nays—15

Barcia	Clark-Coleman	Leland	Scott
Basham	Clarke	Olshove	Switalski
Brater	Emerson	Prusi	Thomas
Cherry	Jacobs	Schauer	

Excused—1

Birkholz

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 not concurred in, 2/3 of the members serving not 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.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Stamas, Allen, Van Woerkom, Cropsey, Jelinek, Gilbert, Barcia, Prusi, Garcia and Birkholz offered the following resolution:

Senate Resolution No. 103.

A resolution to urge the Department of Natural Resources to work with the federal government and neighboring states to implement the most aggressive means of controlling the double-crested cormorant population pursuant to authority extended by the United States Fish and Wildlife Service.

Whereas, The populations of double-crested cormorants have exceeded acceptable levels and are disrupting the ecosystem in many areas of the Great Lakes region and beyond. Once an uncommon species, the birds can now be found throughout the Great Lakes. In this area, the double-crested cormorant's numbers are at historic highs, with an estimated 30,000 nesting pairs in Michigan in 2001; and

Whereas, The return of the double-crested cormorants to such high numbers has brought significant problems, especially to commercial fishing and the Michigan economy. The double-crested cormorant, which can go under water for its food, feeds on small fish, including fry. The cormorant population has caused significant devastation to Michigan's Les Cheneaux Islands, destroying vegetation and depleting the yellow perch population. Due to the decline in recreational fishing opportunities, several businesses have had to close, causing undue hardship on the local economy; and

Whereas, There is a large and growing population of double-crested cormorants in the Ludington area along Lake Michigan. The Little Manistee, Manistee, and Pere Marquette Rivers all enter Lake Michigan in this area. These rivers provide some of the best steelhead, salmon, and walleye spawning rivers in northern Michigan. Each adult cormorant can consume 1.0 to 1.5 pounds of fish per day, including small steelhead, salmon, and walleye. Cormorants have established a nesting ground on the Consumers Energy Ludington Pump Storage Facility breakwall, causing environmental damage and depleting the local fish population; and

Whereas, The United States Department of Agriculture, Wildlife Services has undertaken limited pilot projects in the Les Cheneaux Islands, Brevoort Lake, and Drummond Island. While these initial control programs have shown some success in controlling cormorants, the nonlethal controls used in these projects just touch the surface of the cormorant problem in Michigan. The Les Cheneaux pilot project called for killing just 15 percent of the nesting adult birds. Adult cormorants typically lay three to six eggs each year. The public has grown impatient for some form of control; and

Whereas, The Michigan Department of Natural Resources expects results of the initial control programs to be available in the Spring of 2006. Using data obtained from initial programs, the DNR can set goals, coordinate control, and assess the progress of cormorant control efforts. The department needs to move quickly to assure full control programs are in place before further damage is done to fish populations and native vegetation. Additionally, the DNR is in need of funding for increased involvement in the planning, control, and assessment of the abundant double-crested cormorant population; and

Whereas, The cormorant problem is not limited to Michigan. Twenty-three other states have approval of the United States Fish and Wildlife Service to carry out control programs. Michigan cormorants migrate each winter to Southeastern states and the Gulf of Mexico. For this reason, involving other states in control strategies will increase the efficiency of Michigan control programs; now, therefore, be it

Resolved by the Senate, That we urge the Department of Natural Resources to work with the federal government and neighboring states to implement the most aggressive means of controlling the double-crested cormorant population pursuant to authority extended by the United States Fish and Wildlife Service; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Natural Resources, the Governor of Michigan, and the head of the United States Department of Agriculture, Wildlife Services.

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 Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Goschka and Switalski were named co-sponsors of the resolution.

Senator Gilbert offered the following concurrent resolution:

Senate Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and St. Clair County Community College relative to the St. Clair County Community College General Campus Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of St. Clair County Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the St. Clair County Community College General Campus Renovations (the "Project") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the St. Clair County Community College General Campus Renovations project shall not exceed \$13,000,000 (the Authority share is \$4,499,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$8,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$4,499,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$309,000 and \$404,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of St. Clair County Community College, and the State Budget Director.

Pending the order that, under rule 3.204, the concurrent 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 concurrent resolution,

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

The motion prevailed.

Senators Goschka and Switalski were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Sanborn introduced

Senate Bill No. 1122, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2003 PA 75, and by adding section 7b.

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

House Bill No. 5082, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 686 (MCL 168.686), as amended by 2003 PA 284.

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 Government Operations.

House Bill No. 5508, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending the title and sections 2, 3, 5, 9b, 9d, 9g, 9h, 9i, 9j, 10b, 10c, and 10d (MCL 290.642, 290.643, 290.645, 290.649b, 290.649d, 290.649g, 290.649h, 290.649i, 290.649j, 290.650b, 290.650c, and 290.650d), the title and section 2 as amended and sections 9b, 9d, 9g, 9h, 9j, and 10c as added by 1993 PA 236, sections 3, 5, and 10b as amended by 2002 PA 13, section 9i as amended by 2004 PA 278, and section 10d as added by 1993 PA 231, and by adding sections 9k and 9l; and to repeal acts and parts of acts.

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 Natural Resources and Environmental Affairs.

House Bill No. 5704, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 312 and 646a (MCL 168.312 and 168.646a), section 312 as amended by 2005 PA 71 and section 646a as amended by 2004 PA 295.

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 Government Operations.

Statements

Senators Cropsey, 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 Cropsey's statement is as follows:

Yesterday the Judiciary Committee began consideration of appropriate sentencing for certain sex offenders. This was legislation introduced by Senator Stamas, Senator Toy, and Senator Gilbert. One of the witnesses quoted from the Department of Justice report, and then that statistic was quoted in news articles. I just want to say that the figures were taken out of context from the Department of Justice report and were grossly misrepresented as what the report actually stated. This is not the first time I have had to set the record straight on when you take a Department of Justice report and take certain figures, but give a misleading impression.

My primary concern is public safety. Sex offenses are especially heinous, as the figures indicate the victims tend to be minors and vulnerable persons, especially in family situations. Before any parole should be granted, the possibility of re-victimizing Michigan citizens needs to be reduced as far as possible.

In this study entitled "Recidivism of Sex Offenders Released from Prison in 1994," it does indeed state that released sex offenders do not appear to reoffend with new sex crimes at a high level. The data presented to the Judiciary Committee ignored the vast majority of the report. First, only a tiny number of criminal sex offenders are ever paroled, representing the safest risk of all sex offenders. Yet, according to the report, even these released sex offenders commit many other crimes.

To quote from page two of that report, "When rearrests for any type of crime (not just sex crimes) were counted, the study found that 43 percent of the released sex offenders were rearrested." As several of the tables illustrate in this report, the rearrest and conviction rates for released sex offenders are statistically the same as for all other types of offenders. Table 41 points out that 1 in 6 of these reoffenders committed violent crimes. Table 18 points out that over 75 percent of child molesters and statutory rapists have prior criminal records, an astounding 4.8 percent having 16 or more prior arrests. The inescapable conclusion is that sex offenders lead criminal lifestyles that include sex offenses. According to the very report cited yesterday, rapists' overall recidivism rate is over 900 percent higher than just the 5 percent sex crime figure cited. That misrepresentation of recidivism is shocking and needs to be corrected.

Worse, consider these quotes from the report: "Results from the National Crime Victimization Survey indicate that the offenses of rape/sexual assault are the least likely crimes to be reported to police." Another quote: "Sex crimes, particularly those against children, are specific examples of this type. While some sex offenders in this study probably committed a new sex crime after their release and were not arrested or convicted, this study cannot say how many." According to another Department of Justice report in January, 80 percent of these sex crimes are not reported.

The statements yesterday in committee were totally out of context, highly misleading, and the record needs to be corrected.

In closing, I want to be very clear that if I have to choose between sex offenders and the victims of sex crimes, I will always side with the victim. Yesterday's testimony only strengthened my opinion.

Senator Scott's statement is as follows:

I have another letter that dealt with the hearing on Senate Bill No. 26. It says it is response to *MIRS* 2/21/06:

"This is truly sad. But what is even more tragic is that none of this gets to the heart of the issue. The issue is race. Yes, I said race. We are always so quick to inject race in issues whereby race is not a factor, like the zoo issue for example. But when it is a factor, we sit silent. That's unfortunate. 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 in office with no real results for Detroit.

Whereas, I commend Senator Scott for her efforts. This issue will probably not change for Detroit anytime soon, and here is why. Ask yourself this question: Why aren't our U.S. Senators filibustering at the national level to help and assist State Senator Scott? Where are the other leaders? While they are fighting over academic issues that probably won't affect most Detroit residents, our brothers and sisters are dying due to hopelessness, joblessness, hunger, and poverty. Why aren't they fighting for Detroit? I'll tell you why, because they only need us Negroes at election time.

Insurance should not be based on where you live, period. It should, however, be based on your driving record. Homeowners insurance should be based on the amount of insurance you want to take out on your home and its value, period. But even with that, we Democrats have to blame ourselves for the lack of attention given to redlining in the city of Detroit. I have been hearing about this issue since the days of former State Representative Nelson Saunders and still nothing. How sad. Nevertheless, the Governor will campaign on fixing insurance, like she did four years ago, and the insurance commissioner (Linda Watters) will not act to bring the insurance industry to its knees.

There are certain audit tactics that the insurance commissioner could use to bring some relief to Detroit. Trust me, she could, but it's hard to serve two masters. You see, we have to begin to think outside the box, especially when we're always on the outside looking in. Frankly, in the words of Fannie Lou Hamer, 'I'm sick and tired of being sick and tired.' Detroiters don't care about insurance redlining anymore. They know and recognize that it is a political scam, so what have they done? They have checked out of the process. They have their insurance in a friend's name who lives outside Detroit, or they simply drive without insurance and take their chances. Why else would you see a brother driving a 2005-06 with vehicle damage and no immediate plan to get it fixed? I'll tell you why. They have checked out of the insurance process to abide by the law process and the political process. Black folks in Detroit have resolved to make it, no matter what, by any means necessary. They are underground.

Nevertheless, keep the faith and good luck. May the force be with you because Democratic leadership won't be." Signed by "A Real Democrat."

Senator Patterson's statement is as follows:

I would like to go on record sincerely thanking the previous speaker for the remarks that she just read into the record. I appreciated greatly the sentiments expressed in that letter.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 816, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 498b. With the recommendation that the substitute (S-3) be adopted and that the bill then pass. The committee further recommends that the bill be given immediate effect.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Emerson

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 817, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2003 PA 313.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson 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 Judiciary submitted the following:

Meeting held on Tuesday, March 7, 2006, at 1:15 p.m., Room 210, Farnum Building

Present: Senators Cropsey (C), Bishop, Sanborn, Patterson, Schauer, Emerson and Brater

The Committee on Families and Human Services reported

House Bill No. 5744, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: Senators Jacobs and Clark-Coleman

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

House Bill No. 5745, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: Senators Jacobs and Clark-Coleman

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, March 7, 2006, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Tuesday, March 7, 2006, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Goschka and Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, March 7, 2006, at 1:11 p.m., Room 110, Farnum Building

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

Excused: Senator Goschka

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, March 7, 2006, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Toy, McManus, Schauer and Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, March 7, 2006, at 3:00 p.m., Room 110, Farnum Building

Present: Senators Birkholz (C), Van Woerkom, Brater and Basham

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Tuesday, March 7, 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 Committee on Education submitted the following:

Public hearing held on Tuesday, March 7, 2006, at 6:00 p.m., Milan High School, 200 Big Red Drive, Milan

Present: Senators Kuipers (C) and Cassis

Excused: Senators Van Woerkom, Clark-Coleman and Leland

Scheduled Meetings

21st Century Jobs Funds Joint Select Oversight Committee (SCR 38) - Thursday, March 9, 1:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2420)

Agriculture, Forestry and Tourism - Thursday, March 9, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

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

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

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

Higher Education - Monday, March 13, Saginaw Valley State University, Curtiss Hall, Emeriti Room, University Drive, University Center; and Wednesday, March 15, 3:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Judiciary and Corrections - Tuesday, March 14, 3:00 p.m., Room 402, Capitol Building (373-3760)

K-12, School Aid, Education - Thursdays, March 9, 12:30 p.m. and 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)

Education - Thursday, March 9, 2:00 p.m., Room 210, Farnum Building (373-6920)

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

Legislative Retirement Board of Trustees -**Subcommittee -**

Investment - Thursday, March 9, 3:30 p.m., Room 927, South Tower, House Office Building (373-0575)

Local, Urban and State Affairs - Thursday, March 9, 1:00 p.m., Room 110, Farnum Building (373-1707)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:05 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, March 9, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

