

**No. 50**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Wednesday, May 24, 2006.

10:00 a.m.

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

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

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

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

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

Minister Urundi Ron Knox of Ebenezer Ministries of Burton offered the following invocation:

Father, we begin this day rejoicing. We thank You for Your goodness, Your mercy, and Your grace toward us as individuals and as a state. We lift up this day with its activities, its relationships, its decisions, and its creativity. We offer it all up to You.

We ask that Your work be done in us individually and as a nation. We ask for protection over this property, the staff members, every telephone contact, every person who enters these doors, and the entire network including all those for whom we pray.

This we ask. Amen.

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

### Recess

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

11:03 a.m.

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

During the recess, Senators Gilbert, Leland, Barcia, Brown, Allen, Stamas, Thomas, Patterson, Bishop, Birkholz, Sikkema, Jelinek, Van Woerkom, Cropsey, Johnson, Hammerstrom, Kuipers, Cassis, George, Toy, Garcia and Hardiman entered the Senate Chamber.

A quorum of the Senate was present.

### Motions and Communications

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

**Senate Bill No. 246**

The motion prevailed.

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

**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.

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

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

**Senate Bill No. 1080**

**Senate Bill No. 1087**

**Senate Bill No. 1089**

**Senate Bill No. 1090**

**Senate Bill No. 1091**

**Senate Bill No. 1092**

**Senate Bill No. 1093**

**Senate Bill No. 1096**

**Senate Bill No. 1097**

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 23:  
**House Bill Nos. 5217 5529**

**Messages from the Governor**

Senator Goschka entered the Senate Chamber.

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**
- Senate Bill No. 372**
- Senate Bill No. 973**
- Senate Bill No. 974**
- Senate Bill No. 975**
- Senate Bill No. 976**

The motion prevailed.

The following message from the Governor was received and read:

May 23, 2006

I respectfully submit to the Senate, pursuant to Section 6 Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Executive Order 2002-6, MCL 256.571:

**Governor’s Traffic Safety Advisory Commission**

Mr. Steven M. Puuri of 6480 Zeeb Road, Dexter, Michigan 48130, county of Washtenaw, reappointed to represent local units of government, for a term commencing May 28, 2006 and expiring May 27, 2009.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointment was referred to the Committee on Government Operations.

**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.

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

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

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

**Roll Call No. 394**

**Yeas—37**

Allen  
Barcia

Clarke  
Cropsey

Jacobs  
Jelinek

Schauer  
Scott

Basham	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	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—0**

**Not Voting—1**

Leland

In The Chair: President

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

The motion prevailed.

Senator Emerson's statement is as follows:

I rise to echo the comments of the Majority Leader. I've known Bob Kleine for over 30 years now. Bob is a consummate professional. He is an economist of terrific repute here in this community and around the state. I don't think the Governor could have come up with a better choice. I think Bob did indicate his willingness to work with the Legislature to try and figure out solutions to revenue issues, especially in relation to the business tax. I think Bob does bring terrific personal credentials and professional credentials to the job.

I rise to support the Senate confirming Bob Kleine.

Senator Sikkema's statement is as follows:

Mr. President and members, I rise to urge your support of Mr. Kleine to be the new State Treasurer. This gentleman has spent, I think, over 40 years of his professional life dealing with the issues of taxes and finance. I think he is, by virtue of his qualifications, his experience, and his knowledge about the state tax code and the tax systems of other states, eminently qualified to serve this Governor well and the people of Michigan well as the new State Treasurer.

I think equally as important as his experience and knowledge is that he comes with a reputation of impeccable personable integrity. He's expressed the willingness to work with the Legislature on the issue of the business tax structure of this state, which everybody knows is one of the single most significant issues we face in the months and years ahead.

As I said to him yesterday, I congratulate both him and the Governor on his appointment. I also thank him for his willingness at this point in his career to take on this task. The road ahead on business taxes, I think, will be a rocky road, but I think he is a very capable person. He will be a tremendous asset to all of us as we travel that road together.

Senator Schauer moved that Senator Leland be temporarily excused from the balance of today's session.

The motion prevailed.

### **Messages from the House**

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

**Senate Bill No. 875**

The motion prevailed.

**Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(For Conference Report, see Senate Journal No. 48, p. 1028.)

The House of Representatives has adopted the report of the Committee of Conference.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Third Reading of Bills**

Senator Leland entered the Senate Chamber.

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

**Senate Bill No. 499**

**Senate Bill No. 1105**

**House Bill No. 5192**

**House Bill No. 5674**

**House Bill No. 4977**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 499, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 73102 and 73105 (MCL 324.73102 and 324.73105), section 73102 as amended by 1998 PA 546 and section 73105 as added by 1995 PA 58.

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. 395**

**Yeas—35**

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

**Nays—2**

Basham	Brater
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**Excused—0**

**Not Voting—1**

Clarke

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1105, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43502, 43505, 43517, 43520, and 43525 (MCL 324.43502, 324.43505, 324.43506, 324.43517, 324.43520, and 324.43525), sections 43502, 43505, 43506, and 43525 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

The question being on the passage of the bill,

Senator McManus offered the following amendment:

1. Amend page 4, line 8, after “**LEAST**” by striking out “**21**” and inserting “**18**”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 396**

**Yeas—32**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Sikkema
Basham	Garcia	Kuipers	Stamas
Birkholz	George	McManus	Switalski
Bishop	Gilbert	Olshove	Thomas
Brown	Goschka	Patterson	Toy
Cassis	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer

**Nays—6**

Brater	Emerson	Leland	Scott
Clark-Coleman	Jacobs		

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5192, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43502, 43505, 43517, 43520, 43523, 43525, 43525a, 43527, and 43553 (MCL 324.43502, 324.43505, 324.43517, 324.43520, 324.43523, 324.43525, 324.43525a, 324.43527, and 324.43553), sections 43502, 43505, 43523, 43525, and 43527 as amended by 1996 PA 585, sections 43517 and 43520 as added by 1995 PA 57, section 43525a as added by 1998 PA 291, and section 43553 as amended by 2004 PA 587.

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. 397**

**Yeas—29**

Allen	Clarke	Hardiman	Schauer
Barcia	Cropsey	Jelinek	Sikkema
Basham	Garcia	Kuipers	Stamas
Birkholz	George	McManus	Thomas
Bishop	Gilbert	Patterson	Toy
Brown	Goschka	Prusi	Van Woerkom
Cassis	Hammerstrom	Sanborn	Whitmer
Cherry			

**Nays—9**

Brater	Jacobs	Leland	Scott
Clark-Coleman	Johnson	Olshove	Switalski
Emerson			

**Excused—0**

**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 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;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5674, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

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. 398**

**Yeas—38**

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  
Cassis  
Cherry  
Clark-Coleman

Goschka  
Hammerstrom  
Hardiman  
Jacobs

Patterson  
Prusi  
Sanborn

Toy  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**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 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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4977, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2006 PA 92.

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. 399**

**Yeas—38**

Allen  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry  
Clark-Coleman

Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman  
Jacobs

Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi  
Sanborn

Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom  
Whitmer

**Nays—0**



**Excused—0**

**Not Voting—0**

In The Chair: President

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

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 Bishop 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. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

Substitute (S-1).

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

- 1. Amend page 11, following line 15, by inserting:  
“Petoskey breakwall ..... 400,000”.
- 2. Amend page 12, line 2, by striking out “13,861,100” and inserting “14,261,100” and adjusting the subtotals, totals, and section 201 accordingly.
- 3. Amend page 31, following line 1, by inserting:

“Sec. 709. Subject to the provisions of this section, the funds appropriated in part 1 for the Petoskey breakwall shall be expended to repair the breakwall under the jurisdiction of the United States army corps of engineers. This funding shall not be expended unless the department has entered into an agreement with the United States army corps of engineers or other appropriate federal agency in which the United States army corps of engineers or other appropriate federal agency agreed to repay the Michigan state waterways fund for its expenditures for this project.”.

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

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

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

**Senate Bill No. 1094**

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

The following bill was read a third time:

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The question being on the passage of the bill,  
 Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
 The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 25, following line 25, by inserting:

“Sec. 902. It is the intent of the legislature that the racing commissioner authorize not less than 378 days of standardbred racing, 118 days of thoroughbred racing, and 36 days of mixed breed racing.”.

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

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

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

**Senate Bill No. 1080**

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

The following bill was read a third time:

**Senate Bill No. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The question being on the passage of the bill,

Senator Brater offered the following amendments:

1. Amend page 5, line 5, by striking out “119.8” and inserting “122.8”.
2. Amend page 5, line 6, by striking out “13,426,000” and inserting “13,726,000”.
3. Amend page 5, line 20, by striking out “4,870,300” and inserting “5,170,300” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 400**

**Yeas—19**

Barcia  
 Basham

Clarke  
 Emerson

Patterson  
 Prusi

Thomas  
 Toy

Brater  
Cherry  
Clark-Coleman

Jacobs  
Leland  
Olshove

Schauer  
Scott  
Switalski

Van Woerkom  
Whitmer

**Nays—17**

Allen  
Birkholz  
Bishop  
Brown  
Cassis

Cropsey  
Garcia  
George  
Gilbert

Goschka  
Hardiman  
Jelinek  
Johnson

Kuipers  
McManus  
Sanborn  
Stamas

**Excused—0**

**Not Voting—2**

Hammerstrom

Sikkema

In The Chair: President

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. 401**

**Yeas—38**

Allen  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry  
Clark-Coleman

Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman  
Jacobs

Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi  
Sanborn

Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(This bill was read a third time earlier today and consideration postponed. See p. 1095.)

The question being on the passage of the bill,

Senator Barcia offered the following amendment:

1. Amend page 27, following line 24, by inserting:

“Sec. 504. From the funds appropriated in part 1, the department shall enter into discussions with the province of Ontario to explore bringing 1 or more male wolverines for wild release in Michigan.”.

The question being on the adoption of the amendment,

Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate returned to the order of

**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 1091**

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

The following bill was read a third time:

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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. 402****Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0****Excused—0****Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**Senate Bill No. 1093**

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

The following bill was read a third time:

**Senate Bill No. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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. 403**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.

The question being on the motion to reconsider,

Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 22, following line 19, by inserting:

“(5) This section shall not apply to transportation that is related to law enforcement or homeland security activities.”.

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

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

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

**Senate Bill No. 1096**

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

The following bill was read a third time:

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The question being on the passage of the bill,

Senator Clarke offered the following amendment:

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

“Sec. 230. From the unexpended and unencumbered balance of the appropriation for the department contained in 2005 PA 159, over and above that which is necessary to fulfill the objectives of section 229, shall be used toward the establishment of a trooper school. The funds shall be available for appropriation in the fiscal year ending September 30, 2007.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 404**

**Yeas—38**

Allen  
Barcia

Clarke  
Cropsey

Jelinek  
Johnson

Schauer  
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	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 30, following line 15, by inserting:

“Sec. 384. From the funds appropriated in part 1, the department shall not use any funds to support the Detroit River international crossing study or to implement any recommendations made from such study.”

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



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

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

**Senate Bill No. 1097**

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

The following bill was read a third time:

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The question being on the passage of the bill,

Senator Prusi offered the following amendments:

1. Amend page 14, line 1, after “benefits—” by striking out “30.0” and inserting “38.0”.
2. Amend page 14, line 1, by striking out “2,932,700” and inserting “3,827,700”.
3. Amend page 14, line 10, by striking out “4,554,300” and inserting “5,449,300”.
4. Amend page 14, line 27, by striking out “2,300,000” and inserting “2,800,000”.
5. Amend page 15, line 1, by striking out “7,200,000” and inserting “8,200,000”.
6. Amend page 15, line 2, by striking out “4,892,900” and inserting “5,192,900”.
7. Amend page 15, line 3, by striking out “1,000,000” and inserting “1,100,000”.
8. Amend page 15, line 6, by striking out “1,651,300” and inserting “1,751,300”.
9. Amend page 15, line 15, by striking out “16,144,200” and inserting “18,144,200”.
10. Amend page 15, line 22, by striking out “58,971,500” and inserting “64,726,500”.
11. Amend page 15, line 24, by striking out “850,000” and inserting “1,200,000”.
12. Amend page 15, line 25, by striking out “13,844,000” and inserting “14,844,000”.
13. Amend page 16, line 5, by striking out “31,610,600” and inserting “38,715,600” and adjusting the subtotals, totals, and section 201 accordingly.
14. Amend page 43, line 13, after “limited” by striking out the balance of the subsection and inserting “to 50% of the portion of the cost not eligible for reimbursement by the federal government and shall not exceed \$7,100,000.00.”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 405**

**Yeas—18**

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

**Nays—20**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Prusi offered the following amendments:

1. Amend page 14, line 1, after “benefits—” by striking out “30.0” and inserting “38.0”.
2. Amend page 14, line 1, by striking out “2,932,700” and inserting “3,827,700”.
3. Amend page 14, line 10, by striking out “4,554,300” and inserting “5,449,300” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Prusi offered the following amendments:

1. Amend page 15, line 22, by striking out “58,971,500” and inserting “64,726,500”.
2. Amend page 16, line 5, by striking out “31,610,600” and inserting “37,365,600” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 406**

**Yeas—18**

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

**Nays—20**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Prusi offered the following amendments:

1. Amend page 12, line 20, by striking out “17,966,200” and inserting “18,863,400”.
2. Amend page 12, line 26, by striking out “40,829,600” and inserting “41,726,800” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.  
 Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 407**

**Yeas—16**

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

**Nays—22**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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. 408**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1089, entitled**

A bill to make appropriations for the department of history, arts and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 21, following line 11, by inserting:

“Sec. 510. The department shall reimburse the Michigan strategic fund in full for the cost of all services or activities provided by the Michigan strategic fund at the request of the department.”.

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

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

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

**Senate Bill No. 1089**

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

The following bill was read a third time:

**Senate Bill No. 1089, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Clarke offered the following amendments:

1. Amend page 2, line 23, following “services—” by striking out “29.0” and inserting “30.0”.
2. Amend page 2, line 26, by striking out all of line 26.

- 3. Amend page 3, line 1, by striking out “5,698,100” and inserting “5,523,100”.
- 4. Amend page 3, line 4, by striking out “5,698,100” and inserting “5,523,100”.
- 5. Amend page 5, line 15, by striking out “11,634,300” and inserting “11,809,300”.
- 6. Amend page 5, line 17, by striking out “24,732,400” and inserting “24,907,400”.
- 7. Amend page 5, line 24, by striking out “19,013,100” and inserting “19,188,100” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 409**

**Yeas—17**

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

**Nays—21**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

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. 410**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Substitute (S-1).

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

1. Amend page 6, line 15, after "positions" by striking out "552,600" and inserting "552,700".
2. Amend page 7, line 1, after "fund" by striking out "3,326,900" and inserting "3,327,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

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

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

**Senate Bill No. 1090**

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

The following bill was read a third time:

**Senate Bill No. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to

create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The question being on the passage of the bill,

Senator Cherry offered the following amendment:

1. Amend page 79, following line 3, by inserting:

“Sec. 683. From the money appropriated in part 1 for day care services, the department shall reimburse group home providers for services to eligible TANF recipient families that have a member who, specifically as part of his or her TANF plan work participation requirements, is employed during an afternoon or night shift. The availability of day care services for these families shall not be inhibited by a department restriction on the number of reimbursable hours a group home provider can be paid in a biweekly pay period, specifically for the TANF eligible families who have difficulty obtaining day care services because a member is employed during hours when day care centers are not normally open.”.

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

Senators Toy, Patterson and Scott offered the following amendment:

1. Amend page 55, following line 26, by inserting:

“Sec. 562. From the funds appropriated in part 1 for federally funded family preservation programs, the department shall allocate not less than \$2,000,000.00 to Wayne County to provide home-based programs as part of the county expansion of community-based services to serve the county’s adjudicated delinquent youth.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 411**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(This bill was announced earlier today, amendment offered and consideration postponed. See p. 1098.)

The question being on the adoption of the amendment offered by Senator Barcia, Senator Barcia withdrew the amendment.

Senators Prusi and McManus offered the following amendment:

1. Amend page 32, following line 12, by inserting:

“Sec. 806. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe appropriate treatment on not less than 63,000 acres at the current average rate of 12.5 to 13 cords per acre, and put those cords up for sale in 2007, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2006 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriation subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues.”.

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 412**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

The motion did not prevail, 2/3 of the members serving not voting therefor.

The Senate agreed to the title of the bill.



Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 81, following line 19, by inserting:

“Sec. 821. From the funds appropriated in part 1, the department of state shall complete a cost/benefit analysis regarding the feasibility of locating the Keweenaw County secretary of state branch office with the Keweenaw County department of human services office. The analysis shall include, but not be limited to, lease costs, building occupancy costs, property management costs, utilities, parking, distance between branch offices and issues related to the overall convenience for the citizens of Michigan. No later than December 1, 2006, the analysis shall be delivered to the members of the senate and house standing committees on appropriations subcommittees on general government and the house and senate fiscal agencies.”.

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

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

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

**Senate Bill No. 1087**

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

The following bill was read a third time:

**Senate Bill No. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The question being on the passage of the bill,

Senator Switalski offered the following amendments:

1. Amend page 33, line 24, by striking out “8,098,000” and inserting “9,798,000”.
2. Amend page 33, line 25, by striking out “79,079,800” and inserting “80,779,800”.
3. Amend page 34, line 9, by striking out “29,609,200” and inserting “31,309,200” and adjusting the subtotals, totals, and section 201 accordingly.
4. Amend page 103, line 12, after “to” by striking out “\$5,398,600.00” and inserting “\$6,530,800.00”.
5. Amend page 103, line 13, after “to” by striking out “\$2,699,400.00” and inserting “\$3,267,200.00”.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 413**

**Yeas—16**

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

**Nays—22**

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

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Schauer offered the following amendments:

1. Amend page 33, line 20, by striking out “130.0” and inserting “135.0”.
2. Amend page 33, line 20, by striking out “17,496,000” and inserting “17,996,000”.
3. Amend page 34, line 9, by striking out “29,609,200” and inserting “30,109,200” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Schauer requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 414**

**Yeas—17**

Barcia	Clarke	Olshove	Switalski
Basham	Emerson	Prusi	Thomas
Brater	Jacobs	Schauer	Toy

Cherry  
Clark-Coleman

Leland

Scott

Whitmer

**Nays—21**

Allen  
Birkholz  
Bishop  
Brown  
Cassis  
Cropsey

Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jelinek  
Johnson  
Kuipers  
McManus

Patterson  
Sanborn  
Sikkema  
Stamas  
Van Woerkom

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cherry offered the following amendments:

1. Amend page 32, line 23, by striking out “845,500” and inserting “892,400”.
2. Amend page 33, line 1, by striking out “1,057,500” and inserting “1,104,400” and adjusting the subtotals, totals, and section 201 accordingly.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

**Roll Call No. 415**

**Yeas—38**

Allen  
Barcia  
Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry  
Clark-Coleman

Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman  
Jacobs

Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi  
Sanborn

Schauer  
Scott  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop 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. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth, and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Substitute (S-1).

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

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

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

**Senate Bill No. 1092**

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

The following bill was read a third time:

**Senate Bill No. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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. 416**

**Yeas—38**

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	Hammerstrom	Prusi	Van Woerkom
Cherry	Hardiman	Sanborn	Whitmer
Clark-Coleman	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.  
The motion did not prevail, 2/3 of the members serving not voting therefor.  
The Senate agreed to the title of the bill.

Senator Hammerstrom moved to reconsider the vote by which the bill was passed.  
The question being on the motion to reconsider,  
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the Senate returned to the order of  
**General Orders**

Senator Hammerstrom moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop as Chairperson.

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

**House Bill No. 5354, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the conveyance; to provide for disposition of revenue derived from the conveyance; and to create certain funds and provide for the disposition of money from those funds.

Substitute (S-1).

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

1. Amend page 5, line 7, after "the" by striking out the balance of the line through "estate" on line 8 and inserting "LHC non-profit".
2. Amend page 5, line 12, after the second "the" by striking out the balance of the line through "estate" on line 13 and inserting "LHC non-profit".
3. Amend page 5, line 19, by striking out "Lansing housing commission non-profit real estate" and inserting "LHC non-profit".
4. Amend page 7, line 24, after "(b)" by striking out the balance of the line through "less," on line 25 and inserting "The balance of the net revenue".
5. Amend page 8, line 2, by striking out all of subdivision (c).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

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

**House Bill No. 5354**

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

The following bill was read a third time:

**House Bill No. 5354, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the conveyance; to provide for disposition of revenue derived from the conveyance; and to create certain funds and provide for the disposition of money from those funds.

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. 417**

**Yeas—37**

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

**Nays—0**

**Excused—0**

**Not Voting—1**

Emerson

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1110.)  
The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1096.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1098.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1100.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1101.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1103.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1089, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1106.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1108.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1111.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(This bill was passed earlier today and the motion to reconsider the vote postponed. See p. 1114.)

The question being on the motion to reconsider the vote by which the bill was passed,  
Senator Hammerstrom withdrew the motion.

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senators Van Woerkom, Sanborn, Toy, Patterson, Cropsey, Stamas and Gilbert introduced

**Senate Bill No. 1281, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 3 (MCL 722.23), as amended by 1993 PA 259.

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



Senator Gilbert introduced

**Senate Bill No. 1282, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2003 PA 311.

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

**House Bill No. 5217, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5b (MCL 28.425b), as amended by 2003 PA 31.

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 Judiciary.

**House Bill No. 5529, entitled**

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts," by amending section 11 (MCL 41.811), as amended by 2004 PA 464.

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.

### Statements

Senator Birkholz stated that had she been present on May 10 when the votes were taken on concurring in the House substitutes and amendment to the following bills, she would have voted "yea":

**Senate Bill No. 709**

**Senate Bill No. 717**

**Senate Bill No. 718**

**Senate Bill No. 1122**

**Senate Bill No. 1132**

**Senate Bill No. 1192**

Senator Birkholz stated that had she been present on May 10 when the votes were taken on the passage of the following bills, she would have voted "yea":

**Senate Bill No. 837**

**Senate Bill No. 1226**

**Senate Bill No. 1234**

**House Bill No. 5144**

**House Bill No. 5554**

**Senate Bill No. 1128**

**Senate Bill No. 1004**

**House Bill No. 5313**

**House Bill No. 5045**

**House Bill No. 5421**

**House Bill No. 5422**  
**House Bill No. 5531**  
**House Bill No. 5532**  
**House Bill No. 6003**  
**House Bill No. 4108**

Senators Scott, Basham and Allen 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:

I have a task force called Make Insurance Affordable and Accessible that's in committee. There's one of my e-mailers who has written, "I'm very anxious to hear about the MIAA Task Force results. I have two daughters, a 19-year-old and an 18-year-old, who are unable to get their driver's license because my car insurance would increase by \$6,000. I'm not driving a Lincoln either. It's a 2005 Vue."

Senator Basham's statement is as follows:

I just would like to read a little article I'd seen in Reuters, "Anti-smoking activist dies of lung cancer." This is in the Toronto paper. "'A Canadian anti-smoking campaigner who contracted lung cancer from second-hand smoke after years as a waitress has died,' Ontario's Heart and Stroke Foundation said Tuesday. Heather Crowe was 61 years of age and became a public icon after winning a landmark 2002 labor compensation case by arguing that she contracted the disease from inhaling second-hand smoke during her 40-year career as a waitress. An ardent nonsmoker, she appeared in national television advertisements and inspired a government-sponsored award in her name. In one ad, Crowe declared people shouldn't have to go to work to die. Her death came only days before new legislation in the provinces of Ontario and Quebec was to come into effect banning smoking in enclosed public areas and work places and further restricting the promotion and sale of tobacco products. Supporters of Crowe want her to remain the public base of anti-smoking. Ontario's Heart and Stroke Foundation CEO Rocco Rossi is campaigning to have May 31, the day the provinces' anti-smoking legislation in enacted, be declared Heather Crowe Day. Total sales of cigarettes in Canada have decreased over the past year by 2.5 percent according to an April government's stats poll."

Senator Allen's statement is as follows:

"LET IT BE KNOWN, That it is with our deepest respect that we offer the highest tribute as a memorial for the life of Sergeant Spencer Akers. He made the ultimate sacrifice on our behalf and this loss has saddened all who had the good fortune of knowing this selfless and courageous young man. On behalf of the Michigan Legislature, the citizens of Michigan, and the United States of America, we extend our deepest condolences and respect to the family and friends of Sgt. Akers. This brave soldier, devoted son and brother answered our country's call and gave his life for the freedom that we all cherish and enjoy. He will genuinely be missed and fondly remembered.

Spencer Akers was born to Donald and Carole Akers on March 6, 1970, was raised in Tustin and graduated from Pine River High School in 1988. Sgt. Akers loved most sports, enjoyed working on the computer and continually perfecting his hunting and shooting skills. Furthermore, he was an avid soldier from a very young age. Upon his graduation from Pine River, he began a life of military service when he joined the United States Army. Early in his career, he fought in Operation Desert Storm and participated in the post-war duties following the Iraqi's forceful removal from Kuwait. After completing his tour of duty in the Persian Gulf, Spencer underwent additional training to achieve the rank of sergeant and then moved to Traverse City.

Following the September 11, 2001 terrorist attacks, Sgt. Akers was again compelled to serve his country, went back to active duty and was assigned security detail at the Detroit-Windsor Tunnel. He was then drawn towards fighting in Iraq after hearing and being inspired by President George Bush's speech in August of 2004 in Traverse City. After months of research to find a unit that would place him on the front lines, he realized that he was a perfect match for our Army National Guard, 125th Infantry Regiment, to which he was assigned in support of Operation Iraqi Freedom. Never one to shirk his duty, Sgt. Akers was respected and loved by his fellow soldiers in his unit because of his competence and strong work ethic. Sadly, his life was cut short and wounds were received when his Humvee struck an improvised explosive device while fighting in Habbaniyah, Iraq.

Those familiar with history know that it is not the generals who win the battles; it is the privates, sergeants, and junior officers who are ultimately at the point of the spear. They supply the blood, sweat, and tears that ultimately lead to victory. While no words, flags, or tributes can ease the pain felt by the tremendous and tragic loss, we know that heroes come from all walks of life and that Spencer gave his life as a true patriot.

IN SPECIAL TRIBUTE, Therefore, we offer our highest praise in remembrance of Sergeant Spencer Clark Akers. May his family accept this tribute as a symbol of the high regard in which his memory is held by the people of the state of Michigan and a grateful nation."

A moment of silence was observed in memory of Army Sergeant Spencer Akers.

### Committee Reports

The Committee on Appropriations reported

**Senate Bill No. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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.

The Committee on Appropriations reported

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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.

The Committee on Appropriations reported

**Senate Bill No. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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.

The Committee on Appropriations reported

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies;

to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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.

The Committee on Appropriations reported

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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.

The Committee on Appropriations reported

**Senate Bill No. 1089, entitled**

A bill to make appropriations for the department of history, arts and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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, George, Barcia, Cherry and Switalski

Nays: Senator Clarke

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

The Committee on Appropriations reported

**Senate Bill No. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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.

The Committee on Appropriations reported

**Senate Bill No. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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, 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.

The Committee on Appropriations reported

**Senate Bill No. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth, and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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, 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, May 23, 2006, at 2:00 p.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

## COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submitted the following:

Meeting held on Tuesday, May 23, 2006, at 1:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Sikkema (C), Hammerstrom, Allen, Cassis, Emerson, Jacobs and Thomas

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:  
Meeting held on Tuesday, May 23, 2006, at 3:00 p.m., Room 100, Farnum Building  
Present: Senators Allen (C), Toy, Schauer and Olshove  
Excused: Senator McManus

## COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:  
Meeting held on Tuesday, May 23, 2006, at 3:00 p.m., Room 110, Farnum Building  
Present: Senators Birkholz (C), Patterson, Van Woerkom, Brater and Basham

**Scheduled Meetings**

**21st Century Jobs Funds Joint Select Oversight Committee (SCR 38)** - Thursday, May 25, 1:30 p.m., Room 519, South Tower, House Office Building (373-2420)

**Banking and Financial Institutions** - Thursday, May 25, 12:00 noon, Room 100, Farnum Building (373-2417)

**Education** - Thursday, May 25, 2:00 p.m., Room 210, Farnum Building (373-6920)

**Local, Urban and State Affairs** - Thursday, June 8, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Natural Resources and Environmental Affairs** - Tuesday, May 30, 3:00 p.m., Room 110, Farnum Building (373-3447)

Senator Hammerstrom moved that the Senate adjourn.  
The motion prevailed, the time being 2:57 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, May 25, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate