

**No. 4**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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Senate Chamber, Lansing, Tuesday, January 30, 2007.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Randy Richardville.

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

Garcia—present  
George—present  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—present  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Olshove—present

Pappageorge—present  
Patterson—present  
Prusi—present  
Richardville—present  
Sanborn—present  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Senator James A. Barcia of the 31st District offered the following invocation:

Dear God, we want to thank You for the many blessings You bestow on this body. It is only with Your guidance that we can resolve the formidable issues facing this great state. Please grant us the wisdom to address the difficult decisions before us and provide the opportunities necessary for our communities to flourish.

We pray, Lord, for a quick resolution to the Mideast crisis and for the many men and women who serve to safeguard our cherished freedoms. We wish them all Godspeed for their safe return. Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

### **Recess**

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:04 a.m.

10:17 a.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

During the recess, Senators Switalski, Brater, Clark-Coleman, Gleason, Olshove, Hardiman, Cassis, Bishop, Jelinek, Van Woerkom, Brown, George, Jansen, McManus, Garcia, Allen, Gilbert, Stamas, Kuipers, Birkholz, Pappageorge and Kahn entered the Senate Chamber.

A quorum of the Senate was present.

### **Motions and Communications**

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

The motion prevailed.

Senator Cropsey's statement is as follows:

We are in a time of war, and during a time of war, war becomes very personal when it hits your hometown. A little while ago, we had one of our young men from St. Johns, Michigan, who became a casualty in the war. His family is up in the Gallery here today. I have a Special Tribute for Army Private First Class Andrew Nelson. I would like to read that tribute:

"LET IT BE KNOWN, That it is with deep respect that we offer tribute of the highest honor as a memorial for the life of Army Private First Class Andrew H. Nelson. On behalf of the Michigan Legislature, the citizens of Michigan, and the United States of America, we extend our deepest condolences in respect to his beloved wife Christie Nelson, his supportive parents Alan and Tammy Nelson, and all the extended family of Andrew.

He will truly be missed and fondly remembered. He has made the ultimate sacrifice on our behalf and this loss has saddened all who have had the good fortune of knowing him. This brave soldier, son, and loving husband answered his country's call and gave his life for the freedom we enjoy today.

Andrew H. Nelson graduated from St. Johns High School in 2005 and was known for his love of competitive swimming and diving. Only a month after graduation he left for basic training and put on the uniform of the United States Army. Andrew is a member of the 9th Engineered Battalion, 2nd Brigade Combat Team, 1st Infantry Division. He was stationed in Schweinfurt, Germany, and was serving in Baghdad, Iraq. Andrew was always the first to volunteer, would never back down, and was looked to for his hard work and leadership by his comrades.

Heroes come from all walks of life. These young men like Army Private First Class Andrew Nelson value freedom more than life itself. They have sacrificed their blood, sweat, tears, and lives to achieve victory. These men have made America what it is today. December 25, 2006, marks the day when all who knew Andrew will always remember a man who put his country first and a day never to forget the outstanding soldier who was a hero to all.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to offer the highest praise and remembrance to Army First Class Private Andrew H. Nelson. May his family accept this tribute as a symbol of the high regard in which his memory is held by the people of Michigan and a grateful nation."

This tribute is signed by Paul Opsommer who is beside me, the State Representative for the 93rd District representing St. Johns, by myself as the State Senator for the 33rd District, and also signed by the Governor of the great state of Michigan, Jennifer M. Granholm.

I would like to have Andrew Nelson's family stand. They are in our east Gallery—if you would please stand.

A moment of silence was observed in memory of Army Private First Class Andrew H. Nelson.

Senator Hardiman's statement is as follows:

Today, I rise to honor the life of a fallen soldier from my district. Army Specialist Chad Vollmer was killed on December 23, 2006. I went to the funeral of Specialist Chad Vollmer. I was very moved by the testimony that was there. It was held at one of the larger churches in the area. There were so many friends of the family and those who appreciated the life of this young man. Certainly, members of the Armed Forces were there also to honor the memory of this very special man.

In listening to the testimony, I was very moved by the fact that, once again, Chad was always the first to volunteer. He would befriend these soldiers as they came over and help them to do their job. He was always there in a very special way. In fact, his sergeant was quite broken as he talked about this very, very, very special young man. In his memory, I would like to share with everyone this tribute honoring the life of Specialist Chad Vollmer:

“LET IT BE KNOWN, That on behalf of the citizens of Michigan, we pay tribute to the ultimate sacrifice made by Army Specialist Chad J. Vollmer who, by willing service to his country in protecting its citizens, was killed on December 23, 2006, during a combat mission in Salman Pak, Iraq. In the history of this great nation, countless men and women in our military forces have gone into battle placing their lives on the line. While each one is respected for their bravery, certainly none are more esteemed by a grateful nation than those brave souls who offer their lives in time of war. Indeed, it is with deep sadness that we offer our heartfelt gratitude and highest praise in tribute to Chad Vollmer for the ultimate act of heroism he demonstrated in laying down his life in service to others.

Specialist Vollmer was a graduate of Grand Rapids Central High School, where he began to exemplify his sincere passion to serve his country. He was a member of the ROTC while still in high school and signed on with the Army National Guard after his junior year. Specialist Vollmer had already served his six years but was called back to active duty in Iraq. Specialist Vollmer had planned to join the United States Coast Guard after being released from duty. He had a true desire to serve our country and defend our freedom.

The life of Specialist Vollmer is a testament to hard work, dedication, and patriotism. We are genuinely grateful for his achievements, which will continue to impact the people of the state of Michigan and the citizens of the United States.

Above all, Chad was loved by all who had the good fortune of knowing him. Neighbors, friends, and family alike will greatly miss spending time with him, sharing and enjoying his favorite pastimes such as golfing, boating, and traveling.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to offer our words of praise as a memorial for Army Specialist Chad Vollmer. May his family find comfort in their faith and their memories of this fine young man and his distinguished career as a soldier.”

This tribute is signed by Representative Robert Dean, the Governor of this great state, Governor Granholm, and myself.

We are blessed today to be joined by his family, his mother and father, Mr. and Mrs. Terry and Sandy Vollmer, who are seated in the Gallery. They are joined by his sister Heather and his brother Ben. On behalf of my colleagues of the state of Michigan, we offer our most heartfelt condolences.

A moment of silence was observed in memory of Army Specialist Chad J. Vollmer.

The Secretary announced that the Majority Leader has made the appointment of the following statutory committee:  
**Legislative Council** - Senator Cropsey as a member.

The statutory committee appointment was approved, a majority of the members serving voting therefor.

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

January 29, 2007

Pursuant to Senate Rule 2.104(g), I am requesting that the Senate Appropriations Committee hold a hearing on the Auditor General's report on the performance audit of Individual Income Tax Return Processing, Department of Treasury and make a written recommendation to the Government Operations and Reform Committee on this report.

Respectfully yours,  
Michael D. Bishop, Chairman  
Government Operations and Reform Committee

The communication was referred to the Secretary for record.

The following communication was received and read:  
Office of the Auditor General

January 24, 2007

Enclosed is a copy of the following audit report:

Performance audit of Robert Scott Correctional Facility, Department of Corrections.

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

The audit report was referred to the Committee on Government Operations and Reform.

The following communications were received:  
Department of State

Administrative Rules  
Notices of Filing

November 20, 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 Education, State Office of Administrative Hearings and Rules filed at 4:48 p.m. this date, administrative rule (06-11-20) for the Department of Education, State Board of Education entitled "*Teacher Certification Code.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 20, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:50 p.m. this date, administrative rule (06-11-20) for the Department of Labor and Economic Growth, Director's Office entitled "*Construction Safety Standards - Part 22. Signals, Signs, Tags, and Barricades.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:20 p.m. this date, administrative rule (06-11-04) for the Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules entitled "*Hearings.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Department of Management and Budget

January 12, 2007

I am pleased to announce that the Annual Reports for the Michigan Public School Employees' Retirement System, the State Employees' Retirement System, the State Police Retirement System and the Judges' Retirement System for the fiscal year ending September 30, 2006 are available online at [www.michigan.gov/ors](http://www.michigan.gov/ors). The reports in a printable format are listed separately in the "What's New" section under each retirement system.

These reports are an excellent source of information on the four statewide retirement systems administered by the Department of Management and Budget, Workforce Development and Retirement Administration. In keeping with the statewide effort to reduce costs, we will be sending out printed copies only upon request.

Please share this information as appropriate and if I can provide further information, please let me know.

Sincerely

Phil Stoddard, Acting Director

Workforce Development and Retirement Administration  
(Office of Retirement Services)

The communication was referred to the Secretary for record.

The following communication was received:  
Office of the State Budget

January 26, 2007

I am pleased to transmit to you the enclosed unaudited financial statements of the General Fund and School Aid Fund for the fiscal year ended September 30, 2006, as required by Section 18.1493 of the Michigan Compiled Laws. The audited *State of Michigan Comprehensive Annual Financial Report* (SOMCAFR) is scheduled to be available no later than March 2007.

These unaudited financial statements report preliminary unreserved fund balances of \$7.2 million for the General Fund and zero for the School Aid Fund as of September 30, 2006. Please note that these financial statements do not reflect the impact of fiscal year 2006 supplemental appropriations that have been requested by the Office of the State Budget, but not passed by the Legislature. If the requested supplemental appropriations are passed and enacted, the unreserved General Fund balance will be \$5.7 million.

If you have questions regarding the enclosed report, please contact Mike Moody, Director, Office of Financial Management, at (517) 373-1010.

Sincerely,

Robert L. Emerson

State Budget Director

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Thursday, January 25, and are available at the legislative website:

<b>Senate Bill Nos.</b>	14	15	16	17	18	19	20	21	22	23	24	25	26	27
	28	29	30	31	32	33	34	35	36	37	38	39	40	41
	42	43	44	45	46	47	48	49	50	51	52	53	54	55
	56	57	58	59	60	61	62	63	64	65	66	67	68	69
	70	71	72	94	95	96								
<b>House Bill Nos.</b>	4108	4109	4110	4111	4112	4113	4114	4115	4116	4117	4118	4119	4120	4121

The Secretary announced that the following official bills were printed on Friday, January 26, and are available at the legislative website:

<b>Senate Bill Nos.</b>	73	74	75	76	77	78	79	80	81	82	83	84	85	86
	87	88	89	90	91	92	93	97	98	99				
<b>House Bill Nos.</b>	4122	4123	4124	4125	4126	4127	4128	4129	4130	4131	4132	4133	4134	4135
	4136	4137	4138	4139	4140	4141	4142	4143	4144					

### Messages from the Governor

The following message from the Governor was received and read:

January 23, 2007

Pursuant to Section 14 of Article V of the Michigan Constitution of 1963, I write to inform the Senate of the following commutations and a pardon granted during 2006:

Richard Wesley York - Sentenced on February 25, 2005 to a minimum sentence of ten years to a maximum of fifteen years for the crimes of possession of a controlled substance (fourth offense), malicious destruction of property (fourth offense), fleeing a police officer (fourth offense), and on March 18, 2005 to a minimum sentence of 10 years to a maximum of 25 years for the crime of receiving stolen property - motor vehicle (fourth offense). The commutation was granted for medical reasons and based on the affirmative recommendation of the Michigan Parole Board. The commutation was granted on November 9, 2006. Mr. York died on November 21, 2006.

Genora Gray - Sentenced on March 11, 2005 to a minimum sentence of two years and six months to a maximum of seven years and six months for the crime of retail fraud (second offense) and to a minimum sentence of two years to a maximum sentence of 10 years for the crime of first degree retail fraud (third offense). The commutation was granted for medical reasons and was based on the affirmative recommendation of the Michigan Parole Board. The commutation was granted on November 9, 2006.

David Eugene Desorcy - Sentenced on October 30, 1984 to two life terms for conspiracy to deliver and delivery of more than 650 grams of cocaine. Mr. Desorcy, a Canadian citizen, was transferred to Canada by international treaty and placed on lifetime parole supervision in that country. He was granted a pardon on April 4, 2006 with the condition that he not return to Michigan.

Respectfully,  
Jennifer M. Granholm  
Governor

The following messages from the Governor were received and read:

January 25, 2007

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 16621 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16621:

**Michigan Board of Dentistry**

Mr. Faiz M. Khan of 2601 Cobden Drive, Sterling Heights, Michigan 48310, county of Macomb, succeeding Evalyn L. McNamara, whose term has expired, representing the general public, for a term commencing January 25, 2007 and expiring June 30, 2009.

January 25, 2007

Pursuant to Section 3 of Article 5 of the Michigan Constitution of 1963, please be advised that Mr. Keith W. Cooley of 6519 Crabapple Drive, Troy, Michigan 48098, county of Oakland, succeeding Robert W. Swanson, Jr., who will retire March 2, 2007, is appointed as **Director of the Department of Labor and Economic Growth**, for a term commencing March 3, 2007 and expiring at the pleasure of the Governor.

