

No. 34
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Tuesday, April 18, 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—excused
Kuipers—present
Leland—present
McManus—present
Olshove—present

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

Pastor Paul Werner of Living Hope of the Bay Church of New Baltimore offered the following invocation:

Lord of the nations, God of the universe, from before the creation of the earth, You set the limits of mankind. You knew all that has been, is now, and will take place. You have set kingdoms, empires, and governments in place, blessing those nations that follow Your ways and removing those that zealously pursue evil, immorality, and oppression. We praise You that our times are in Your hands.

You send sunshine and rain to cause plants to grow and to provide food for mankind and every living thing. We praise You for Your undeserved gifts which provide life, energy, and opportunity day after day.

We praise You for blessing upon blessing poured upon this nation and upon the people of this state of Michigan. You have provided houses, food, family and friendships, and challenging work where we are privileged to participate in Your ongoing creative process.

Yet, we acknowledge that we haven't always lived within Your guidance and direction, nor have we thanked You for Your blessing with true gratitude in our hearts.

We pray that You will kindle in our hearts humility to bow before You and live in Your ways with righteousness, justice, and integrity. Kindle into our hearts charity to care for those who do not have an abundance of blessings. And kindle into us compassion for the poor, the homeless, the lonely, and for those suffering physically, mentally, and emotionally.

We pray that You will draw near now and be with and guide those in this chamber as they begin a new day and a new legislative session. Bless and keep these Senators of the state of Michigan. We pray that they may serve as stewards and managers, with an awareness that what has been entrusted to them is not their own; rather, the privilege of governing here has been given by You through the people. As You are eternal, we pray that You bless these men and women of this Michigan State Senate to think, speak, and act according to Your eternal principles of righteousness. Enable them to govern with a perspective that is larger than the immediate, in a way that benefits both this and future generations.

Heavenly Father, we also pray this day that You would bless Michigan's House of Representatives, our Governor, Jennifer Granholm, and all those who serve in positions of authority. Grant Your wisdom to justices who lead our courts in the rule of law. Guide and protect local leaders and all who keep our communities safe. Grant Your blessings to our national leaders: President George Bush, the Cabinet members, the United States Congress, and members of the armed forces serving near and abroad.

Especially, we pray, where we have failed in duty and in love of our fellow man, that You would grant us forgiveness, for the sake of Your Son Jesus who gave his life to pay the price for our sins. As we celebrate His Easter resurrection at this time of year, remind us that, though we are limited in strength, resources, and wisdom, with You all things are possible. In Your almighty power there is victory.

Hear us as we humbly pray. Amen.

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

Motions and Communications

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

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

Senate Bill No. 246

The motion prevailed.

Senator Hammerstrom moved that Senator Johnson be excused from today's session.
The motion prevailed.

Senator Garcia entered the Senate Chamber.

The following communication was received and read:
Office of the Senate Majority Leader

April 3, 2006

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Transportation Committee hold a hearing on the appointment of Kirk Steudle as Director of the Michigan Department of Transportation, and make a written recommendation to the Government Operations Committee on this appointment.

Sincerely,
Ken Sikkema, Chairman
Senate Government Operations Committee

The communication was referred to the Secretary for record.

The following communication was received and read:
Office of the Senate Majority Leader

April 17, 2006

I am hereby changing the name of the Family Independence Agency Appropriations Subcommittee to the Department of Human Services Appropriations Subcommittee.

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

March 24, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:05 p.m. this date, administrative rule (06-03-04) for the Department of Labor and Economic Growth, Wage and Hour Division, entitled "*Youth Employment Standards.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 P.A. 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 24, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:07 p.m. this date, administrative rule (06-03-05) for the Department of Labor and Economic Growth, Director's Office, entitled "*Architects.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 P.A. 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 following communications were received:
Department of Human Services

March 29, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Licensing Study Report	Arbor Heights Community Justice	CS810200952

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications and Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

April 4, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Presque Isle County DHS	CP810201368

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications and Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
Marianne Udow

The communications were referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

March 31, 2006

Enclosed is a copy of the following audit report:
Performance audit of the Environmental Stewardship Division, Department of Agriculture.

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of Natural Resources

April 6, 2006

In compliance with Part 413, Public Act 451 of 1994, attached is the annual report of the Department of Natural Resources (DNR) on "Actions Related to Invasive Species." This report is a summary of the required reporting items with Legislative and Departmental recommendations to accomplish the activities necessary to carry out the intent of Transgenic and Non-native Organisms regulations.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,
Rebecca A. Humphries
Director

The communication was referred to the Secretary for record.

The following communication was received:
Wayne County Airport Authority

April 10, 2006

Please find enclosed a copy of our 2005 Audited Financial Statements per the requirements of Public Act 90 of 2002. If you have any questions, please contact me at (734) 247-6775.

Sincerely,
Marge Basrai, CPA
Manager - Financial Reporting

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, March 30:
House Bill Nos. 5839 5860 5861 5862 5863 5864 5865 5866 5867 5868 5869 5870 5871

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 3, for her approval the following bills:

Enrolled Senate Bill No. 599 at 2:14 p.m.
Enrolled Senate Bill No. 859 at 2:16 p.m.
Enrolled Senate Bill No. 932 at 2:18 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, April 4, for her approval the following bills:

Enrolled Senate Bill No. 969 at 1:26 p.m.
Enrolled Senate Bill No. 327 at 1:28 p.m.
Enrolled Senate Bill No. 328 at 1:30 p.m.
Enrolled Senate Bill No. 329 at 1:32 p.m.
Enrolled Senate Bill No. 330 at 1:34 p.m.
Enrolled Senate Bill No. 922 at 1:36 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, April 10, for her approval the following bill:

Enrolled Senate Bill No. 1124 at 2:20 p.m.

The Secretary announced that the following official bills were printed on Thursday, March 30, and are available at the legislative website:

Senate Bill Nos. 1197 1198 1199 1200
House Bill Nos. 5918 5919 5920 5921

The Secretary announced that the following official bills and joint resolution were printed on Friday, March 31, and are available at the legislative website:

Senate Bill Nos. 1201 1202 1203
House Bill Nos. 5922 5923 5924 5925 5926 5927 5928 5929 5930 5931 5932 5933 5934 5935
5936 5937 5938 5939 5940 5941 5942 5943 5944 5945 5946
House Joint Resolution V

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
Senate Bill No. 1026
Senate Bill No. 1027
Senate Bill No. 1028

The motion prevailed.

The following messages from the Governor were received:

Date: April 2, 2006
Time: 7:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed
Enrolled Senate Bill No. 462 (Public Act No. 87), being

An act to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of

candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 737a (MCL 168.737a), as added by 1996 PA 461.

(Filed with the Secretary of State on April 3, 2006, at 11:42 a.m.)

Date: April 2, 2006

Time: 7:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 208 (Public Act No. 88), being

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

(Filed with the Secretary of State on April 3, 2006, at 11:44 a.m.)

Date: April 2, 2006

Time: 7:08 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 477 (Public Act No. 89), being

An act to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

(Filed with the Secretary of State on April 3, 2006, at 11:46 a.m.)

Date: April 2, 2006

Time: 7:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 764 (Public Act No. 96), being

An act to establish a monument to honor citizens of this state who have received the purple heart medal.

(Filed with the Secretary of State on April 4, 2006, at 10:48 a.m.)

Date: April 2, 2006

Time: 7:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 506 (Public Act No. 97), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 3101 (MCL 324.3101), as amended by 2004 PA 142, and by adding section 3109c.

(Filed with the Secretary of State on April 4, 2006, at 10:50 a.m.)

Date: April 2, 2006
Time: 7:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 883 (Public Act No. 99), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 518 (MCL 600.518), as amended by 2001 PA 256.

(Filed with the Secretary of State on April 6, 2006, at 9:34 a.m.)

Date: April 2, 2006
Time: 7:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 907 (Public Act No. 100), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 508 and 549a (MCL 600.508 and 600.549a), section 508 as amended by 2001 PA 253.

(Filed with the Secretary of State on April 6, 2006, at 9:36 a.m.)

Date: April 2, 2006
Time: 7:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 925 (Public Act No. 101), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 517 (MCL 600.517), as amended by 2002 PA 715.

(Filed with the Secretary of State on April 6, 2006, at 9:38 a.m.)

Date: April 2, 2006
Time: 7:20 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 955 (Public Act No. 102), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 549g (MCL 600.549g), as added by 1981 PA 182.

(Filed with the Secretary of State on April 6, 2006, at 9:40 a.m.)

Date: April 2, 2006
Time: 7:22 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 946 (Public Act No. 103), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 507 (MCL 600.507), as amended by 2001 PA 252.

(Filed with the Secretary of State on April 6, 2006, at 9:42 a.m.)

Date: April 2, 2006
Time: 7:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 371 (Public Act No. 93), being

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending section 8d (MCL 125.2688d), as amended by 2005 PA 276.

(Filed with the Secretary of State on April 4, 2006, at 8:22 a.m.)

Date: April 2, 2006
Time: 7:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 866 (Public Act No. 90), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 51a (MCL 388.1651a), as amended by 2005 PA 155.

(Filed with the Secretary of State on April 4, 2006, at 8:16 a.m.)

Date: April 4, 2006
Time: 8:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 728 (Public Act No. 91), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of

health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending 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.

(Filed with the Secretary of State on April 4, 2006, at 8:18 a.m.)

Date: April 7, 2006

Time: 8:11 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 932 (Public Act No. 108), being

An act to amend 1990 PA 187, entitled “An act to regulate the equipment, maintenance, operation, and use of school buses and pupil transportation vehicles; to prescribe the qualifications of school bus and pupil transportation vehicle drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties,” by amending sections 41, 43, 49, 51, 53, 55, 57, 61, 67, 69, 70, and 73 (MCL 257.1841, 257.1843, 257.1849, 257.1851, 257.1853, 257.1855, 257.1857, 257.1861, 257.1867, 257.1869, 257.1870, and 257.1873), section 49 as amended by 1994 PA 309, section 53 as amended by 2004 PA 131, section 55 as amended by 2004 PA 231, and section 57 as amended by 1996 PA 170.

(Filed with the Secretary of State on April 7, 2006, at 10:04 a.m.)

Date: April 7, 2006

Time: 4:21 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 599 (Public Act No. 113), being

An act to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” (MCL 208.1 to 208.145) by adding section 35e.

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

Date: April 7, 2006

Time: 4:23 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 859 (Public Act No. 114), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 7dd (MCL 211.7dd), as amended by 2003 PA 140.

(Filed with the Secretary of State on April 10, 2006, at 10:32 a.m.)

Date: April 7, 2006
Time: 4:25 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 969 (Public Act No. 115), being

An act to authorize the state administrative board to convey certain interests in property in Ingham county; to authorize the state administrative board to convey, exchange, or purchase certain parcels of property in Jackson county; to prescribe certain conditions for the conveyances, purchases, and exchanges; to provide for disposition of the revenue derived from the conveyances; and to repeal acts and parts of acts.

(Filed with the Secretary of State on April 10, 2006, at 10:34 a.m.)

Date: April 11, 2006
Time: 1:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 922 (Public Act No. 116), being

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending sections 6 and 8a (MCL 125.2686 and 125.2688a), as amended by 2004 PA 430.

(Filed with the Secretary of State on April 11, 2006, at 2:50 p.m.)

Date: April 14, 2006
Time: 8:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 327 (Public Act No. 118), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497.

(Filed with the Secretary of State on April 14, 2006, at 3:15 p.m.)

Date: April 14, 2006
Time: 8:42 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 328 (Public Act No. 119), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 11f (MCL 388.1611f), as amended by 2005 PA 155.

(Filed with the Secretary of State on April 14, 2006, at 3:17 p.m.)

Date: April 14, 2006
Time: 8:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 329 (Public Act No. 120), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 20 (MCL 388.1620), as amended by 2005 PA 155, and by adding section 34.

(Filed with the Secretary of State on April 14, 2006, at 3:19 p.m.)

Date: April 14, 2006
Time: 8:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 330 (Public Act No. 121), being

An act to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 31a (MCL 388.1631a), as amended by 2005 PA 155.

(Filed with the Secretary of State on April 14, 2006, at 3:21 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 21 of the State Housing Development Authority Act of 1966 PA 346, MCL 125.1421:

Michigan State Housing Development Authority

Mr. Robert J. Kleine of 1135 Farwood Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Julie Croll, representing principal department heads of the executive branch of the state government, for a term commencing April 10, 2006 and expiring at the pleasure of the Governor.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 17305 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17305:

Michigan Board of Nursing Home Administrators

Ms. Karen J. Messick of 4599 Lantern Court, N.W., Comstock Park, Michigan 49321, county of Kent, succeeding DeLora K. Denman, who has resigned, representing nursing home administrators, for a term commencing April 6, 2006 and expiring December 31, 2006.

April 6, 2006

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment to office under Sections 302 and 2603 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2603:

Board of Real Estate Appraisers

Mr. Craig W. Hufnagel of 12978 Parkridge, Shelby Township, Michigan 48315, county of Macomb, succeeding John A. Lyman, whose term has expired, representing state licensed real estate appraisers, for a term commencing April 6, 2006 and expiring June 30, 2008.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 5 of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2005:

Michigan Strategic Fund Board of Directors

Mr. Jeffrey S. Leithauser of 9691 Kingston Pointe, Clarkston, Michigan 48075, county of Oakland, succeeding Richard D. Wilcox, whose term has expired, appointed as a nominee of the Speaker of the House of Representatives to represent persons within the private sector with experience in private equity or venture capital investments, commercial lending, or commercialization of technology, for a term commencing April 6, 2006 and expiring December 31, 2008.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 and Section 3 of Article 5 of the Michigan Constitution of 1963, the following appointment to office:

State Treasurer

Mr. Robert J. Kleine of 1135 Farwood Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Jay Rising, who has resigned, appointed for a term commencing April 9, 2006 and expiring at the pleasure of the Governor.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of the Michigan Veterans' Facility, 1885 PA 152, MCL 36.2:

Michigan Veterans' Facilities Board of Managers

Mr. Timothy D. Bade of 52394 Creek Lane, New Baltimore, Michigan 48047, county of Macomb, succeeding Ruth A. Newman, whose term has expired, representing veterans, for a term commencing April 15, 2006 and expiring February 28, 2011.

Mr. Ernest E. Meyers, Sr., of 704 South Lincoln Street, Charlotte, Michigan 48813, county of Eaton, succeeding Dale J. Brubaker, whose term has expired, representing veterans of foreign wars of the United States, for a term commencing April 15, 2006 and expiring February 28, 2011.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Executive Order 2003-18, MCL 445.2011:

Workers' Compensation Appellate Commission

Ms. Donna J. Grit of 2706 Oakwood, S.E., East Grand Rapids, Michigan 49506, county of Kent, succeeding James J. Kent, who has resigned, representing the general public, for term commencing April 17, 2006 and expiring September 30, 2007.

April 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office Section 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, MCL 418.213 and Executive Order 2003-18, MCL 445.2011:

Worker's Compensation Board of Magistrates

Ms. Jennifer L. Crawford of 14346 Ott Lane, Grand Haven, Michigan 49417, county of Ottawa, succeeding Jack A. Nolish, who has resigned, appointed for a term commencing April 24, 2006 and expiring January 26, 2007.

April 11, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under to Section 15 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1015:

General Industry Safety Standards Commission

Mr. Dwayne F. Betcher of 2929 34th Street, Allegan, Michigan 49010, county of Allegan, succeeding Michael D. Koehs, whose term has expired, representing public employees of this state, for a term commencing April 19, 2006 and expiring March 26, 2007.

Mr. William L. Borch, Jr., of 2686 22nd Street, Bay City, Michigan 48708, county of Bay, succeeding James J. Baker, whose term has expired, representing labor, for a term commencing April 19, 2006 and expiring March 26, 2008.

Mr. Karl E. Heim of 68074 Frampton, Washington, Michigan 48095, county of Macomb, succeeding Tycho K. Fredericks, whose term has expired, representing labor, for a term commencing April 19, 2006 and expiring March 26, 2008.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

LOCAL GOVERNMENT; PUBLIC SERVICES; PROVIDE FOR
REGIONALIZATION OF CITY-MANAGED WATER AND SEWER SYSTEMS

March 31, 2006

After careful consideration, I have vetoed, and return to you with my objections, Enrolled Senate Bill 372. The bill would create a new, state-mandated government bureaucracy that would not address the basic concerns about the governance of water supply and sewerage systems in Southeast Michigan.

The water supply and sewerage system owned and operated by the Detroit Water and Sewerage Department (“DWSD”) is currently under the court-ordered supervision of the Honorable John Feikens, United States Judge for the Eastern District of Michigan. Judge Feikens recently stated that legislation such as this would be unconstitutional.

To give voice to regional concerns, the federal court monitor has established a consortium with representation by elected officials from Oakland County, Macomb County, Wayne County, Washtenaw County, and the City of Detroit.

Judge Feikens has also stated that “long-term compliance with federal law would be better assured if the water quality leaders of this region could develop a process for resolving concerns between the DWSD and its customers outside of the litigation process,” and that it is “cooperation, not legislation or litigation, that can produce a long-term solution.” I agree wholeheartedly.

I will not endorse a measure that will foster public cynicism and mistrust by promoting needless division instead of regional cooperation. There is a court-monitored regional system in place. Let the system work. For these reasons, I return Enrolled Senate Bill 372 without signature.

Respectfully,
Jennifer M. Granholm
Governor

This bill was returned from the Governor on March 31, 2006, at 2:05 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator Hammerstrom moved that further consideration of the bill be postponed for today.

The motion prevailed.

Messages from the House

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

Senate Bill No. 242

The motion prevailed.

Senate Bill No. 1124, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1278a. (For Conference Report, see Senate Journal No. 33, p. 651.)

The House of Representatives has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

Pursuant to a previous order, the bill was referred to the Secretary for enrollment printing and presentation to the Governor on March 30, 2006.

Senator Thomas entered the Senate Chamber.

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. 934

House Bill No. 5199

House Bill No. 5643

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 934, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 307b.

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. 232**Yeas—37**

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

Nays—0**Excused—1**

Johnson

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. 5199, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 29 (MCL 250.1029).

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. 233**Yeas—37**

Allen	Clarke	Jacobs	Schauer
Barcia	Cropsey	Jelinek	Scott
Basham	Emerson	Kuipers	Sikkema

Birkholz
 Bishop
 Brater
 Brown
 Cassis
 Cherry
 Clark-Coleman

Garcia
 George
 Gilbert
 Goschka
 Hammerstrom
 Hardiman

Leland
 McManus
 Olshove
 Patterson
 Prusi
 Sanborn

Stamas
 Switalski
 Thomas
 Toy
 Van Woerkom
 Whitmer

Nays—0

Excused—1

Johnson

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5643, entitled

A bill to amend 1984 PA 118, entitled “The prisoner reimbursement to the county act,” by amending section 7 (MCL 801.87), as amended by 1996 PA 544.

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. 234

Yeas—32

Allen
 Barcia
 Basham
 Birkholz
 Bishop
 Brown
 Cassis
 Cherry

Clarke
 Cropsey
 Emerson
 Garcia
 George
 Gilbert
 Goschka
 Hammerstrom

Hardiman
 Jelinek
 Kuipers
 McManus
 Olshove
 Patterson
 Prusi
 Sanborn

Schauer
 Sikkema
 Stamas
 Switalski
 Thomas
 Toy
 Van Woerkom
 Whitmer

Nays—5

Brater
 Clark-Coleman

Jacobs

Leland

Scott

Excused—1

Johnson

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 regarding county jails and prisoners housed therein; to provide certain powers and duties of county officials; and to provide for the reimbursement of certain expenses incurred by counties in regard to prisoners confined in county jails.”

The Senate agreed to the full title.

Protest

Senator Brater, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5643 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Brater’s statement is as follows:

I rise to call attention to the members of this bill which I have a real concern about. It is a bill which extends the period of time that counties can take to collect reimbursement from former inmates of county jails. Now this could sound like a good idea on the surface, but this law was originally passed, I think, in the 1980s. I don’t know if the situation was as bad at that time, but during the 1990s, most of the mental hospitals in this state were closed. As a result, many of the people who used to receive care in the mental health system were supposed to go out and get health care from community mental health. Well, the dollars did not follow the people of the community when the hospitals were closed. What happened was, as the people were triaged and because of limited funding in the mental health system, more and more people fell through the cracks and many of them ended up being criminalized not because of serious violent acts, because most people with mental illnesses are not violent, but charges such as disorderly conduct and trespassing and other nonviolent crimes. Many of them ended up getting into the county jails of this state.

You may recall when I was in the House I did a survey of sheriffs of all eighty-three counties, asking them to tell me how many of their inmates were on psychotropic medications. It wasn’t a scientific survey, but a huge number of the sheriffs replied which indicated the concern that the sheriffs had about this issue. A large number of people turned out to be on psychotropic medications in our jails, indicating that they probably were suffering from a mental illness.

As a result of that survey, at the time the Department of Mental Health did its own survey under Governor Engler. Their survey came out higher than mine. They found that 34 percent of the inmates in the county jails were people with mental illness. That probably was not a scientific survey either. There was criticism of it from the way the methodology of that survey was done.

The fact of the matter is we are not funding our mental health system, and as a result, many people are being criminalized and ending up getting incarcerated when they should be getting treatment for mental illness.

So what you are doing when you vote for this bill is you are extending the time that the counties have to collect from these people. When they are not able to care for themselves in the community, they are not operating with all the rational faculties that they, unfortunately, would have had if not for the misfortune in life of having this organic illness. I would just plead with you to think about it.

What would happen if a county is trying to collect this money is they turn it over to a private collection agency. Those people tend to be very rude on the phone to people, very unpleasant, and very abusive sometimes. Just think about what you are doing to this population.

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 Clark-Coleman 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:

Senate Bill No. 43, entitled

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

Resolutions

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

Senate Resolution No. 71

The motion prevailed.

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

Senate Resolution No. 114

The resolution consent calendar was adopted.

Senators Birkholz, Allen, Cassis, Basham, Garcia, Goschka, Patterson, Schauer, McManus, Hardiman, Jelinek, Brown, Cropsey, Van Woerkom, Hammerstrom, Kuipers, Bishop, Olshove, Brater, Scott, Clark-Coleman, Jacobs, Cherry, Thomas, Prusi, Switalski, Clarke, Whitmer, Emerson, Barcia, Leland, George and Stamas offered the following resolution:

Senate Resolution No. 114.

A resolution designating April 2006 as the Month of the Young Child.

Whereas, Every child has the potential for success and happiness in life; and

Whereas, Children rely on the adults in their family, community, and in our great state to nurture and encourage their efforts and to provide them with opportunities to learn and succeed. Indeed, adults in a child's world influence, for better or worse, the direction a child's life takes; and

Whereas, Care and attention must be given to ensure that young children grow and mature into loving, considerate, productive, and healthy adults capable of caring for themselves; and

Whereas, The entire state of Michigan and our great nation have high stakes in how well each young child develops in the early years; and

Whereas, Some children experience child abuse, neglect, inadequate health care, poor nutrition, inept parenting, and inappropriate child care, all of which limit their opportunities for a successful, happy life; and

Whereas, We have the ability and duty to see that each child acquires appropriate social, emotional, cognitive, and motor skills and enjoys necessary supports in areas of health services, nutrition, education, and care; and

Whereas, Celebrating the importance of meeting the needs of young children is a worthwhile endeavor for every Michigan citizen; and

Whereas, Each April, Michigan residents reflect on ways to enhance the well-being of young children with each week set aside for a particular focus. The focus weeks in April 2006 are: Recognizing Early Childhood Professionals, Celebrating Community Partnerships, Promoting Healthy Children and Families, and Advocating on Behalf of Children and Families; now, therefore, be it

Resolved by the Senate, That we hereby proclaim the month of April 2006 as the Month of the Young Child in Michigan. We encourage all citizens to join activities associated with this month and support continuously the needs of young children; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association for the Education of Young Children.

Senator Toy was named co-sponsor of the resolution.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Toy's statement is as follows:

I was absent from session on March 30. If I would have been here, I would have voted the following:

Roll Call No. 213, "yes"; Roll Call No. 214, "yes"; Roll Call No. 215, "yes"; Roll Call No. 216, "yes"; Roll Call No. 217, "yes"; Roll Call No. 218, "yes"; Roll Call No. 219, "yes"; Roll Call No. 220, "yes"; Roll Call No. 221, "yes"; Roll Call No. 222, "yes"; Roll Call No. 223, "yes"; Roll Call No. 224, "yes"; Roll Call No. 225, "yes"; Roll Call No. 226, "yes"; Roll Call No. 227, "yes"; Roll Call No. 228, "yes"; Roll Call No. 229, "yes"; Roll Call No. 230, "yes"; and Roll Call No. 231, "yes."

I would also like to thank all my colleagues for their sympathy cards and their condolences and the visits to the funeral home for my mother who passed away during the break.

Senator Scott's statement is as follows:

Welcome back, colleagues. We still have the issue at hand of insurance. From my website, "As a homeowner and auto owner, I have never filed a claim with my insurance agency. However, my insurance premium increases without regard for my claims-free history. I should not be penalized for others who have had accidents and filed claims fraudulently. This redlining needs to stop. Redlining is unfair."

Senator Garcia's statement is as follows:

I just wanted to share with my colleagues an incident that occurred here at the Capitol not too long ago. I had a group of elementary school students from Southwest Elementary School in Howell come by the Capitol, and while they were on tour, a young lady by the name of Morgan Gazley found a small purse with \$4.00 in it. She turned it over to the tour guide because she knew that it didn't belong to her or anyone in her group, and she wanted to make sure it got to the rightful owner.

I just wanted to commend this young lady's honesty, and I would like to see more of that.

Senator Brater's statement is as follows:

I rise today to honor two public servants from Chelsea who were killed on duty this past Thursday. Police Chief Riley Scott Sumner and Fire Captain and Police Reserve Officer Matt Tuttle were killed in a helicopter crash as they pursued a fugitive.

Captain Matt Tuttle was 28 years old. He was a fire captain and reserve police officer for the city of Chelsea. A lifelong Chelsea resident, he devoted his career to public service and was very active within the community. In addition to his work for the fire and police departments, Captain Tuttle worked for the Huron Valley Ambulance Service and also served in the Washtenaw County medical examiner's office. He was an avid helicopter pilot and often volunteered his personal helicopter and services. Both Captain Tuttle and his wife Mary are known for their passion for helping others. Together they enjoyed scuba diving and travel.

Captain Tuttle is survived by his young wife, his parents, and a large extended family.

Chief Scott Sumner, who was with Captain Tuttle in the helicopter when it crashed, was a lifelong Chelsea resident; the son of a Detroit police officer who retired in that community. Chief Sumner rose through the ranks of the department and eventually became chief in 2004. Although he was the chief, he always remained a hands-on police officer. He was known throughout the community as the paradigm, as the example, of a small town police chief, steady, reliable, skilled, honest, and down-to-earth.

When he wasn't in his official role, he was a dedicated husband, father, and an avid fisherman, boater, and golfer.

Chief Sumner leaves behind his loving wife Amy and two young sons, Riley and Mitchell, aged two and four.

Mr. President, I know my colleagues join me today in mourning these two fine public servants. I ask that we remember them here today in the Senate.

A moment of silence was observed in memory of Chelsea Police Chief Riley Scott Sumner and Fire Captain/Police Reserve Officer Matt Tuttle.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Bishop introduced

Senate Bill No. 1204, entitled

A bill to permit employers to offer incentives to encourage employees and their dependents to adopt a healthy lifestyle; to specify conditions under which an employer may offer certain employment incentives; and to prohibit an employer from mandating mandatory restrictions on lawful lifestyle choices.

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

Senators Patterson, Hammerstrom, Kuipers, Bishop, Garcia, Birkholz, George, Van Woerkom and Hardiman introduced

Senate Bill No. 1205, entitled

A bill to require certain state departments to create and implement health savings account options for state employees.

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

Senator Patterson introduced

Senate Bill No. 1206, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2005 PA 115.

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

House Bill No. 5839, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending sections 4, 5, 6, 9, 12, 16, 17, 21, 30a, and 30c (MCL 125.2304, 125.2305, 125.2306, 125.2309, 125.2312, 125.2316, 125.2317, 125.2321, 125.2330a, and 125.2330c).

The House of Representatives has passed the bill.

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

House Bill No. 5860, entitled

A bill to amend 1966 PA 291, entitled "Fire fighters training council act of 1966," by amending the title and sections 1, 2, 3, 9, 11, 13, and 14 (MCL 29.361, 29.362, 29.363, 29.369, 29.371, 29.373, and 29.374), the title and sections 2 and 3 as amended by 1987 PA 196 and section 9 as amended by 1988 PA 458.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5861, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by repealing section 5 (MCL 28.5).

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5862, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 3a and 8b (MCL 125.1503a and 125.1508b), as added by 1999 PA 245.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5863, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 77101 (MCL 324.77101), as added by 1995 PA 58.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5864, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 2 (MCL 338.882), as amended by 1992 PA 130.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5865, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as amended by 2002 PA 695.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5866, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 58 (MCL 400.58).

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5867, entitled

A bill to amend 1967 PA 227, entitled "An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts," by amending section 20 (MCL 408.820).

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5868, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 12 (MCL 480.22), as amended by 2005 PA 177.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5869, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 2, 3, and 10 (MCL 722.112, 722.113, and 722.120), section 2 as amended by 1983 PA 150, section 3 as amended by 1980 PA 232, and section 10 as amended by 1994 PA 205.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5870, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3010 (MCL 500.3010), as added by 2000 PA 413.

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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 5871, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 2004 PA 362.

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 Economic Development, Small Business and Regulatory Reform.

Committee Reports

The Committee on Health Policy reported

House Bill No. 5336, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 25.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Beverly S. Hammerstrom
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, March 29, 2006, at 3:45 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

The Committee on Economic Development, Small Business and Regulatory Reform reported

Senate Bill No. 927, entitled

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending the title and section 2 (MCL 429.112).

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 Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Jacobs and Basham

Nays: None

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

The Committee on Economic Development, Small Business and Regulatory Reform reported

Senate Bill No. 928, entitled

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or

use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending section 3 (MCL 429.113).

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Jacobs and Basham

Nays: None

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

The Committee on Economic Development, Small Business and Regulatory Reform reported

Senate Bill No. 1111, 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 2 (MCL 207.552), as amended by 2005 PA 267.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen and Gilbert

Nays: Senators Jacobs and Basham

The bill was referred to the Committee of the Whole.

The Committee on Economic Development, Small Business and Regulatory Reform reported

House Bill No. 5627, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 913 (MCL 436.1913).

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Jacobs and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 784, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7jj.

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.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

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

The Committee on Finance reported

Senate Bill No. 1176, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 275.

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 29, 2006, at 4:03 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), Garcia, McManus, Thomas and Brater

The Committee on Agriculture, Forestry and Tourism reported

House Bill No. 4502, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending section 31 (MCL 290.631), as amended by 2002 PA 208.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Jelinek, Brater and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, March 30, 2006, at 9:00 a.m., Room 110, Farnum Building

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

Excused: Senator Gilbert

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Joint meeting held on Thursday, March 30, 2006, at 12:35 p.m., Room 519, South Tower, House Office Building

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

Scheduled Meetings

21st Century Jobs Funds Joint Select Oversight Committee (SCR 38) - Thursday, April 20, 1:30 p.m. or later after committees are given leave by the House to meet, Room 519, South Tower, House Office Building (373-2420)

Agriculture, Forestry and Tourism - Thursday, April 20, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittees -

Agriculture - Thursdays, April 20, April 27, May 4, May 11 and May 18, 3:30 p.m., Room 100, Farnum Building (373-5932)

Capital Outlay - Thursday, April 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Commerce, Labor and Economic Development - Wednesdays, April 19, 3:30 p.m. and April 26, May 10 and May 17, 3:00 p.m., Room 405, Capitol Building (373-2420)

General Government - Tuesdays, April 25, May 2, May 9 and May 16, 1:00 p.m., Room 405, Capitol Building (373-2420)

History, Arts, and Libraries - Tuesdays, April 25, May 9 and May 16, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0793)

Human Services Department - Wednesdays, April 19, April 26, May 3, May 10 and May 17, 8:00 a.m., Rooms 402 and 403, Capitol Building (373-1801)

Judiciary and Corrections - Tuesdays, April 25 and May 2, 3:00 p.m., Room 402, Capitol Building (373-3760)

State Police and Military Affairs - Thursdays, April 20, April 27, May 4, May 11 and May 18, 2:00 p.m., Room 100, Farnum Building (373-5932)

Transportation Department - Tuesdays, April 25, May 2, May 9, May 16 and May 23, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Economic Development, Small Business and Regulatory Reform - Wednesday, April 19, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Thursday, April 20, 2:00 p.m., Room 210, Farnum Building (373-6920)

Finance - Wednesday, April 19, 12:00 noon, Room 110, Farnum Building (373-1758)

Gaming and Casino Oversight - Wednesday, April 19, 1:00 p.m., Room 210, Farnum Building (373-2413)

Health Policy - Wednesday, April 19, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

Technology and Energy - Wednesday, April 19, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:48 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, April 19, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate