

No. 85
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Wednesday, September 20, 2006.

10:00 a.m.

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

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

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

Garcia—excused
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

Pastor Jim Jordan of Lighthouse Missionary Church of East Jordan offered the following invocation:

Holy God, Creator and Father of us all, we come to You on this morning and we thank You for all of Your many great blessings. We acknowledge that all that is good comes from Your hand and all that we call our own is really what You have entrusted to us for a time. We thank You for Your great faithfulness and Your holiness. We thank You, most of all, for Your love that reaches out to each of us, to draw us to Yourself and seeks to help us to know You.

This morning, Father, I thank You for this country in which we live and all the blessings and freedoms that we who live here enjoy. I thank You for establishing this great nation and for protecting it and sustaining it all of these many years.

I thank You for this state of Michigan and the great land that it is. I thank You for our Governor, and I pray Your hand of blessing and wisdom to be upon her and her team as they seek to lead this great state into what is best. I thank You for these ladies and gentlemen in this chamber and for their hard work and dedication to doing what needs to be done for the betterment of all of us.

I pray for them this morning, Father. I ask that You will help each of them with the work that You have entrusted to them. I pray that You will give them wisdom beyond themselves and discernment and clean judgment that is not swayed or turned aside from what is right and true. I pray that in this august body You would be present and in control, guiding and shaping the work that goes on here so that the outcome is good for this state and brings glory to Your name.

I pray for each of us, Father, that we might each one as individuals come to know You and walk with You and follow You very closely. I pray that we will find the freedom and comfort and peace that comes from knowing You and obeying You and loving You with all of our heart, with all of our soul and all of our mind and with all of our strength. We are not good enough of our own merit to come to You, Father, so I thank You that You have come to us to call us Your own and to show us how to be in a right relationship with You.

Now lead each of us, Lord, into what brings You honor and glory. Save us from our own selfish and destructive ways and help us live in a way that pleases You. Forgive us our many sins and help us to be forgiving of others as You forgive us. Help us to know what pleases You and to do what pleases You with all of our ability as You help us.

I pray all of these things in Jesus' name. Amen.

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

Motions and Communications

Senators Prusi and Johnson entered the Senate Chamber.

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 Commerce and Labor be discharged from further consideration of the following bill:

House Bill No. 5942, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4, 8a, and 11 (MCL 125.2684, 125.2688a, and 125.2691), section 4 as amended by 2002 PA 477 and section 8a as amended by 2006 PA 116.

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

House Bill No. 5942

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

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

The motion prevailed.

Senator Hammerstrom moved that Senator Garcia be excused from today’s session.
The motion prevailed.

Senator Brown entered the Senate Chamber.

Senator Schauer moved that Senators Brater and Leland be temporarily excused from today’s session.
The motion prevailed.

Senator Leland entered the Senate Chamber.

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

Senate Bill No. 1242, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2946 (MCL 600.2946), as amended by 1995 PA 249.

On which motion Senator Schauer requested the yeas and nays.

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

The question being on the motion to discharge,

Senator Sikkema moved that further consideration of the motion be postponed for today.

Senator Schauer requested the yeas and nays.

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

The motion prevailed, a majority of the members voting therefor, as follows:

Roll Call No. 697

Yeas—21

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

Nays—15

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

Excused—2

Brater	Garcia
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Not Voting—0

In The Chair: President

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests of Senator George admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle and Gallery.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:13 a.m.

10:18 a.m.

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

During the recess, Senator George introduced and congratulated the Mattawan Girls Little League Softball Team, 2006 World Series Champions, and Coach Mark Lochart.

Representative Schuitmaker and Coach Lochart responded briefly.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:21 a.m.

10:49 a.m.

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

During the recess, Senator Brater entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 19:

House Bill Nos. 6267 6433 6434 6435 6457 6458

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 20:

House Bill Nos. 5389 6359 6432 6436 6455 6459

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, September 19, for her approval the following bills:

Enrolled Senate Bill No. 848 at 3:08 p.m.

Enrolled Senate Bill No. 849 at 3:10 p.m.

Enrolled Senate Bill No. 912 at 3:12 p.m.

Enrolled Senate Bill No. 913 at 3:14 p.m.

Enrolled Senate Bill No. 914 at 3:16 p.m.

Enrolled Senate Bill No. 917 at 3:18 p.m.

Enrolled Senate Bill No. 1016 at 3:20 p.m.

The Secretary announced that the following official bills were printed on Tuesday, September 19, and are available at the legislative website:

House Bill Nos. 6535 6536 6537

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

Senate Bill No. 640

The motion prevailed.

Senate Bill No. 435, entitled

A bill to amend 1972 PA 382, entitled “An act to license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties,” by amending sections 3, 3a, 5, 5c, 8, 10, 10a, and 11b (MCL 432.103, 432.103a, 432.105, 432.105c, 432.108, 432.110, 432.110a, and 432.111b), section 3 as amended by 1995 PA 275, sections 3a, 5c, and 11b as added and sections 5, 10, and 10a as amended by 1999 PA 108, and section 8 as amended by 1981 PA 229.

The House of Representatives has concurred in the Senate amendments to the House substitute (H-1) and agreed to the title as amended.

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

Senate Bill No. 1284, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2006 PA 22.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect.

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

Senate Bill No. 1290, entitled

A bill to provide for the certification of driver education providers; to prescribe certain record-keeping and program requirements for driver education providers; to provide for the certification of driver education instructors; to prescribe the powers and duties of certain persons and departments; to prescribe certain fees; to establish a fund in the state treasury; to prescribe remedies, sanctions, and penalties; and to repeal acts, administrative rules, and parts of acts.

The House of Representatives has substituted (H-3) the bill.

The House of Representatives has passed the bill as substituted (H-3) and ordered that it be given immediate effect.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Hammerstrom moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 698

Yeas—37

- | | | | |
|---------------|-------------|-----------|-------------|
| Allen | Clarke | Jelinek | Schauer |
| Barcia | Cropsey | Johnson | Scott |
| Basham | Emerson | 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—1

Garcia

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

Senate Bill No. 1375, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

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

The 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 full title.

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

House Bill No. 6150, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"SEC. 16605. THE FOLLOWING WORDS, TITLES, OR LETTERS OR A COMBINATION THEREOF, WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE RESTRICTED IN USE ONLY TO THOSE PERSONS AUTHORIZED UNDER THIS PART TO USE THE FOLLOWING TERMS AND IN A WAY PRESCRIBED IN THIS PART: "DENTIST", "DOCTOR OF DENTAL SURGERY", "ORAL AND MAXILLOFACIAL SURGEON", "ORTHODONTIST", "PROSTHODONTIST", "PERIODONTIST", "ENDODONTIST", "ORAL PATHOLOGIST", "PEDIATRIC DENTIST", "DENTAL HYGIENIST", "REGISTERED DENTAL HYGIENIST", "DENTAL ASSISTANT", "REGISTERED DENTAL ASSISTANT", "R.D.A.", "D.D.S.", "D.M.D.", AND "R.D.H.".

SEC. 16620. THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD AND TASK FORCE CREATED UNDER THIS PART, EXCEPT THOSE APPOINTED TO FILL VACANCIES, EXPIRE 4 YEARS AFTER APPOINTMENT ON JUNE 30 OF THE YEAR IN WHICH THE TERM WILL EXPIRE."

The House of Representatives has concurred in the Senate substitute (S-1) as amended, ordered that the bill be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421, and by adding sections 16605 and 16620.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Hammerstrom moved that the rule be suspended.

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

The question being on concurring in the House amendment made to the Senate substitute,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 699**Yeas—37**Allen
BarciaClarke
CropseyJelinek
JohnsonSchauer
Scott

Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title as amended.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

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 Clarke 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 without amendment, the following bills:

House Bill No. 6089, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 2b (MCL 205.92b), as added by 2004 PA 172.

House Bill No. 6090, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1a (MCL 205.51a), as added by 2004 PA 173.

House Bill No. 6248, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 126.

Senate Bill No. 1417, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 1253, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding sections 3f and 5h.

Substitute (S-2).

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

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

Senate Bill No. 1254, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8d (MCL 722.628d), as amended by 2002 PA 661.

Substitute (S-1).

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

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

Senate Bill No. 1416, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9206, 9208, and 9227 (MCL 333.9206, 333.9208, and 333.9227), section 9206 as amended by 1996 PA 540, section 9208 as amended by 2000 PA 90, and section 9227 as amended by 2006 PA 91, and by adding section 9205b.

Substitute (S-1).

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

1. Amend page 1, line 1, after "**THE**" by striking out "**HUMAN PAPILLOMAVIRUS**" and inserting "**CHILDHOOD IMMUNIZATION**".
2. Amend page 2, line 1, after "**THE**" by striking out "**HUMAN PAPILLOMAVIRUS**" and inserting "**CHILDHOOD IMMUNIZATION ADVISORY COMMITTEE SHALL MEET AS IT DETERMINES NECESSARY TO CARRY OUT ITS DUTIES PRESCRIBED UNDER THIS SECTION. THE CHILDHOOD IMMUNIZATION**".
3. Amend page 2, line 5, after "**CANCER**" by inserting "**AND ANY OTHER DISEASES FOR WHICH THE DEPARTMENT MAY RECOMMEND IMMUNIZATION OR IMMUNIZATION INFORMATION**".
4. Amend page 2, line 7, after "**VACCINE**" by inserting "**AND THE VACCINATIONS TO PROTECT AGAINST THOSE DISEASES**".
5. Amend page 2, line 8, after "**MATERIALS**" by inserting "**OR RECOMMENDATIONS**".
6. Amend page 2, following line 11, by inserting:
"**(D) REVIEW AND APPROVE RECOMMENDATIONS MADE BY THE DEPARTMENT TO REVISE THE LIST OF CHILDHOOD IMMUNIZATIONS TO BE ADMINISTERED TO INCLUDE ADDITIONAL VACCINATIONS THAT HAVE BEEN APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.**".
7. Amend page 2, line 12, after "**MATERIALS**" by striking out the balance of the line through "**PAPILLOMAVIRUS**" on line 14 and inserting "**HAVE BEEN IDENTIFIED AND APPROVED OR THE RECOMMENDATIONS FOR ADDITIONAL CHILDHOOD VACCINATIONS HAVE BEEN APPROVED, THE CHILDHOOD IMMUNIZATION**".
8. Amend page 2, line 15, after "**MATERIALS**" by inserting "**OR RECOMMENDATIONS**".
9. Amend page 2, line 17, after "**MATERIALS**" by inserting "**OR RECOMMENDATIONS**".
10. Amend page 2, line 23, after "**MATERIALS**" by inserting "**OR RECOMMENDATIONS**".
11. Amend page 3, line 2, after "**MATERIALS**" by inserting "**OR RECOMMENDATIONS**".

12. Amend page 3, line 15, by striking out all of subsection (5).

13. Amend page 4, line 9, after "STATEMENT" by inserting "AS IS REQUIRED FOR ALL OTHER CHILDHOOD IMMUNIZATIONS".

14. Amend page 4, line 11, after "AGENT" by inserting "AS IS REQUIRED FOR ALL OTHER CHILDHOOD IMMUNIZATIONS".

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 bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 6089

House Bill No. 6090

Senate Bill No. 1253

Senate Bill No. 1254

House Bill No. 6248

Senate Bill No. 1417

Senate Bill No. 1416

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

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

Senate Bill No. 1408

Senate Bill No. 1409

House Bill No. 5408

House Bill No. 6162

House Bill No. 6164

House Bill No. 6165

Senate Bill No. 1410

Senate Bill No. 1411

Senate Bill No. 1412

Senate Bill No. 1372

Senate Bill No. 1373

House Bill No. 6197

House Bill No. 6032

Senate Bill No. 1398

House Bill No. 6089

House Bill No. 6090

Senate Bill No. 1253

Senate Bill No. 1254

House Bill No. 6248

Senate Bill No. 1417

Senate Bill No. 1416

Senate Bill No. 1426

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1408, entitled

A bill to amend 1963 PA 42, entitled "An act to provide for the termination of dormant oil and gas interests in land owned by persons other than the owners of the surface and for the vesting of title to same in the surface owners in the absence of the filing of a notice of claim of interest within a specified period of time," by amending sections 1, 2, and 4 (MCL 554.291, 554.292, and 554.294).

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. 700**Yeas—37**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1**

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1409, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78i and 78k (MCL 211.78i and 211.78k), as amended by 2003 PA 263.

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. 701**Yeas—37**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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. 5408, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43510, 43511, 43513, and 43516 (MCL 324.43510, 324.43511, 324.43513, and 324.43516), sections 43510 and 43516 as amended by 2004 PA 129, section 43511 as added by 1995 PA 57, and section 43513 as amended by 1998 PA 129.

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. 702**Yeas—37**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1**

Garcia

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. 6162, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30306b.

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. 703

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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. 6164, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30307 (MCL 324.30307), as amended by 2004 PA 325.

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. 704

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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. 6165, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30313b.

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. 705

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott

Basham	Emerson	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—1

Garcia

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:

Senate Bill No. 1410, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3 and 8 (MCL 722.623 and 722.628), section 3 as amended by 2006 PA 264 and section 8 as amended by 2006 PA 256.

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. 706

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1411, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 5 and 5e (MCL 722.115 and 722.115e), section 5 as amended by 2006 PA 51 and section 5e as added by 2005 PA 133, and by adding sections 5h and 5i.

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. 707

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1412, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2004 PA 563.

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. 708

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1372, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 5b (MCL 205.55b), as amended by 2004 PA 173.

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. 709

Yeas—31

Allen	Cropsey	Jelinek	Sanborn
Barcia	Emerson	Johnson	Schauer
Birkholz	George	Kuipers	Scott
Bishop	Gilbert	Leland	Sikkema
Brown	Goschka	McManus	Thomas
Cassis	Hammerstrom	Olshove	Toy

Cherry
ClarkeHardiman
JacobsPatterson
Prusi

Van Woerkom

Nays—6Basham
BraterClark-Coleman
Stamas

Switalski

Whitmer

Excused—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1373, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6a (MCL 205.96a), as amended by 2004 PA 172.

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. 710**Yeas—31**Allen
Barcia
Birkholz
Bishop
Brown
Cassis
Cherry
ClarkeCropsey
Emerson
George
Gilbert
Goschka
Hammerstrom
Hardiman
JacobsJelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
PrusiSanborn
Schauer
Scott
Sikkema
Thomas
Toy
Van Woerkom**Nays—6**Basham
BraterClark-Coleman
Stamas

Switalski

Whitmer

Excused—1

Garcia

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. 6197, entitled

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending sections 5, 11, 13, 15, 17, 19, 21, 25, 31, 35, 51, and 53 (MCL 55.265, 55.271, 55.273, 55.275, 55.277, 55.279, 55.281, 55.285, 55.291, 55.295, 55.311, and 55.313).

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. 711**Yeas—37**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1**

Garcia

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 provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; 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. 6032, entitled

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending section 3 (MCL 550.1903).

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. 712

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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 provide review of certain health care coverage adverse determinations made by health carriers; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to provide fees; and to provide penalties for violations of this act,".

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1398, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 11a (MCL 380.11a), as amended by 2003 PA 299.

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. 713

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott

Basham	Emerson	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—1

Garcia

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. 6089, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as added by 2004 PA 172.

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. 714

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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 provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6090, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1a (MCL 205.51a), as added by 2004 PA 173.

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. 715

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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 provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement

thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1253, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5h.

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. 716

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1254, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8d (MCL 722.628d), as amended by 2002 PA 661.

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. 717

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott

Basham	Emerson	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—1

Garcia

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. 6248, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 126.

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. 718

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

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 revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1417, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

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. 719**Yeas—36**

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	Johnson	Sikkema
Birkholz	Emerson	Kuipers	Stamas
Bishop	George	Leland	Switalski
Brater	Gilbert	McManus	Thomas
Brown	Goschka	Olshove	Toy

Cassis
Cherry

Hammerstrom
Hardiman

Patterson
Prusi

Van Woerkom
Whitmer

Nays—1

Sanborn

Excused—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Cherry’s statement is as follows:

I just rise to support this legislation and to say thank you to the Majority Floor Leader for all the work she has done on this. For those of you who do not know, Senator Hammerstrom has not just been a leader of this state, but a national leader on this issue.

Mr. President, I look forward to the day when your granddaughter doesn’t even have to worry about the incidence of cervical cancer. These bills, both of them, are the first steps in making sure that that happens. In addition to the vaccination process, we have to increase screening and education of screening.

So, again, I want to commend the sponsor of this bill for all the work she has done on this issue.

The following bill was read a third time:

Senate Bill No. 1416, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 9206, 9208, and 9227 (MCL 333.9206, 333.9208, and 333.9227), section 9206 as amended by 1996 PA 540, section 9208 as amended by 2000 PA 90, and section 9227 as amended by 2006 PA 91, and by adding section 9205b.

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. 720

Yeas—36

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—1

Sanborn

Excused—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.
Senator Goschka moved that he be named co-sponsor of the bill.
The motion prevailed.

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

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise in support of Senate Bill No. 1416 and the previous bill that was passed. When we mention the word "cancer," for many of us, it sends a horrible feeling to our emotions because we have been touched by this awful condition. If there are ways that we can prevent cervical cancer in women, we certainly want to do that. I do support this effort. I want to send my commendations also to the chairperson of Health Policy for bringing this issue forward and also for working with those who made some very wise amendments.

I, too, have areas of concerns, one of which is that there be parental consent to this treatment, and the amendments make this clear that there is parental consent. The second is, because of the nature of the condition we are treating, that there be a very proper message that is sent along with that. Amendments have been made to ensure that as well. So I wholeheartedly support it.

Once again, I send my commendations to the good Senator who sponsored the legislation and to those who have helped to improve it.

Senator Cropsey's statement is as follows:

I rise in support of this legislation and I wanted to give my rationale why. When I first took a look at this legislation a few days ago, I had a lot of serious red flags being raised in my own mind about it and I know in the minds of my constituents, one of them being very important to me, which was my wife. Also I've had people over the last weekend contacting me saying, "Hey, what on earth is going on here? How come the government is mandating this type of thing?" I think it is important for people to realize that the department could implement this vaccine under its current authority without any say at all by the Legislature.

I took a look at the law. I have taken a look at the rules, and the fact is, when you get to things like measles, diphtheria, and all the other things that we have vaccinations for, vaccinations are not mentioned in the law. Those different diseases are not mentioned in the law, I should say. Those diseases that we have vaccines for are mentioned in the administrative rules. So it is the administrative rules. The law gives the department the authority to add different things to what is being vaccinated for just by going through the administrative rules process.

In talking with the sponsor of the legislation, it became very apparent to me that if you do amend the law, though, you get tremendous educational advantage that the public then becomes aware of it. Is the public becoming aware of this? You better believe it because if I have people asking me while I am out shaking hands in a parade of what's going on, the public is becoming aware of it. So it does have a tremendous educational value.

What I see as the tremendously beneficial value, even though legally we wouldn't have to do this to have this new vaccine put in, I do think this legislation has tremendous value in the fact that the Legislature would have input in the messaging. Let's face it, on this vaccine there are very sensitive public policy questions that are being addressed and the proper messaging needs to go out when the department comes out with the messaging. That is being set up by a

committee in which the Legislature has input in this committee, and also when the committee comes up with its final recommendation, the Legislature by concurrent resolution could, if we say we don't like the way this messaging is going, we could stop it and tell them to go and redo it.

So I do think this gives us a better handle in this important public policy arena to not just leave it up to the bureaucrats, but also have the elected officials who are supposed to represent the people of this state, which are those of us in the Senate and those in the House, to have some serious input into this whole question as it is being developed.

Senator Scott's statement is as follows:

I rise in support of this bill and want to thank the Senator from the 17th District for introducing this legislation. We are both members of Women In Government, and Women In Government have done a fantastic job with this cervical cancer. We have the Yellow Umbrella Tour. I think it was over a year or so ago, and there was a young lady who had suffered mightily from cervical cancer. Had we had this vaccine then, she would not have had to suffer.

So I am just grateful for this new vaccine to help our young children. As it has been stated before, your grandchild and my granddaughter and others will not have to suffer because we have a choice now to take this vaccine.

I am just grateful to be a part of this organization and we have worked so hard to deal with cervical cancer. Now with this vaccine, it's a wonder drug, I believe, for all these young girls. I thank you because there are so many young people who, through no fault of their own, because of all of the pedophiles we read about every day. It's because of that and so many other reasons that I am so grateful for this vaccine.

Thank you, Mr. Lieutenant Governor, and I would like all of my colleagues to support this bill.

Senator Toy's statement is as follows:

I rise today to talk about this issue. You know, across our state women are at risk, as we know it. This is good public policy. It may be a sensitive issue to some, but in my own family, we had this terrible disease hit, and let me tell you, when you watch somebody fade away from this terrible disease, it is a very serious matter, obviously. But to know that we have a vaccine that will someday give cure to this and will give cure that has proven, will certainly be a step forward in our society.

So I think as we look at this—also with the Senator from the 20th District who has hospice experience and what he shared with us today is something that I can relate to very well. Hats off to Women In Government. I know that several of us are on their board of directors and this is a big issue for them. This state will be No. 1 if we pass this kind of legislation, thanks to the Senator from the 17th District and her vision, compassion, and hard work on this very, very sensitive issue. But let the message go out that this will save lives and that there will also be a choice to this as to if they want the vaccine or not.

The following bill was read a third time:

Senate Bill No. 1426, entitled

A bill to provide that certain entities contracting with state and local units of government are subject to the patient's right to independent review act.

The question being on the passage of the bill,

Senator Hammerstrom offered the following amendment:

1. Amend page 1, line 3, after "districts," by inserting "community and junior colleges, state universities,".

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. 721

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1

Garcia

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

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 Clarke 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. 5942, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4, 8a, and 11 (MCL 125.2684, 125.2688a, and 125.2691), section 4 as amended by 2002 PA 477 and section 8a as amended by 2006 PA 116.

Substitute (S-1).

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

1. Amend page 2, line 26, after "(4)" by striking out "Through December 31, 2002," and inserting "**BEGINNING DECEMBER 1, 2006 THROUGH DECEMBER 31, 2011,**".

2. Amend page 3, line 1, after "or" by striking out "8a" and inserting "**8A(1) OR (3)**".

3. Amend page 3, line 3, after "board" by inserting "**OF THE MICHIGAN STRATEGIC FUND IF THE DISTINCT GEOGRAPHIC AREA IS LOCATED IN AN ELIGIBLE DISTRESSED AREA AS DEFINED IN SECTION 11 OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, 1966 PA 346, MCL 125.1411, OR IS CONTIGUOUS TO AN ELIGIBLE DISTRESSED AREA, AND IF THE ADDITIONAL DISTINCT GEOGRAPHIC AREA WILL INCREASE CAPITAL INVESTMENT AND JOB CREATION**".

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. 5942

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

The following bill was read a third time:

House Bill No. 5942, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4, 8a, and 11 (MCL 125.2684, 125.2688a, and 125.2691), section 4 as amended by 2002 PA 477 and section 8a as amended by 2006 PA 116.

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. 722**Yeas—37**

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott
Basham	Emerson	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—1**

Garcia

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.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 163

The resolution consent calendar was adopted.

Senator Sanborn offered the following resolution:

Senate Resolution No. 163.

A resolution designating November 10, 2006, as Marine for Life Day in the state of Michigan.

Whereas, Having completed their noble service to this nation and its citizens, hundreds of Marines are discharged from active duty every year and return home to Michigan, where they must adjust to civilian life in communities throughout our state; and

Whereas, The Marine for Life Program in Michigan helps ensure that these returning servicemen and women are greeted with opportunities and support in their communities and communities across Michigan during this important transition; and

Whereas, The dedicated members of the Marine for Life Program have established a network of businesses and mentors in our state to assist these returning heroes as they seek employment, assistance, and acceptance; and

Whereas, The United States Marine Corps was created by a resolution of the Continental Congress on November 10, 1775, beginning its storied history as an unmatched fighting force; and

Whereas, The very word “Marine” conjures up an image of bravery, dedication, and strength; attributes that represent not only those active in the Corps, but also those whose service has come to an honorable end; now, therefore, be it

Resolved by the Senate, That November 10, 2006, be designated as Marine for Life Day in the state of Michigan, so that every citizen of this state may recognize the important work of this program and reflect on the fact that while their active service to our nation may be complete, our nation’s service to these Marines—to reward their bravery and sacrifice—is not; and be it further

Resolved, That a copy of this resolution be transmitted to the Marine for Life Program as a token of our highest esteem.

Senators Barcia, Birkholz, Cassis, Cropsey, Gilbert, Goschka, Hardiman, Kuipers, Prusi, Switalski, Toy and Van Woerkom were named co-sponsors of the resolution.

Senator Hammerstrom offered the following concurrent resolution:

Senate Concurrent Resolution No. 57.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Wednesday, September 20, 2006, it stands adjourned until Thursday, November 9, 2006, at 10:00 a.m. for the Senate and 10:30 a.m. for the House of Representatives.

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

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

The concurrent resolution was adopted.

Senator Hammerstrom offered the following concurrent resolution:

Senate Concurrent Resolution No. 58.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, September 20, 2006, it stands adjourned until Thursday, November 9, 2006, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, September 21, 2006, it stands adjourned until Thursday, November 9, 2006, at 10:30 a.m.

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

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

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 54.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(For text of resolution, see Senate Journal No. 78, p. 2007.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Hammerstrom moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

Senator Hammerstrom moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Hammerstrom's statement is as follows:

I want to thank my colleagues for supporting legislation today on the HPV vaccine. As the good doctor, Senator George from the 20th District, has stated, cervical cancer is a terrible disease, and as Senator Jacobs pointed out, it is a disease that is preventable. This new vaccine has proven to be 100 percent effective in safeguarding women from the two strains of the human papillomavirus that are responsible for 70 percent of cervical cancer cases. It is a major development in preventing cervical cancer.

However, I would be remiss if I did not concur with Senator Cherry's remarks and point out that there are still 30 percent of cancers that are caused by other strains of the human papillomavirus and even immunized women will still need regular screenings until such times medical advantages are also available to attack those strains as well.

Again, I thank my colleagues for their support today. It is a huge step forward for young women in this state.

Senator Scott's statement is as follows:

I would like to first talk about the votes on yesterday. I was at The Council of State Governments conference on obesity in children, and that's why I was absent on yesterday. We had a conference in Memphis in the state of Tennessee. On the Roll Call vote Nos. 687 through 696, I would have voted "yes."

Next I would like to thank my colleague from the 28th District for keeping my insurance alive yesterday. So thank you very much, and I would just like to read from my redlining stories.

From Detroit: "When you know friends and family who live in suburbs get certain insurance rates because of where they live, it should be called a black list not a redline."

Well, I want to thank the chair of insurance, the Senator from the 12th District, for this, stating a formal review of no-fault auto insurance in Michigan with some recommendations. It was a report by the insurance workgroup, September 2006. I haven't had time to go through this; I just received it. I am grateful for this. I hope it's not just a report. I hope that we will do some work on this to make sure that everyone has the same opportunity to have the insurance that deals with the kind of car they drive, their driving record, and the distance that they drive. Then I will think that it is fair. I am hoping we will have these recommendations and things. I am sure that everyone has a copy of it, since I have a copy of it. It is very similar to what I talked about for this task force. So maybe we can take this report and set up this task force so that we can really do something meaningful about insurance, not just a piece of paper to sit on a shelf.

So, again, I thank the chair for putting this group together and finally getting a report. I knew the rates were already high; we already knew that. So let's do something about it very soon.

Senator Brater's statement is as follows:

I rise to call attention to the fact that today is Pay Inequity Day in Michigan, as designated by the Michigan Pay Equity Network. September 20 is the day of the year when on average men in Michigan have already earned what it will take women of Michigan the entire year to earn.

While Michigan women receive relatively high median annual incomes, they make only 60 cents for every dollar made by men in the state, compared to 76 cents for women nationally. That ranks Michigan at a dismal 49th in the United States for women's wage parity with men. The current wage gap adversely affects all working women, but especially single-mother families, young women starting careers and saving for retirement, older women struggling to survive on limited investments, and women of color, who are often discriminated against in both sex and race.

According to the AFL-CIO, gender pay inequities are costing American families an average of \$4,000 every year. The Bureau of Labor Statistics data from 2003 found waitresses were paid an average of \$46 per week less than waiters. That's a loss of almost \$71,000 over a career. Female physicians earned an average of \$679 less per week than male physicians, which is a staggering disparity of \$1 million over a 30-year career. That says it right there—from waitresses to doctors, there is a severe pay equity gap.

Senator Gretchen Whitmer, when she was in the House, she introduced House Bill No. 4609, and I have introduced Senate Bill No. 122, which would rectify this pay inequity here in Michigan. I would encourage my colleagues to support bringing up these bills for hearing.

I encourage the Senate, both men and women, Republicans and Democrats, to support our legislative efforts to create a fair and equitable pay structure in Michigan.

Senator Jacobs' statement is as follows:

First of all, I want to remind my colleagues that Lawrence Tech University is hosting lunch for the Legislature. So I would hope that everyone would get a chance to stop by and see the incredible things going on in my district in Southfield.

Also I just want to say that Friday night marks the beginning of Rosh Hashanah, which is the Jewish New Year, and I just wanted to wish the Jews in Michigan a happy and sweet new year and hope that we would all be inscribed in the Book of Life.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Jacobs, Brater and Switalski introduced

Senate Bill No. 1464, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 682 (MCL 257.682), as amended by 1990 PA 188.

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

Senators Jacobs, Brater and Switalski introduced

Senate Bill No. 1465, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 55 (MCL 257.1855), as amended by 2006 PA 108.

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

Senator Stamas introduced

Senate Bill No. 1466, entitled

A bill to provide for the establishment of local tourism improvement tax increment finance authorities; to prescribe the powers and duties of the authorities; to promote economic development and job creation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Senators Cherry, Emerson and Stamas introduced

Senate Bill No. 1467, entitled

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

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

Senators Thomas, Brater, Prusi, Leland, Whitmer, Cherry, Olshove, Schauer and Emerson introduced

Senate Bill No. 1468, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9d.

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

Senators Olshove, Thomas, Brater, Prusi, Leland, Whitmer, Cherry, Schauer and Emerson introduced

Senate Bill No. 1469, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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

Senators Schauer, Thomas, Brater, Prusi, Leland, Whitmer, Cherry, Olshove and Emerson introduced

Senate Bill No. 1470, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 2004 PA 335.

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

Senators Leland, Thomas, Brater, Prusi, Whitmer, Cherry, Olshove and Emerson introduced

Senate Bill No. 1471, entitled

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

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

Senators Prusi, Thomas, Brater, Leland, Whitmer, Cherry, Olshove, Schauer and Emerson introduced

Senate Bill No. 1472, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9e.

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

Senators Whitmer, Thomas, Brater, Prusi, Leland, Cherry, Olshove, Schauer and Emerson introduced

Senate Bill No. 1473, entitled

A bill to establish the WARM Michigan fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the WARM Michigan credit fund.

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

Senators Cherry, Thomas, Prusi, Leland, Whitmer, Olshove, Schauer and Emerson introduced

Senate Bill No. 1474, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 436.

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

Senators Brater, Thomas, Prusi, Leland, Whitmer, Cherry, Olshove, Schauer and Emerson introduced

Senate Bill No. 1475, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 64a.

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

Senator Patterson introduced

Senate Bill No. 1476, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," (MCL 32.501 to 32.851) by adding sections 183 and 184.

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

Senator Patterson introduced

Senate Bill No. 1477, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 19.

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

Senator Patterson introduced

Senate Bill No. 1478, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

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

Senator Toy introduced

Senate Bill No. 1479, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

Senator Toy introduced

Senate Bill No. 1480, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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

House Bill No. 5389, entitled

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

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6267, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending the title and sections 3 and 37 (MCL 338.2203 and 338.2237), section 3 as amended by 1993 PA 139 and section 37 as amended by 2003 PA 87.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6359, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3801, 3805, 3807, 3809, 3811, 3815, 3817, 3819, 3823, 3827, 3830, 3831, 3835, 3839, 3841, and 3849 (MCL 500.3801, 500.3805, 500.3807, 500.3809, 500.3811, 500.3815, 500.3817, 500.3819, 500.3823, 500.3827, 500.3830, 500.3831, 500.3835, 500.3839, 500.3841, and 500.3849), sections 3801, 3807, 3809, 3811, 3815, and 3819 as amended and section 3830 as added by 2002 PA 304 and sections 3805, 3817, 3823, 3827, 3831, 3835, 3839, 3841, and 3849 as added by 1992 PA 84, and by adding section 3804; and to repeal acts and parts of acts.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6432, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6433, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16^l of chapter XVII (MCL 777.16^l), as amended by 2005 PA 171.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6434, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 1999 PA 170.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6435, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6436, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2004 PA 462.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6455, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 13a, 16a, 17a, 31, 41a, 44a, 46b, 61, 76a, 78a, and 80a (MCL 780.763a, 780.766a, 780.767a, 780.781, 780.791a, 780.794a, 780.796b, 780.811, 780.826a, 780.828a, and 780.830a), sections 13a, 16a, 31, 44a, 61, and 76a as amended and sections 17a, 46b, and 80a as added by 2005 PA 184 and sections 41a and 78a as amended by 2000 PA 503, and by adding sections 2a, 18b, 31a, 45a, 61b, and 77b.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6457, entitled

A bill to require consumer reporting agencies to report certain new credit activity to consumers who have registered with the office of financial and insurance services; and to provide for the powers and duties of certain state officers and entities.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6458, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 4403 (MCL 440.4403), as amended by 1993 PA 130.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6459, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending section 11 (MCL 445.71).

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

Committee Reports

The Committee on Judiciary reported

House Bill No. 6009, entitled

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

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

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

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1241, entitled

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1404, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50c and 81d (MCL 750.50c and 750.81d), section 50c as amended by 2002 PA 672 and section 81d as added by 2002 PA 266.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1405, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2000 PA 279.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Alan L. Cropsey

Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Schauer, Whitmer and Brater

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 Judiciary submitted the following:

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

Present: Senators Cropsey (C), Bishop, Sanborn, Schauer, Whitmer and Brater

Excused: Senator Patterson

Scheduled Meetings

State Drug Treatment Court Advisory Committee - Tuesday, September 26, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Transportation - Tuesday, November 14, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 12:48 p.m.

Pursuant to Senate Concurrent Resolution No. 58, the President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, November 9, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

