

No. 4
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Tuesday, January 24, 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

Pastor Jay Cummings of St. John's United Church of Christ of Jackson offered the following invocation:

Great and beneficent God, merciful and loving Spirit, let Your presence be felt in this gathering of Your chosen servants, elected officials, representing the millions of citizens in this great state of Michigan. As they deliberate, debate, and decide on issues great and small, cause them to remain mindful of their high calling and weighty responsibility.

Grant them a spirit humble enough to listen carefully and confident enough to speak boldly. Grant them a spirit that sustains them in struggle, upholds them through all trouble, and helps them to remain on the high road—avoiding every gutter. Grant them a spirit that lifts them to their highest values, the greatest good, and for the good of all. When push comes to shove, direct them to find a way to pull together so that they do not tear asunder nor fall apart.

May Your guiding and protective hand rest upon them. Amen.

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

Motions and Communications

Senator Schauer moved that Senators Barcia, Emerson and Thomas be temporarily excused from today's session. The motion prevailed.

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

Senate Bill No. 246

Senate Bill No. 318

The motion prevailed.

Senators Clark-Coleman, Goschka and Cassis asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clark-Coleman's statement is as follows:

It is with great regret that I announce that we lost one of our State Representatives, Ted Wallace, who served over in the State House, and after leaving there, he became a judge in district court—I think it was. He passed away on Thursday and his funeral was held yesterday. It was a very sudden death. He was on the bench the day before. He had an aneurism that night in his sleep. He will be sorely missed.

I would like to ask for a moment of silence for former State Representative Ted Wallace and present Judge Ted Wallace.

A moment of silence was observed in memory of former State Representative/District Court Judge Ted Wallace.

Senator Goschka's statement is as follows:

I also want to echo the comments of the Senator from the 3rd District regarding former State Representative and Judge Ted Wallace from Detroit. Ted Wallace was a gentleman in all circumstances. He was very intelligent, kind, and very thoughtful. I will remember him always as a friend, and I thought very highly of Ted Wallace. He served his district well. The people of Detroit should be very proud. They have lost a giant and our state has lost a giant. Ted Wallace was a wonderful, wonderful person. Those of us who knew him know that to be true.

Senator Cassis' statement is as follows:

I, too, rise to mourn the passing of former State Representative Ted Wallace. I had the distinguished honor to serve with him in my first term in the State House. He was very helpful to me; the other side of the aisle teaching a novice, if you will, how to circumnavigate the House. In fact, he and I shared joint bills that were one of my first set of bills to be passed and signed into law.

We share with his family our deepest condolences and say sincerely that his memory will long live in the annals of our state history and his many contributions across the aisle and to the state in general.

Senator Emerson entered the Senate Chamber.

The following communication was received:
Office of the Auditor General

January 18, 2006

Enclosed is a copy of the following audit report:
Performance audit of Southern Michigan Correctional Facility, Department of Corrections.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, January 19:
House Bill Nos. 4889 5240 5241

The Secretary announced the enrollment printing and presentation to the Governor on Friday, January 20, for her approval the following bill:

Enrolled Senate Bill No. 624 at 1:35 p.m.

The Secretary announced that the following official bills and joint resolution were printed on Thursday, January 19, and are available at the legislative website:

Senate Bill Nos. 958 959 960 961 962 963 964 965 966
Senate Joint Resolution I
House Bill Nos. 5551 5552 5553 5554 5555 5556 5557 5558 5559 5560

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

Senate Bill Nos. 967 968 969
House Bill Nos. 5561 5562 5563 5564 5565 5566 5567 5568 5569

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

The motion prevailed.

The following message from the Governor was received on January 20, 2006, and read:

EXECUTIVE ORDER No. 2006-1

Revoking Declaration of Financial Emergency for City of Flint

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, Section 15 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1215, authorizes the GOVERNOR, based on a report issued by a review team, to determine the existence of a local government financial emergency in a city, village, township, county, an authority established by law, or a public utility owned by a city, village, township, or county;

WHEREAS, on May 22, 2002, Governor John M. Engler first determined that a local government financial emergency existed in the City of Flint, Genesee County;

WHEREAS, on July 2, 2002, Governor Engler confirmed his earlier determination that a local government financial emergency existed in the City of Flint because no satisfactory plan existed to resolve a serious financial problem;

WHEREAS, the Local Emergency Financial Assistance Loan Board created under Section 2 of the Emergency Municipal Loan Act, 1980 PA 243, MCL 143.942, was assigned responsibility for the management of the local government financial emergency in the City of Flint as provided by Section 18 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1218;

WHEREAS, the Local Emergency Financial Assistance Loan Board has recommended that the conditions have been satisfied for revoking the determination of a local government financial emergency in the City of Flint;

WHEREAS, the State Treasurer also has recommended that the declaration of a local government financial emergency in the City of Flint be revoked;

WHEREAS, an audited financial report submitted to the Department of Treasury by the City of Flint reports a \$6.1 million general fund surplus for the city's most recently completed fiscal year;

WHEREAS, under Section 25 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1225, the Governor may determine that the conditions for revoking the declaration of a financial emergency have been met after receiving a recommendation from the Local Emergency Financial Assistance Loan Board;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

A. The declaration of a financial emergency in the City of Flint is revoked, as the conditions for revoking the declaration have been met.

B. Copies of this Order shall be transmitted to the City Clerk for the City of Flint and to the members of the Local Emergency Financial Assistance Loan Board.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of January in the year of our Lord, two thousand and six.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on January 20, 2006, and read:

EXECUTIVE ORDER
No. 2006-2

Abolishing the Technology Tri-Corridor Steering Committee

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, a new Strategic Economic Investment and Commercialization Board has been created under Section 88k of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2088k, to award grants and loans to encourage the development of alternative energy, life sciences, advanced manufacturing, and homeland security technologies in Michigan;

WHEREAS, the Michigan Legislature has appropriated no money to fund the Technology Tri-Corridor initiative for the current fiscal year;

WHEREAS, as an alternative to funding provided for the Technology Tri-Corridor in prior fiscal years, the Michigan Legislature has appropriated money to fund the activities of the Strategic Economic Investment and Commercialization Board under 2005 PA 225;

WHEREAS, this important new investment in securing Michigan's future provides significant new incentives for the diversification of this state's economy and the creation of good paying jobs for Michigan residents;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Technology Tri-Corridor Steering Committee;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

A. As the Technology Tri-Corridor Steering Committee created by Executive Order 2003-19 no longer serves the purposes for which it was created, the Technology Tri-Corridor Steering Committee is dissolved and abolished.

B. Executive Order 2003-19 is rescinded in its entirety.

C. The rescission of Executive Order 2000-3 is ratified.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of January in the year of our Lord, two thousand and six.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on January 20, 2006, and read:

EXECUTIVE ORDER
No. 2006-3

**Mentor Michigan Leadership Council
Michigan Community Service Commission**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, under section 8 of Article V of the Michigan Constitution of 1963, each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, preparing students for the future does not begin and end with the school bell;

WHEREAS, students need enriching opportunities outside of school hours and guidance while at school to become productive and responsible members of our communities;

WHEREAS, research demonstrates that mentoring reduces crime;

WHEREAS, it is important that the State of Michigan identify and encourage mentoring, promote individuals and organizations that serve as outstanding examples of a commitment to mentoring, and convince Michigan citizens of the importance of service to others through mentoring;

WHEREAS, a statewide effort to develop a mentoring clearinghouse in conjunction with existing organizations, recruit citizens to serve as mentors, facilitate advocacy for mentoring, and promote standards is needed;

WHEREAS, the State of Michigan has established a community-based and community-driven infrastructure for state-assisted national and community service through the Michigan Community Service Commission and its public- and private-sector partnering organizations;

WHEREAS, establishment of the Mentor Michigan Leadership Council within the Michigan Community Service Commission will increase the quality and quantity of mentoring throughout Michigan;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

A. "Commission" means the Michigan Community Service Commission created under 1994 PA 219, MCL 408.221, which later was transferred to the Department of Career Development by Executive Order 1999-1, MCL 408.40, and then to the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011.

B. "Council" means the Mentor Michigan Leadership Council created within the Michigan Community Service Commission by this Order.

1. "Department" means the Department of Labor and Economic Growth, the principal department created as the Department of Commerce under Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, renamed the Department of Consumer and Industry Services under Executive Order 1996-2, MCL 445.2001, and renamed the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011.

II. CREATION OF MENTOR MICHIGAN LEADERSHIP COUNCIL

A. The Mentor Michigan Leadership Council is created as an advisory body within the Michigan Community Service Commission.

B. The Council shall be composed of 15 members appointed by the Governor. Of the members initially appointed, 4 members shall be appointed for terms expiring on September 30, 2006; 4 members shall be appointed for terms expiring on September 30, 2007; 4 members shall be appointed for terms expiring on September 30, 2008, and 3 members shall be appointed for terms expiring on September 30, 2009. After the initial appointments, members of the Council shall be appointed to 4-year terms.

C. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

III. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity and shall do all of the following:

1. Review, develop, and advise the Governor and the Commission on the development and implementation of a statewide mentoring initiative to be known as "Mentor Michigan."

2. Develop and recommend to the Governor and the Commission a plan for Mentor Michigan. The plan shall do all of the following:

a. Identify existing mentoring activities and encourage additional mentoring activities throughout Michigan.

b. Make recommendations on the coordination of the mentoring activities of state departments and agencies.

c. Educate Michigan citizens about the importance of mentoring.

d. Promote individuals, organizations, and institutions that serve as outstanding examples of mentoring.

e. Coordinate the use of volunteer resources to recruit Michigan residents to serve as mentors.

f. Identify and promote standards for mentoring programs.

g. Develop and recommend a clearinghouse in partnership with existing mentoring organizations to identify and place mentors.

h. Advocate on behalf of mentors, mentoring organizations, and expansion of mentoring in Michigan.

3. Annually update the plan developed under Section III.A.2 and submit the updated plan to the Governor and the Commission not later than 60 days after the close of each fiscal year.

4. Advise the Governor and the Commission on the development and establishment of local mentoring initiatives.

B. As directed by the Chairperson of the Commission, Commission staff shall assist the Council with the preparation of grant and other funding applications submitted to public and private funding sources and assist the Council with the establishment of policies and procedures regarding the use of grant and other funds.

C. The Council shall provide other information or advice as directed by the Governor or the Chairperson of the Commission.

IV. OPERATIONS OF THE COUNCIL

A. The Council shall be staffed and assisted by personnel from the Commission as directed by the Governor or the Chairperson of the Commission. Any budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the Director of the Department in consultation with the Chairperson of the Commission.

B. The Council may select from among its members a Vice-Chairperson.

C. The Council shall select from among its members a Secretary. Council staff shall assist the Secretary with recordkeeping responsibilities.

D. A majority of the members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of its serving members.

E. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations and may establish committees and request public participation on advisory panels as the Council deems necessary. The Council also may adopt, reject, or modify any recommendations proposed by committees or advisory panels.

F. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

G. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council also may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

H. Members of the Council shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget.

I. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

K. Members of the Council shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Council.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of January in the year of our Lord, two thousand and six.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

January 20, 2006

Due to typographical errors on the January 3, 2006 letter filed with your office pursuant to Sections 16121 and 17421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17421, please be advised of the following corrections:

Michigan Board of Optometry

Mr. Stephen P. Thompson, O.D., of 1220 Blanchette Drive, East Lansing, Michigan 48823, county of Ingham, succeeding John M. Nametz, whose term has expired, representing optometrists, for a term commencing **July 1, 2006** and expiring **June 30, 2010**.

Sincerely,
Jennifer M. Granholm
Governor

The message was referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 472

Senate Bill No. 475

Senate Bill No. 476

House Bill No. 5039

House Bill No. 5281

House Bill No. 5447

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 472, entitled

A bill to amend 1987 PA 26, entitled "Michigan superconducting super collider act," by amending section 11 (MCL 3.821), as amended by 1988 PA 274.

The question being on the passage of the bill,

Senator Basham offered the following substitute:

Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 17**Yeas—23**

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

Nays—12

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

Excused—2

Barcia	Thomas
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Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Basham, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 472 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Basham’s statement is as follows:

Essentially, Mr. President, I will be withdrawing the next two substitutes and offering three more substitutes because, in fact, the substitutes repeal the entire Michigan Superconducting Super Collider Act. There are issues with the MEDC that were mentioned by the previous speaker that probably wouldn’t be the same issues under a different Governor. These bills before us simply eliminate certain boards and commissions that are no longer in effect today. Concerns have been raised that the way the bills were originally written will hamper the ability of the MEDC and the Michigan Strategic Fund to function and impose new responsibilities on the fund and gives them less flexibility.

I think these are the times when we should be giving the MEDC, that body, the flexibility to help create the new economy and deal with the issues facing jobs in the state of Michigan. The substitutes will do that.

For example, the way Senate Bill No. 475 is written would require the DLEG to operate the state research fund, and while the fund has been dormant for several years, this bill requires DLEG to provide notice of the existence of the fund, its objectives, and requirements for participation. But the bill also provides no funding to do that. Those are the kinds of things that tie the arms of DLEG and tie the arms of the MEDC.

I’m respectfully requesting that this body work with the MEDC and DLEG and the administration to create those jobs that are badly needed in the state.

Senator Barcia entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 475, entitled

A bill to amend 1982 PA 175, entitled “An act to create a state research fund within the department of commerce; to provide for the administration of the fund; to prescribe the powers and duties of certain state agencies and officers; to provide for feasibility review panels; to provide for certain appropriations; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 125.1952).

The question being on the passage of the bill,

Senator Basham offered the following substitute:

Substitute (S-2).

The substitute was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 18

Yeas—23

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

Nays—13

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

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Emerson moved that he be named co-sponsor of the bill.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 476, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 77 (MCL 125.2077).

The question being on the passage of the bill,

Senator Basham offered the following substitute:

Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 19**Yeas—23**

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

Nays—13

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

Excused—1

Thomas

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. 5039, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending section 1 (MCL 52.201), as amended by 2002 PA 22.

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. 20**Yeas—36**

Allen	Clark-Coleman	Hardiman	Prusi
Barcia	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	Toy
Cherry	Hammerstrom	Patterson	Van Woerkom

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 5281, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 514 (MCL 280.514).

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. 21

Yeas—35

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

Nays—1

Garcia

Excused—1

Thomas

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 codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties.”.

The Senate agreed to the full title.

Protest

Senator Garcia, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5281 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Garcia’s statement is as follows:

Normally, I wouldn’t get involved in speaking on a bill like this, but I happened to talk to someone who knows a little bit about it and shared with me his concerns about this bill.

Currently, it is my understanding that the drain commissioner appointed a disinterested person. This bill would allow a drain commissioner to appoint someone who could be a friend and is not necessarily an elected official. This could have some impact on the drain project or projects that are involved and could have a serious fiscal impact on the overall project. It has potential for lawsuit and then also sets a bad precedent.

For those reasons, I believe that I’m going to be voting “no” on this bill. On the surface, it appears to be a good bill, and I’m sure the folks in Wayne County could use something like this, but it sets a bad precedent for the rest of the state. That’s why I intend to vote against it.

The following bill was read a third time:

House Bill No. 5447, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 17.

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. 22

Yeas—22

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

Nays—14

Barcia	Clark-Coleman	Leland	Schauer
Basham	Clarke	Olshove	Scott

Brater
Cherry

Emerson
Jacobs

Prusi

Switalski

Excused—1

Thomas

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 prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions, committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates.”.

The Senate agreed to the full title.

Protest

Senator Basham, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5447 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Basham’s statement is as follows:

I, too, oppose this legislation for a lot of reasons. In most businesses, as the previous speaker spoke, they would support this type of legislation and proof that for every \$1 invested in ergonomics, there is a \$2 return, at least. In the state of California, they invested substantially in ergonomics and got a substantial return in savings. We all know the costs of health care and worker’s comp are skyrocketing. This is one of those tools that corporations could use, all businesses could use. To lower those costs, we do not want our employees to do repetitive jobs, whether that’s at a bank or at an assembly line, to have to be off work for surgeries like carpal tunnel syndrome and others. So this is a win-win. If this bill does not pass, it allows the committee to continue to see where and let them develop the best practice for ergonomics in this great state.

Again, there are some businesses out there that would like to have no restrictions on anything and no guards on motors or no standards at all. Quite frankly, they think they would survive, but if you treat your employees properly and you take care of those issues when it comes to doing repetitive motions, a happy employee actually saves the companies’ money.

For many, many reasons, this piece of legislation is bad legislation. Again, it’s tampering with the study committee to promulgate rules. I would encourage members to not support this legislation.

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

The motion prevailed.

Senator Jacobs’ statement is as follows:

To me, this bill is a premature strike at standards that the advisory committee hasn’t even had the chance to even fully formulate yet. So far, the committee has proposed open-ended and flexible standards which would require only a minimal level of training and a process for assessing and responding to risk factors.

The majority of members on the advisory committee, interestingly enough, are all from the business community. To name a few, we have the Michigan Health and Hospital Association; the Society of the Plastics Industry, Inc.; Ford Motor Company; Tower Automotive; Dow Chemical Company, and so on. These are businesses who would not promulgate job-killing or onerous standards for themselves, and they certainly are not going to do them for the state of Michigan.

By conservative estimates alone, on the economic burden as measured by compensation costs, lost wages, and lost productivity, we are talking about between \$45 billion and \$54 billion annually. It is important that we let the committee finish their work so that we can begin to address the skyrocketing costs to Michigan businesses.

I know that Michigan is struggling with the high cost of health care. Here is a very direct way that we can reduce some of these costs. To me, there is nothing in conflict with protecting the health and safety of our workers and telling businesses that Michigan is a great and a fair place to do business.

With that, I ask my colleagues to vote "no" on this bill. Stand up for Michigan workers and do the right thing.

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 Hardiman as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Birkholz, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 579, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1999 PA 140.

Senate Bill No. 883, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 518 (MCL 600.518), as amended by 2001 PA 256.

Senate Bill No. 925, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 2002 PA 715.

Senate Bill No. 946, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 2001 PA 252.

Senate Bill No. 955, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 549g (MCL 600.549g), as added by 1981 PA 182.

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:

Senate Bill No. 802, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 8 (MCL 207.803 and 207.808), as amended by 2004 PA 398.

Substitute (S-5).

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. 4733, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35c. 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. 4734, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2003 PA 249.

Substitute (S-6).

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

1. Amend page 6, line 14, after "plan" by inserting "**OR, FOR 1 OF THE 3 PROJECTS, IF THE PROPERTY IS NOT A FACILITY BUT IS FUNCTIONALLY OBSOLETE OR BLIGHTED, PROPERTY IDENTIFIED IN A BROWNFIELD PLAN**".

2. Amend page 30, line 2, after "subsection (5)(b)," by striking out "all" and inserting "**1 OF THE FOLLOWING: (i) ALL**".

3. Amend page 30, following line 4, by inserting:

"(i) ALL ELIGIBLE INVESTMENT ON PROPERTY THAT IS NOT A FACILITY BUT IS FUNCTIONALLY OBSOLETE OR BLIGHTED."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 922, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 8a (MCL 125.2686 and 125.2688a), as amended by 2004 PA 430.

Substitute (S-1).

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

1. Amend page 7, line 19, after "meets" by striking out "all" and inserting "**1**".

2. Amend page 7, following line 19, by inserting:

"(i) ALL OF THE FOLLOWING:"

3. Amend page 7, line 20, by striking out "(i)" and inserting "**(A)**".

4. Amend page 7, line 23, by striking out "(ii)" and inserting "**(B)**".

5. Amend page 7, following line 23, by inserting:

"(ii) ALL OF THE FOLLOWING:

(A) IS LOCATED IN A CITY WITH A POPULATION OF MORE THAN 13,000 AND LESS THAN 14,000 IN A COUNTY OF MORE THAN 1,000,000 AND LESS THAN 1,300,000.

(B) CONTAINS AN INDUSTRIAL SITE OF 300 OR MORE CONTIGUOUS ACRES."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 900, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8c (MCL 125.2688c), as amended by 2003 PA 93.

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.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 907, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 507, 508, 517, 518, 549a, 549g, 803, 8134, and 8135 (MCL 600.507, 600.508, 600.517, 600.518, 600.549a, 600.549g, 600.803, 600.8134,

and 600.8135), section 507 as amended by 2001 PA 252, sections 508 and 8134 as amended by 2001 PA 253, sections 517 and 803 as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, section 549g as added by 1981 PA 182, and section 8135 as amended by 1982 PA 161.

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.

During the Committee of the Whole, Senator Thomas entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

First, let me start with my insurance. I have a person from Detroit: "I lived in Detroit all my life and lived in the above address for a little over 13 years now. In 2004, my homeowner's insurance went from \$800 to almost \$2,000. Because I'm a single parent with two children and don't receive child support on a regular basis, I couldn't afford to keep my insurance policy on my home. So for a little less than a year I wasn't covered and wouldn't you know I had a fire at my home September 2005. If there could be something done about the rising cost of home and auto insurance, I pray that relief comes soon."

My next issue is regarding the utility bills. I had a hearing last night and I had some folks come and share their bills with me since our discussion on Thursday here on the floor. Here's a woman who says, "Please find the attached bill which represents one month, \$650. The previous month was about \$290 for gas. I'm a single resident in a home. I have my temperature on 70 degrees since mid-October. I haven't touched it at all. When I called DTE, they told me the increase was really 66 percent instead of the reported 47 percent consumers had been told. My bill doubled from November to December. If this is any indicator of what is to come, the citizens of Detroit are in big trouble. This represents 1/6 of my net income and I haven't even paid another bill or attended to another financial obligation. You may contact me as needed. I have gladly provided my information and you have my permission to use it in any capacity that you deem necessary. I just believe that something is grossly wrong that the cost of heating is this astronomically high. Finally, DTE suggested that for every 2 degrees below 68 you can earn a 2 percent savings. My education of when you are cold, you want to warm up your environment and turn up the temperature, not down."

I also attended former Representative and now Judge Ted Wallace's funeral yesterday and was privileged to be on the program yesterday. I would just like to read his obituary. The obituary reads:

"Theodore Calvin Wallace, Jr. (affectionately known as 'Ted') was born December 30, 1941 to the late Theodore Calvin Wallace and Bonnie Goddard Wallace in Kimball, West Virginia. He was the third of eight children. His mother, father and sister (Angela Dean Ray) preceded him in death.

Ted was married to his adoring wife Bernice (Jones) Wallace for 25 wonderful years. They shared a life full of love, family, friends, travel and a devotion to serving their community.

Ted distinguished himself and made lasting footprints. He graduated from Wright State University and earned a bachelor's degree in Accounting. Following his undergraduate baccalaureate, he entered the University of Michigan, Institute of Public Policy Studies, and subsequently received his Juris Doctorate from the University of Michigan Law School.

His parents bestowed upon him the tenets of love, loyalty and service to God and community. To that end, Ted served 10 years as a State Representative in the Michigan State Legislature, and was beginning his eighth year as a Judge of the 36th District Court in Detroit, Michigan.

Ted was an avid golfer and loved electronic gadgets—he was definitely an Information Age kind of guy.

Ted leaves to cherish his memory his loving wife, Bernice; daughter Audrey Diane, sons Michael Scott and Theodore 'Tre' Calvin; sisters and brothers Leula Jean Hall, Thomas Cicero Wallace, Edgar Allen Wallace (Joyce), Brenda Ruth Evelyn Renfro (Donnie), Bernard Wayne Wallace (Bonnie), Andrea Tyrone Wallace (Bettie), and Ruby Mae El Basha; sister-in-law, Nettie Harris; brother-in-law, Benjamin Jones, grandchildren, and a host of nieces, nephews, relatives and friends."

Senator Cherry's statement is as follows:

I would like to speak today about insurance reform. Democrats, guided by the leadership of Governor Jennifer Granholm, are today introducing a package of bills designed to provide fairer insurance rates, enhanced consumer protections, and greater accountability from insurers.

Auto insurance rates in Michigan are the tenth highest in the nation, and both auto and homeowner rates are the highest in the Midwest. This legislation would help to combat such high rates by requiring insurance companies to reduce rates by 20 percent. The bills would also allow for more flexibility in rate setting by Michigan Basic and the Michigan Auto Placement Facility—the homeowners and auto insurers of last resort. Additionally, insurers would no longer be able to use an individual's credit history when determining rates, and the Office of Financial Insurance Services commissioner would be authorized to require a refund of premiums if rates are found to be excessive or unfairly discriminatory.

Consumer protection is also a goal of this package. We need to be certain that our constituents are being treated fairly and have appropriate access to redress of their grievances. To this end, an office of insurance ratepayer advocate would be created within OFIS. Further, the OFIS commissioner would be able to establish a consumer awareness program as well as educational materials to be distributed to local governments. Insurers would also be prohibited from denying coverage to an individual with evidence of no prior insurance.

Finally, we need to be certain that insurance companies are accountable to ratepayers for their actions. This legislation would require greater accountability by placing a public representative on the MCCA board, opening MCCA meetings to the public, and subjecting those meetings to the Open Meetings Act and FOIA. It would also mandate a clear declaration of the MCCA assessment and other charges on a policyholder's bill. Additionally, civil and criminal penalties would be increased for violations of the insurance code to ensure that ratepayers are protected from unfair, deceptive, discriminatory, or fraudulent actions.

Legislators on both sides of the aisle recognize the importance of reducing insurance rates in Michigan and providing strong consumer protections and insurer accountability. It is not an issue of Republican versus Democrat, or city versus suburb. This issue is statewide, and much lip service is paid to fixing the problem. I hope that my colleagues are serious about reform and will not hesitate to bring this legislation up in committee and on the Senate floor.

Senator Thomas' statement is as follows:

Madam President, earlier today I was absent for a portion of session because I-96 was closed down. There were a number of accidents, probably folks distracted while talking on their cell phones.

I did want to let the record reflect my intent on the votes that I did miss. On calendar Item 15, Senate Bill No. 472, I would have voted, "no"; on calendar Item 16, Senate Bill No. 475, I would have voted "no"; on calendar Item 17, Senate Bill No. 476, I would have voted "no"; on calendar Item 18, House Bill No. 5039, I would have voted "yes"; on calendar Item 19, House Bill No. 5281, I would have voted "yes"; and on calendar Item 20, House Bill No. 5447, I would have voted "no."

I apologize to my constituents and colleagues that I did miss these votes. It was unavoidable as the freeway was, again, closed. I hope that we will get some action coming up in the Technology and Energy Committee on legislation reflecting distracted drivers.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Jacobs introduced

Senate Bill No. 970, entitled

A bill to establish an official sign language of this state.

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

Senators Brown, Birkholz, Garcia, Basham, Patterson, Bishop, Prusi, Hardiman, George, Kuipers, McManus and Olshove introduced

Senate Bill No. 971, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74102a (MCL 324.74102a), as added by 2004 PA 392, and by adding section 74102b.

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

Senators Birkholz, Brown, Patterson, Bishop, George, Garcia, Hardiman, Prusi, Kuipers, McManus, Basham and Olshove introduced

Senate Bill No. 972, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2131 (MCL 324.2131), as amended by 2001 PA 174.

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

Senators Hammerstrom, Cropsey, Bishop, Brown, Kuipers, Jelinek, McManus, Birkholz, Patterson, Sanborn, Gilbert, Toy, Cassis, Garcia, Stamas, George, Goschka, Johnson and Allen introduced

Senate Bill No. 973, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32); and to repeal acts and parts of acts.

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

Senators Kuipers, Cropsey, Hammerstrom, Bishop, Brown, Jelinek, McManus, Birkholz, Patterson, Sanborn, Gilbert, Toy, Cassis, Garcia, Stamas, George, Goschka, Johnson and Allen introduced

Senate Bill No. 974, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474 (MCL 168.474).

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

Senators Bishop, Cropsey, Hammerstrom, Brown, Kuipers, Jelinek, McManus, Birkholz, Patterson, Sanborn, Gilbert, Toy, Cassis, Garcia, Stamas, George, Goschka, Johnson and Allen introduced

Senate Bill No. 975, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474a (MCL 168.474a), as amended by 1999 PA 219.

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

Senators Cropsey, Hammerstrom, Bishop, Brown, Kuipers, Jelinek, McManus, Birkholz, Patterson, Sanborn, Gilbert, Toy, Cassis, Garcia, Stamas, George, Goschka, Johnson and Allen introduced

Senate Bill No. 976, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

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

Senators Stamas, Allen, Kuipers, Garcia, Jelinek, Patterson, Birkholz, Hardiman, George, Toy, Switalski, Brown and Barcia introduced

Senate Bill No. 977, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.

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

Senators Goschka, Garcia, Toy, Gilbert, McManus, Kuipers, Bishop, Johnson, Allen, Jelinek, Birkholz, Patterson and Barcia introduced

Senate Bill No. 978, entitled

A bill to amend 1968 PA 15, entitled "Correctional industries act," by amending section 6 (MCL 800.326), as amended by 1996 PA 537, and by adding section 11a.

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

Senators Allen, Stamas, Goschka, Van Woerkom, Cropsey, Hardiman, Birkholz, Gilbert, Garcia and Emerson introduced

Senate Bill No. 979, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as amended by 2004 PA 173.

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

Senators Hardiman, George, Cropsey, Kuipers, Bishop, Birkholz, Brown, McManus, Allen and Cassis introduced

Senate Bill No. 980, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3705 (MCL 500.3705), as added by 2003 PA 88.

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

Senators George, Cropsey, Bishop, McManus, Birkholz and Brown introduced

Senate Bill No. 981, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1502 (MCL 380.1502), as amended by 1993 PA 335.

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

Senators Birkholz, George, Cropsey, Kuipers, Bishop, Hardiman, McManus, Brown and Allen introduced

Senate Bill No. 982, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 512.

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

Senators Toy, George, Cropsey, Kuipers, Bishop, Birkholz, Hardiman, McManus, Brown, Allen and Cassis introduced

Senate Bill No. 983, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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

Senators Brown, George, Cropsey, Kuipers, Bishop, McManus, Birkholz, Hardiman, Toy, Allen and Cassis introduced

Senate Bill No. 984, entitled

A bill to affirm the power of the civil service commission to establish certain programs for state employees.

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

Senators Hardiman, George, Cropsey, Kuipers, Bishop, Birkholz, Stamas, McManus, Brown, Toy, Allen and Cassis introduced

Senate Bill No. 985, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109i.

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

Senators Bishop, George, Cropsey, Kuipers, Birkholz, Stamas, Hardiman, McManus, Brown, Toy and Cassis introduced

Senate Bill No. 986, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109i.

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

Senators Allen, Cropsey, Kuipers, Bishop, Birkholz, Hardiman, Stamas, McManus, Brown, Toy and Cassis introduced

Senate Bill No. 987, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 105 (MCL 400.105), as amended by 1980 PA 321.

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

Senators Thomas, Scott, Jacobs, Brater, Prusi, Basham, Schauer, Clark-Coleman, Olshove, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 988, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2105 (MCL 500.2105), and by adding section 2111f.

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

Senators Clark-Coleman, Scott, Jacobs, Brater, Prusi, Schauer, Basham, Thomas, Cherry, Olshove, Emerson, Leland and Clarke introduced

Senate Bill No. 989, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2930 and 2930a (MCL 500.2930 and 500.2930a), as amended by 2002 PA 492.

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

Senators Scott, Jacobs, Brater, Prusi, Schauer, Basham, Thomas, Clark-Coleman, Cherry, Olshove, Emerson, Leland and Clarke introduced

Senate Bill No. 990, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3340 (MCL 500.3340), as amended by 1986 PA 10.

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

Senators Scott, Jacobs, Brater, Prusi, Schauer, Basham, Thomas, Clark-Coleman, Cherry, Olshove, Emerson, Leland and Clarke introduced

Senate Bill No. 991, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2114, 2418, and 2618 (MCL 500.2114, 500.2418, and 500.2618), section 2418 as amended by 1993 PA 200.

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

Senators Leland, Scott, Jacobs, Brater, Prusi, Schauer, Basham, Thomas, Clark-Coleman, Cherry, Olshove, Emerson and Clarke introduced

Senate Bill No. 992, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

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

Senators Olshove, Scott, Jacobs, Brater, Prusi, Schauer, Basham, Thomas, Clark-Coleman, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 993, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2128.

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

Senators Cherry, Scott, Jacobs, Brater, Prusi, Basham, Schauer, Thomas, Clark-Coleman, Clarke, Olshove, Emerson and Leland introduced

Senate Bill No. 994, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2109, 2115, 2403, and 2603 (MCL 500.2109, 500.2115, 500.2403, and 500.2603), section 2115 as amended by 1980 PA 461 and section 2403 as amended by 1993 PA 200.

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

Senators Cherry, Scott, Brater, Prusi, Jacobs, Basham, Thomas, Schauer, Clark-Coleman, Olshove, Emerson, Leland and Clarke introduced

Senate Bill No. 995, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2003 PA 216.

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

Senators Scott, Brater, Prusi, Jacobs, Basham, Thomas, Schauer, Clark-Coleman, Olshove, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 996, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2118 and 2120 (MCL 500.2118 and 500.2120), section 2118 as amended by 2002 PA 492, and section 2120 as amended by 1984 PA 350.

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

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

Senate Bill No. 997, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 1241.

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

Senators Cherry, Scott, Brater, Prusi, Jacobs, Basham, Thomas, Schauer, Clark-Coleman, Olshove, Emerson, Leland and Clarke introduced

Senate Bill No. 998, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 3.

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

Senators Schauer, Scott, Brater, Prusi, Jacobs, Basham, Clark-Coleman, Thomas, Olshove, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 999, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2112 (MCL 500.2112), as amended by 1980 PA 461.

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

Senators Jacobs, Scott, Brater, Prusi, Basham, Schauer, Thomas, Clark-Coleman, Olshove, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 1000, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

Senators Schauer, Scott, Brater, Prusi, Jacobs, Basham, Thomas, Clark-Coleman, Olshove, Cherry, Emerson, Leland and Clarke introduced

Senate Bill No. 1001, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2128a.

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

Senators Clarke, Scott, Brater, Prusi, Jacobs, Basham, Schauer, Clark-Coleman, Thomas, Olshove, Cherry, Emerson and Leland introduced

Senate Bill No. 1002, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

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

Senators Clarke, Scott, Brater, Prusi, Jacobs, Basham, Schauer, Clark-Coleman, Thomas, Olshove, Cherry, Emerson and Leland introduced

Senate Bill No. 1003, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 436, 438, 1239, 1243, 1246, 1371, 1952, 2006, 2039, 2055, 2057, 2062, 2069, 2077, 2080, 2082, 2086, 2236, 2912, 3861, 5208a, 5252, 5256, and 6842 (MCL 500.150, 500.436, 500.438, 500.1239, 500.1243, 500.1246, 500.1371, 500.1952, 500.2006, 500.2039, 500.2055, 500.2057, 500.2062, 500.2069, 500.2077, 500.2080, 500.2082, 500.2086, 500.2236, 500.2912, 500.3861, 500.5208a, 500.5252, 500.5256, and 500.6842), sections 150, 436, and 1371 as amended by 1992 PA 182, section 438 as amended by 1994 PA 227, sections 1239 and 1246 as added and section 1243 as amended by 2001 PA 228, section 1952 as added by 1980 PA 341, section 2006 as amended by 2004 PA 28, section 2069 as amended by 1989 PA 306, section 2080 as amended by 1986 PA 318, section 2236 as amended by 2002 PA 664, section 3861 as added by 1992 PA 84, section 5208a as amended by 1998 PA 26, section 5252 as amended by 1984 PA 263, and section 5256 as amended by 1998 PA 121; and to repeal acts and parts of acts.

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

House Bill No. 4889, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 733 (MCL 257.733), as amended by 2004 PA 62.

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 Transportation.

House Bill No. 5240, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 5, 320a, 627, 628, 629, and 629c (MCL 257.5, 257.320a, 257.627, 257.628, 257.629, and 257.629c), section 320a as amended by 2004 PA 495, section 627 as amended by 2004 PA 62, section 628 as amended by 2003 PA 65, section 629 as amended by 1988 PA 368, and section 629c as amended by 1996 PA 320; and to repeal acts and parts of acts.

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 Transportation.

House Bill No. 5241, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 61 (MCL 257.1861).

The 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 Transportation.

Committee Reports

The Committee on Education reported

Senate Bill No. 866, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 51a (MCL 388.1651a), as amended by 2005 PA 155.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis and Van Woerkom

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, January 19, 2006, at 2:00 p.m., Room 210, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture, Forestry and Tourism submitted the following:
Meeting held on Thursday, January 19, 2006, at 9:00 a.m., Room 110, Farnum Building
Present: Senators Van Woerkom (C), Gilbert, Jelinek and Brater
Excused: Senator Thomas

COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:
Meeting held on Thursday, January 19, 2006, at 12:00 noon, Rooms 402 and 403, Capitol Building
Present: Senators Jelinek (C), Cropsey, Brown, Switalski and Scott

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, January 26, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Thursday, February 9, 1:00 p.m. or later immediately following Senate/House Appropriations Committee Meeting, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittee -

Capital Outlay - Thursday, January 26, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Appropriations, Senate/House - Thursday, February 9, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Finance - Wednesday, January 25, 1:00 p.m., Room 110, Farnum Building (373-1758) (CANCELED)

Health Policy - Wednesday, January 25, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-3543)

Local, Urban and State Affairs - Thursday, January 26, 1:00 p.m., Room 110, Farnum Building (373-1707)

Senior Citizens and Veterans Affairs - Wednesday, January 25, 1:00 p.m., Room 100, Farnum Building (373-1707)

Technology and Energy - Wednesday, January 25, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 11:58 a.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Wednesday, January 25, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