January 25, 2007

I respectfully submit to the Senate, pursuant to Section 3 of Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.973, please be advised of the following appointments to office:

**Board of Mechanical Rules**

Mr. Patrick M. Maher of 1978 South Long Lake Road, Traverse City, Michigan 49684, county of Grand Traverse, succeeding Thomas P. Lisowski, whose term has expired, representing HVAC equipment contractors, for a term commencing January 25, 2007 and expiring October 1, 2010.

Mr. Gary J. Van Ochten of 368 East Nebobish Road, Essexville, Michigan 48732, county of Bay, succeeding Roger W. Lane, whose term has expired, representing energy producing utilities, for a term commencing January 25, 2007 and expiring October 1, 2009.

Mr. Charles H. Wash of 26720 Greenleaf, Roseville, Michigan 48066, county of Macomb, succeeding Thomas Jaenicke, whose term has expired, representing the general public, for a term commencing January 25, 2007 and expiring October 1, 2009.

January 26, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under 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**

Mr. William A. Baillargeon of 749 Holland Street, Saugatuck, Michigan 49453, county of Allegan, succeeding John M. Wierzbicki, whose term has expired, appointed for a term commencing March 16, 2007 and expiring January 26, 2011.

Mr. David B. Merwin of 1565 Davis Street, Muskegon, Michigan 49441, county of Muskegon, succeeding Paul H. Reinhardt, whose term has expired, appointed for a term commencing February 5, 2007 and expiring January 26, 2011.

Mr. Christopher P. Ambrose of 1820 Dennison Road, East Lansing, Michigan 48823, county of Ingham, reappointed for a term expiring January 26, 2011.

Ms. Jennifer L. Crawford of 5920 Meadowmohrs Lane, Twin Lake, Michigan 49457, county of Muskegon, reappointed for a term expiring January 26, 2011.

Mr. Lee A. Decker of 2795 Monte Vista, Brighton, Michigan 48814, county of Livingston, reappointed for a term expiring January 26, 2011.

Mr. Murray A. Gorchow of 5532 Abington Road, West Bloomfield, Michigan 48322, county of Oakland, reappointed for a term expiring January 26, 2011.

Ms. Valencia L. Jarvis of 17231 Roseland Boulevard, Southfield, Michigan 48076, county of Oakland, reappointed for a term expiring January 26, 2011.

Ms. Rosemary K. Wolock of 7900 Huntington Road, Royal Oak, Michigan 48070, county of Oakland, reappointed for a term expiring January 26, 2011.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations and Reform.

### Resolutions

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

#### **Senate Resolution No. 5**

The resolution consent calendar was adopted.

Senators Kuipers, Allen, McManus, Jansen and George offered the following resolution:

#### **Senate Resolution No. 5.**

A resolution recognizing January 28, 2007 - February 3, 2007, as Catholic Schools Week in the state of Michigan.

Whereas, There are 70,853 students attending 260 Catholic elementary and high schools throughout our great state; and

Whereas, Catholic schools provide young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, The Catholic Church sees the parents as the primary educators and that parental supervision and involvement play a major role in the education of students; and

Whereas, Catholic schools believe that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Catholic schools educate many students who are non-Catholic; and

Whereas, Based upon Michigan's public school foundation allowance of \$7,085, the Catholic schools of our state save taxpayers in excess of \$501,993,505 annually; and

Whereas, Catholic educators are dedicated to producing academically-strong students who also commit themselves to service; and

Whereas, January 28, 2007 - February 3, 2007, has been designated as Catholic Schools Week, with the theme "Catholic Schools: The Good News in Education," as denoted by the National Catholic Educational Association (NCEA) and the United States Conference of Catholic Bishops; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize January 28, 2007 - February 3, 2007, as Catholic Schools Week in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Catholic Conference with our highest esteem.

Senators Birkholz, Clarke, Gleason, Kahn, Pappageorge and Richardville were named co-sponsors of the resolution.

Senators Gilbert, Allen, Kuipers, Sanborn, Jansen, Cropsey, Birkholz and Pappageorge offered the following concurrent resolution:

#### **Senate Concurrent Resolution No. 3.**

A concurrent resolution to urge the United States Department of Homeland Security to continue to work with the states to coordinate driver's licenses with the new passport requirements to reenter the country from Canada.

Whereas, The Canada-United States border relationship is a special one. More than 300,000 business people, truck drivers, tourists, and regular commuters, and \$1.1 billion in goods on average travel daily between the two nations; and

Whereas, Under the Intelligence Reform and Terrorism Prevention Act of 2004, millions of Americans will be required to show passports when they reenter this country from Canada by January 1, 2008. This provision, known as the

Western Hemisphere Travel Initiative (WHTI), is intended to make it more difficult for terrorists to enter the United States. Currently, Americans only need to show a driver's license or a birth certificate when they reenter from Canada; and

Whereas, Congress passed the Real ID Act in 2005, which mandates that beginning in May 2008, a state driver's license cannot be used for any federal purpose (including boarding an airplane), unless it meets specific federal requirements including a digital image of the client's face, proof of legal status, certain mandatory information, and card security features. A Real ID-compliant driver's license is very similar to the documentation necessary to obtain a passport, which is a requirement of the WHTI; and

Whereas, The Michigan Secretary of State has proposed the exploration, on a pilot basis, of the feasibility of developing, in cooperation with the Department of Homeland Security, a state-issued driver's license that is compliant with the Real ID Act as an acceptable document for WHTI; and

Whereas, This dual-purpose driver's license identification card proposal has the following stated objectives: combine the requirements of the WHTI and Real ID Act; recognize the need for secure borders by making it tougher for terrorists to enter the country; provide a convenient service and additional benefits to American citizens; honor the intent of the Real ID Act and the WHTI without subjecting citizens to multiple layers of governmental bureaucracy; and acknowledge the limited state and federal resources available for document verification; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Homeland Security to continue to work with the states to coordinate driver's licenses with the new passport requirements to reenter the country from Canada; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; the United States Secretary of State; the United States Secretary of the Department of Homeland Security; the President of the United States Senate; the Speaker of the United States House of Representatives; the chairs and ranking members of the United States Senate Foreign Relations Committee, the United States Senate Homeland Security and Governmental Affairs Committee, the United States House Homeland Security Committee, and the United States House International Relations Committee; and the members of the Michigan congressional delegation.

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

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 Homeland Security and Emerging Technologies.

The motion prevailed.

Senators Clarke, Gleason and Richardville were named co-sponsors of the concurrent resolution.

### Introduction and Referral of Bills

Senator Garcia introduced

**Senate Bill No. 100, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1163. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Garcia, Switalski, Cherry, Scott, Allen, Kuipers, Hardiman, Richardville, Cropsey, Anderson, Whitmer and Bishop introduced

**Senate Bill No. 101, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1481 (MCL 380.1481), as added by 2000 PA 230.

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

Senators Garcia, Kahn, Cherry, Anderson, Basham and Prusi introduced

**Senate Bill No. 102, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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



Senators Garcia, Cherry, Allen, Jacobs, Van Woerkom, Brater, Richardville, Anderson, Birkholz and Clarke introduced **Senate Bill No. 103, entitled**

A bill to amend 1972 PA 348, entitled "An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties," (MCL 554.601 to 554.616) by adding section 1b.

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

Senators Garcia and Richardville introduced

**Senate Bill No. 104, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 634, 649, and 650 (MCL 257.319, 257.634, 257.649, and 257.650), section 319 as amended by 2004 PA 362 and section 634 as amended by 1988 PA 346.

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

Senator Garcia introduced

**Senate Bill No. 105, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8511 and 8513 (MCL 600.8511 and 600.8513), section 8511 as amended by 1999 PA 75 and section 8513 as added by 1984 PA 278.

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

Senator Garcia introduced

**Senate Bill No. 106, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2912i.

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

Senators Anderson, Thomas, Whitmer, Gleason, Hunter, Switalski, Scott, Brater, Barcia, Basham, Clarke, Patterson, Cherry, Olshove, Schauer, Prusi, Richardville, Jelinek, Garcia and Jacobs introduced

**Senate Bill No. 107, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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

Senator Basham introduced

**Senate Bill No. 108, entitled**

A bill to amend 2002 PA 48, entitled "Metropolitan extension telecommunications rights-of-way oversight act," by amending section 13 (MCL 484.3113).

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

Senators Basham, George, Jacobs, Patterson, Scott, Clarke and Schauer introduced

**Senate Bill No. 109, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12601 and 12905 (MCL 333.12601 and 333.12905), section 12601 as amended by 1988 PA 315 and section 12905 as amended by 1993 PA 242, and by amending the heading to part 129; and to repeal acts and parts of acts.

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

Senators George, Basham, Jacobs, Scott, Schauer, Kahn and Patterson introduced

**Senate Bill No. 110, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12601 (MCL 333.12601), as amended by 1988 PA 315; and to repeal acts and parts of acts.

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

Senators Jelinek, Pappageorge and Anderson introduced

**Senate Bill No. 111, entitled**

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

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

Senators Birkholz, Allen, Hardiman and Gilbert introduced

**Senate Bill No. 112, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 364; and to repeal acts and parts of acts.

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

Senators Birkholz, Hardiman, Gilbert, Garcia and Jansen introduced

**Senate Bill No. 113, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1304.

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

Senators Birkholz, Patterson, Allen, Kuipers, Garcia, Hardiman, Kahn, Gilbert, Brater, Van Woerkom and Jansen introduced

**Senate Bill No. 114, entitled**

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

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

Senators Birkholz, Hardiman, Brater and Gilbert introduced

**Senate Bill No. 115, entitled**

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

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

Senators Gilbert, Kuipers, Birkholz and Pappageorge introduced

**Senate Bill No. 116, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment

and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11c (MCL 247.661c), as amended by 2002 PA 498.

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

Senators Cassis and Bishop introduced

**Senate Bill No. 117, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 2006 PA 85.

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

Senators Scott and Jacobs introduced

**Senate Bill No. 118, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2005 PA 106.

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

Senators Scott, Jacobs and Brater introduced

**Senate Bill No. 119, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a.

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

Senators Scott, Jacobs, Clarke, Cherry, Brater, Hunter, Schauer, Gleason, Prusi, Garcia and Birkholz introduced

**Senate Bill No. 120, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j.

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

Senators Sanborn, Richardville, McManus, Van Woerkom, Garcia, Olshove and Cropsey introduced

**Senate Bill No. 121, entitled**

A bill to prohibit publicly displaying sexually explicit material; and to provide penalties.

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

Senators Sanborn, Richardville, Garcia, McManus, Van Woerkom, Olshove and Cropsey introduced

**Senate Bill No. 122, entitled**

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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

Senators Sanborn, Richardville, Hardiman, Garcia, McManus, Van Woerkom, Olshove and Cropsey introduced

**Senate Bill No. 123, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 106, 133, 141, 143, 151, 404, 405, 407, 413, 441, 446, 451, 521, 525, 1103, and 1144 (MCL 450.2106, 450.2133, 450.2141, 450.2143, 450.2151, 450.2404, 450.2405, 450.2407, 450.2413, 450.2441, 450.2446, 450.2451, 450.2521, 450.2525, 450.3103, and 450.3144), sections 1103 and 1144 as added by 1984 PA 209, and by adding section 406a.

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

Senators Patterson, Whitmer and Pappageorge introduced

**Senate Bill No. 124, entitled**

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

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

**Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

I rise today to just encourage my colleagues to deal with our affordable insurance bills that I have reintroduced. One, especially, is to set up a task force so that we can study the insurance code as it is today and how it affects everyone in the state of Michigan. So I would hope that we would take up that bill soon so that we can study that and everyone who serves on that would have an opportunity to be able to come up with some real solutions that are going to help everyone in this state with affordable insurance.

**Committee Reports**

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, January 25, 2007, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

Excused: Senator Cassis (C)

**Scheduled Meetings**

**Appropriations** - Wednesday, January 31, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittees -**

**Economic Development** - Wednesdays, January 31, February 7 and February 14, 8:30 a.m., Room 110, Farnum Building (373-2768)

**Human Services Department** - Wednesday, January 31, 12:30 p.m., Room 100, Farnum Building (373-2768)

**State Police and Military Affairs** - Thursdays, February 15, February 22, March 1 and March 8, 1:00 p.m., Room 405, Capitol Building (373-2768)

**Energy Policy** - Thursday, February 1, 12:30 p.m., Room 210, Farnum Building (373-7350)

**Health Policy** - Wednesday, January 31, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

**Natural Resources and Environmental Affairs** - Wednesday, January 31, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 10:43 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, January 31, 2007, at 10:00 a.m.