

No. 88
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Tuesday, November 28, 2006.

10:00 a.m.

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

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

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

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

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

Chaplain Bill Medendorp of Forgotten Man Ministries of Wayland offered the following invocation:

Our heavenly Father, we come to You on this day to ask a special blessing on these members of the Michigan Senate, for the work that has to be done to make Michigan a great state. We thank You for each one of the men and women who serve You in the Senate. We ask that You give them wisdom and knowledge of You and the responsibility that they have toward their fellow man. We also ask that You will provide guidance and the desires of their hearts to serve You.

We pray that You be mindful of the people of the state of Michigan, so that they keep Your servants in prayer. We give You thanks for all You've done in the past and what You will achieve for our future. We ask that You will teach us the concepts of justice, liberty, and the pursuit of happiness. Please keep us mindful of those who are in need, the innocent, the lost, the hurting, and to love our neighbors as ourselves.

We ask that, putting You and the word of God first, the Senate will direct their efforts for the people of the state and their hearts will be touched to serve them. Your word instructs us to pray for all those who are in authority over us, that we may lead a peaceful life in all godliness and honesty. We understand that with authority comes responsibility and accountability to You and to the people of Michigan. We acknowledge that there is no earthly authority that exists apart from You and that the powers that be are ordained by You.

Once again, we ask Your blessings and Your wisdom on this Senate, for we pray this in Jesus' name. Amen.

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

Motions and Communications

Senator Thomas entered the Senate Chamber.

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

Senate Bill No. 246

Senate Bill No. 1242

The motion prevailed.

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

The motion prevailed.

The following communication was received:

Emergency Telephone Service Committee

November 9, 2006

P.A. 249 of 2006, effective July 3, 2006, required a report be issued to the Legislature and the Governor by the state 9-1-1 administrator no later than December 1, 2006. The Act requires the report to include:

[R]ecommendations for stable, equitable long-term funding of the 9-1-1 system in this state and recommendations, if any, for the establishment of standards for the training and response time of 9-1-1 personnel...[And] a recommendation that any 9-1-1 fees collected from communications providers are assessed in a competitively neutral manner.

The enclosed report has been prepared by the state 9-1-1 administrator and adopted by the Emergency Telephone Service Committee (ETSC) to satisfy the recommendations required by P.A. 249 of 2006.

The ETSC, with the assistance of its subcommittees and the State 9-1-1 Office, have been deeply involved in the process of researching and evaluating solutions to the key issues facing Michigan's 9-1-1 system. The enclosed report contains a set of comprehensive legislative recommendations that were developed over the past sixteen months and represents hours of extensive deliberation, research, and planning on the part of the broad 9-1-1 community in Michigan. We believe the recommendations proposed in this report will provide Michigan's 9-1-1 system the support it will need financially, technically, and operationally for the years ahead.

As Chair of the ETSC and the State 9-1-1 Administrator, we stand ready to assist you in moving these recommendations forward to ensure the critical life-saving and property-protecting services of 9-1-1 can continue to be delivered in our great state. Your time and action on these matters is appreciated.

Sincerely,
Sheriff Dale Gribler, Chair
Michigan ETSC

Harriet Miller-Brown
State 9-1-1 Administrator

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

November 15, 2006

Enclosed is a copy of the following audit report:
Performance audit of Releasing Driver and Vehicle Records, Bureau of Driver and Vehicle Records, Department of State.

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 Wednesday, November 15:

House Bill Nos. 6108 6363 6364 6456

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, November 14, for her approval the following bills:

Enrolled Senate Bill No. 1052 at 11:56 a.m.
Enrolled Senate Bill No. 1226 at 11:58 a.m.
Enrolled Senate Bill No. 1371 at 12:00 noon

The Secretary announced that the following official bills were printed on Tuesday, November 14, and are available at the legislative website:

Senate Bill Nos. 1496 1497 1498 1499 1500 1501

The Secretary announced that the following official bills were printed on Wednesday, November 15, and are available at the legislative website:

House Bill Nos. 6609 6610 6611 6612 6613 6614 6615 6616 6617 6618 6619 6620 6621 6622
6623 6624 6625 6626 6627 6628 6629 6630 6631 6632 6633 6634 6635 6636
6637 6638 6639 6640 6641 6642 6643 6644 6645 6646 6647 6648 6649 6650
6651 6652 6653 6654 6655 6656 6657

Messages from the Governor

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

Senate Bill No. 272
Senate Bill No. 271
Senate Bill No. 264
Senate Bill No. 274
Senate Bill No. 281
Senate Bill No. 175
Senate Bill No. 236
Senate Bill No. 892
Senate Bill No. 893
Senate Bill No. 956
Senate Bill No. 957
Senate Bill No. 179
Senate Bill No. 1026
Senate Bill No. 1027
Senate Bill No. 1028
Senate Bill No. 372
Senate Bill No. 973
Senate Bill No. 974
Senate Bill No. 975
Senate Bill No. 976
Senate Bill No. 242

Senate Bill No. 297
Senate Bill No. 1085
Senate Bill No. 1086
Senate Bill No. 1094
Senate Bill No. 50
The motion prevailed.

The following messages from the Governor were received:

Date: November 27, 2006
Time: 9:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1052 (Public Act No. 445), being

An act to amend 1995 PA 279, entitled “An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and parimutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 2 and 4 (MCL 431.302 and 431.304).

(Filed with the Secretary of State on November 27, 2006, at 10:12 a.m.)

Date: November 27, 2006
Time: 9:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1371 (Public Act No. 444), being

An act to amend 2002 PA 591, entitled “An act to establish an educational scholarship program for eligible resident students enrolled in certain nursing programs; to prescribe conditions for repayment of the scholarships; to provide for the administration of the Michigan nursing scholarship program; and to prescribe certain powers and duties of certain state officers, agencies, and departments,” by amending section 2 (MCL 390.1182).

(Filed with the Secretary of State on November 27, 2006, at 10:10 a.m.)

Date: November 27, 2006
Time: 9:55 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1226 (Public Act No. 443), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 703 (MCL 436.1703), as amended by 2004 PA 63.

(Filed with the Secretary of State on November 27, 2006, at 10:08 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

Messages from the House

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

Senate Bill No. 640

Senate Bill No. 1128

The motion prevailed.

Senate Bill No. 1004, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2005 PA 23.

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

The House of Representatives requested the return of

Senate Bill No. 1004, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2005 PA 23.

Senator Cropsey moved that the request of the House of Representatives be granted.

The motion prevailed.

Third Reading of Bills

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

Senate Bill No. 1274

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1274, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20906, 20910, and 20919 (MCL 333.20906, 333.20910, and 333.20919), section 20906 as amended by 2004 PA 6, section 20910 as amended by 2004 PA 582, and section 20919 as amended by 2003 PA 233, and by adding section 20911; and to repeal acts and parts of acts.

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. 729

Yeas—37

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

Nays—0

Excused—1

Hammerstrom

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
General Orders

Senator Cropsey 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 Garcia 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 with a substitute therefor, the following bill:

Senate Bill No. 1393, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as amended by 2004 PA 445.

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. 6009, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 2004 PA 62.

Substitute (S-3).

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

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

Senate Bill No. 1241, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208 (MCL 257.208), as amended by 2004 PA 362.

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

Senate Resolution No. 71

The motion prevailed.

Senators Jacobs and Johnson offered the following resolution:

Senate Resolution No. 164.

A resolution to memorialize Congress to enact legislation to create an American Center for Cures within the National Institutes of Health.

Whereas, America's medical research community, while succeeding in generally reducing the burden of disease and injury, has not been as successful at accelerating the delivery of cures for specific diseases or treatments for certain types of injuries. The National Institutes of Health need a strategy that will focus on translating scientific advances from diverse laboratories to new therapies used at the patient's bedside. Scientists who work in highly specialized fields of research often do not have the opportunity or means to work across disciplines to fill knowledge gaps that impede the development and delivery of cures; and

Whereas, The continual treatment of symptoms of major chronic diseases, such as diabetes, Alzheimer's, cancer, and heart conditions, is a great drain on the nation's human and health care resources. The Centers for Disease Control and Prevention estimate that 1 in 3 Americans born in 2000 will develop diabetes during their lifetime. A disease like diabetes, for example, will take a huge toll on the nation's work force, quality of life, and health care resources. The American Diabetes Association uses a conservative estimate of \$132 billion to gauge the annual cost of the chronic illness in terms of medical bills, disability payments, and lost workdays; and

Whereas, A research center focused on finding cures for major chronic diseases could orchestrate multidisciplinary research with a clear mission and strategy to get results in the foreseeable future. A focused strategy could accelerate the transfer of intellectual property to the commercial sector for new drugs and devices and increase the quantity and quality of clinical trials. To advance the search for cures, a research center will need the authority to direct the allocation of federal research funds, break down bottlenecks in clinical research, and facilitate information exchange between researchers and the commercial sector. Bipartisan legislation to establish such a center has been introduced in Congress; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to enact legislation to create an American Center for Cures within the National Institutes of Health; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Health Policy.

The motion prevailed.

Senators Cherry, Clark-Coleman, Clarke, Scott and Switalski were named co-sponsors of the resolution.

Senator Johnson offered the following concurrent resolution:

Senate Concurrent Resolution No. 62.

A concurrent resolution approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University General Campus Renovations (the "Facility").

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires that before a lease among the State of Michigan (the "State"), the State Building Authority (the "Authority"), and Michigan Technological University (the "Educational Institution") that is only for capital maintenance improvements is executed, the general form of the lease shall be approved by a concurrent resolution of the Michigan Legislature concurred in by a majority of the members elected to and serving in each house. The description of the property to be leased and the rental to be paid by the State shall be approved by the State Administrative Board; and

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

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

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

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the Michigan Technological University General Campus Renovations shall not exceed \$10,000,000 (the Authority share is \$7,499,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$2,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$7,499,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$582,000 and \$737,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Michigan Technological University, and the State Budget Director.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senator Johnson offered the following concurrent resolution:

Senate Concurrent Resolution No. 63.

A concurrent resolution to revise the scope and increase the total project cost of the Technical and Industrial Building Renovations project at Washtenaw Community College.

Whereas, The Washtenaw Community College Technical and Industrial Building Renovations project plans were approved by the Joint Capital Outlay Subcommittee on December 1, 2005; and

Whereas, Washtenaw Community College recommends revisions to expand the scope of renovations and enhance programming for the facility; and

Whereas, The Washtenaw Community College Technical and Industrial Building Renovations project was authorized in 2005 PA 297 with a total project cost of \$7,185,000; and

Whereas, Washtenaw Community College has estimated that the total cost to construct the revised Technical and Industrial Building Renovations project has increased to \$10,685,000; and

Whereas, Washtenaw Community College has agreed to fund the increase in the project cost of \$3,500,000, with the State commitment remaining at \$3,000,000; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to expand the scope of renovations and increase the total authorized cost to construct the revised Washtenaw Community College Technical and Industrial Building Renovations project to an amount not to exceed \$10,685,000 (State Building Authority share \$2,999,800; State General Fund/General Purpose share \$200; and Washtenaw Community College share \$7,685,000) and that the legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That copies of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Washtenaw Community College.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

First, I'd like to honor Sojourner Truth. As you know, this past Sunday, November 26, was Michigan's second official Sojourner Truth Day. Last year, Governor Granholm signed into law my bill creating the holiday. It is only fitting that we recognize and celebrate the important contributions of one of this country's most famous African-American women who lived the later part of her life in Michigan.

Sojourner Truth worked tirelessly for many years to abolish slavery and to establish equal rights for women. Born a slave named Isabella in 1797, Sojourner Truth chose her new name soon after she left slavery. She traveled the country speaking passionately about the evils of slavery and advocated strongly for the equal rights of women and several other significant social reforms and human justice movements in the 19th century.

She gave her most famous speech, "Ain't I a Woman?" at the 1851 women's rights convention in Akron, Ohio. She inspired many to work in support of human rights issues. Truth lived in Battle Creek from 1857 until her death November 26, 1883. That's why we celebrate her death because we don't know when she was born.

Now, I will do my usual. I couldn't help but notice the headlines of an article in the November issue of *Governing* magazine: "California's Auto Upgrade: Car insurance rates in the state can no longer be based first and foremost on the driver's address."

What is happening in the state of California is exciting, and it gives me hope because I know that it can happen right here in Michigan. The article rather directly asks the question: Why is it that two people with similar driving records can pay drastically different rates depending upon which zip code they live in? The insurance companies call it territorial pricing, but I'm more inclined to agree with consumer advocates who call it unfair.

As you know, this past summer the California insurance commissioner approved new regulations that prohibit insurance companies from using zip codes as the leading determinant of how much to charge drivers. Regulators in the state predict that 88 percent of customers of a California insurance company will see lower premiums under these new pricing regulations—88 percent. That is a pretty significant statistic.

I look forward to working with my colleagues in the coming months to make this a reality for the ratepayers of Michigan.

Senator George's statement is as follows:

I have a memorial resolution for U.S. Army Sergeant Gabriel G. DeRoo and we're being joined now by his family in the Gallery. I'm also joined by Representative Schuitmaker. Sergeant DeRoo was a constituent of both of ours.

"LET IT BE KNOWN, That it is with deepest gratitude for the life and dedicated service of Sergeant Gabriel G. DeRoo of Paw Paw, Michigan, that we join with his family, friends, fellow soldiers and citizens across the country in honoring this fallen American hero.

Sergeant DeRoo gave his life for his country on Sunday, August 20, 2006, while supporting "Operation Iraqi Freedom," when his unit came under small arms fire from insurgents in Mozil. He served with the 3rd Brigade, 2nd Infantry Division based at Fort Louis, known as the nation's first striker brigade and was developed for modern warfare. Sergeant DeRoo was assigned to the Brigade's 2nd Battalion, 3rd Infantry Regiment, which had just started its second deployment to Iraq in June of this year.

A 1999 graduate of Grace Christian School in Watervliet, Michigan, Gabriel also attended community college and considered law enforcement before surprising his family by enlisting in the Army. He was a huge University of Michigan fan and loved to hunt with friends. He is remembered as a Christian young man of uncommon integrity and character who lived his faith unselfishly, always caring for those around him.

While serving in Iraq, Sergeant DeRoo took time to learn Iraqi words so he could communicate better with the people, especially the children who were particularly drawn to him. He was also faithful in writing letters to loved ones and made it a priority to respond when anyone wrote to him.

We extend our deepest sympathy to Sergeant DeRoo's family: his wife Hannah, his son Gabriel, his father and mother David and Laura DeRoo, his sisters: Angel, Charity, Chastity, and Patience; and the many other family members who feel his loss so intensely and cherish his memory with extraordinary pride and love.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to Gabriel G. DeRoo to honor this United States Army Sergeant who will be remembered for his selfless service and admired for his commitment to duty. Although our words cannot ease the pain of this tremendous sacrifice, may Sergeant DeRoo's proud family know of our highest respect and appreciation for his dedication; and may his heroic efforts to defend our liberty never be forgotten."

A moment of silence was observed in memory of Army Sergeant Gabriel G. DeRoo.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Barcia introduced
Senate Bill No. 1502, entitled

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to

prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” (MCL 400.201 to 400.214) by adding section 5b.

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

Senator Johnson introduced

Senate Bill No. 1503, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending section 202 (MCL 37.2202), as amended by 1991 PA 11.

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

Senator Birkholz introduced

Senate Bill No. 1504, entitled

A bill to require certain providers of electric service to comply with a portfolio standard for renewable energy; to create energy diversity for the long-term security of our economy and environment; to promote the health of our citizens; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

Senators Jacobs and Johnson introduced

Senate Bill No. 1505, entitled

A bill to require police vehicles to be equipped with automatic external defibrillators.

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

Senator Jacobs introduced

Senate Bill No. 1506, entitled

A bill to amend 2005 PA 280, entitled “Corridor improvement authority act,” by amending sections 2, 5, 6, 9, 18, 20, 22, 23, and 27 (MCL 125.2872, 125.2875, 125.2876, 125.2879, 125.2888, 125.2890, 125.2892, 125.2893, and 125.2897).

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

Senators Jacobs and Johnson introduced

Senate Bill No. 1507, 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 1, 2a, 2b, 3c, 3d, 5, 5f, 5g, 9a, and 11b (MCL 722.111, 722.112a, 722.112b, 722.113c, 722.113d, 722.115, 722.115f, 722.115g, 722.119a, and 722.121b), section 1 as amended by 2005 PA 202, section 2a as amended by 1998 PA 440, section 2b as added by 2004 PA 531, section 3c as added by 1993 PA 219, section 3d as added by 1993 PA 218, section 5 as amended by 2006 PA 51, sections 5f and 5g as added by 2005 PA 128, section 9a as amended by 2004 PA 315, and section 11b as added by 2002 PA 645.

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

Senator McManus introduced

Senate Bill No. 1508, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending section 41 (MCL 800.41), as amended by 1998 PA 513.

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

Senator Thomas introduced

Senate Bill No. 1509, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 357c.

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

Senator Thomas introduced

Senate Bill No. 1510, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2002 PA 279.

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

House Bill No. 6108, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788). 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 Economic Development, Small Business and Regulatory Reform.

House Bill No. 6363, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 5 (MCL 30.405), as amended by 1990 PA 50.

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 Judiciary.

House Bill No. 6364, entitled

A bill to amend 1945 PA 302, entitled "An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties," by amending section 1 (MCL 10.31).

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 Judiciary.

House Bill No. 6456, entitled

A bill to provide for uniform video service local franchises; to promote competition in providing video services in this state; to ensure local control of rights-of-way; to provide for fees payable to local units of government; to provide for local programming; to prescribe the powers and duties of certain state and local agencies and officials; and to provide for penalties.

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 Technology and Energy.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 1467, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

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.

Shirley Johnson

Chairperson

To Report Out:

Yeas: Senators Johnson, Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

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 Appropriations submitted the following:

Meeting held on Tuesday, November 14, 2006, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Scheduled Meetings

Appropriations - Wednesday, November 29, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Subcommittee -

Capital Outlay - Thursday, November 30, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Banking and Financial Institutions - Thursday, November 30, 1:00 p.m., Room 100, Farnum Building (373-2417)

Economic Development, Small Business and Regulatory Reform - Wednesday, November 29, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-7670)

Economic Growth Joint Select Committee (SCR 45) - Monday, December 4, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1758)

Families and Human Services - Wednesday, November 29, 11:00 a.m. or later immediately following session, Room 100, Farnum Building (373-1801) (CANCELED)

Finance - Wednesday, November 29, 12:00 noon, Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, November 29, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

Legislative Retirement Board of Trustees - Wednesday, December 6, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Local, Urban and State Affairs - Thursday, November 30, 1:00 p.m., Room 110, Farnum Building (373-1707)

Michigan Capitol Committee - Wednesday, November 29, 12:00 noon, Rooms 402 and 403, Capitol Building (373-0289)

Technology and Energy - Wednesday, November 29, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 10:39 a.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Wednesday, November 29, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate