

No. 126  
STATE OF MICHIGAN  
**Journal of the Senate**  
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REGULAR SESSION OF 2007

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Senate Chamber, Lansing, Tuesday, December 4, 2007.

10:00 a.m.

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

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

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

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

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

Reverend Alonzo E. Vincent of Mission of Peace Church of Flint offered the following invocation:

O God of Abraham, of Isaac, and Jacob; O God of Ishmael and O God of the Saviour who is yet to come, help us as we begin this session; as we continue in this season of Advent with the expectation of he who is to come who would bring upon his shoulders, as the prophet says, a new government.

At this moment, be with those who gather in this room, who are today's government; be with them and pour out Your Spirit upon them so that they might discern and represent the people of their areas. As they govern, as they come together, and as they look at what it is that You would have them do for us that they might know Your presence; that they might understand and deliberate so that Your people might be lifted up and the good and welfare of their needs might be met. Bless them in their deliberations. Bless them in their coming together; strengthen and guide them.

For we ask this thing in the name of Thy Son Jesus, who is yet to be born yet again. In His name we pray. Amen.

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

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:05 a.m.

10:55 a.m.

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

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

A quorum of the Senate was present.

### Motions and Communications

Senator Cropsey moved that the Committee on Energy Policy and Public Utilities be discharged from further consideration of the following bill:

#### **Senate Bill No. 385, entitled**

A bill to require certain providers of electric service to comply with a portfolio standard for renewable energy; to prescribe the powers and duties of certain state agencies and officials; to create a fund; and to provide for penalties.

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

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

#### **Michigan Technological University Board of Control**

Ms. Lenora D. Ashford of 8016 Third Avenue, Detroit, Michigan 48202, county of Wayne, succeeding Norman A. Rautiola, whose term has expired, representing the general public, for a term commencing October 5, 2007 and expiring December 31, 2014.

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

The following communications were received and read:  
Office of the Senate Democratic Leader

November 13, 2007

Pursuant to Sec. 752 of Public Act 96 of 2007, I hereby appoint Ms. Georgi-Ann Bargamian, Esquire, 715 Heatherway, Ann Arbor, Michigan 48104, to the Legislative Commission on Government Efficiency.

Ms. Bargamian has expertise in administrative law and government operations, with a special background in government labor laws. I am certain that she will be a valuable asset to the commission.

Thank you for your attention to this matter.

December 3, 2007

Pursuant to Public Act 98 of 2007, I hereby appoint Mr. J. Dallas Weingarden Jr., Esquire, 2347 Stonebridge Drive, Building G., Flint, Michigan 48532, to the vacancy on the committee to review statutory mandates. I am certain that he will be a valuable asset to the committee.

Thank you for your attention to this matter.

Sincerely,  
Mark Schauer  
Senate Democratic Leader  
District No. 19

The communications were referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Monday, December 3, and are available at the legislative website:

**Senate Bill Nos. 943 944**  
**House Bill Nos. 5499 5500 5501 5502 5503 5504 5505 5506 5507 5508**

**Messages from the Governor**

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

- Senate Bill No. 436**
- Senate Bill No. 222**
- Senate Bill No. 229**
- Senate Bill No. 232**
- Senate Bill No. 238**
- Senate Bill No. 240**

The motion prevailed.

**Michigan Technological University Board of Control**

Ms. Lenora D. Ashford of 8016 Third Avenue, Detroit, Michigan 48202, county of Wayne, succeeding Norman A. Rautiola, whose term has expired, representing the general public, for a term commencing October 5, 2007 and expiring December 31, 2014.

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

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

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

**Roll Call No. 516**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senators Clarke, Stamas, Hardiman and Prusi asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clarke's statement is as follows:

I rise to support the advice and consent of Lenora Ashford to the Michigan Technological University Board of Control. She has been a science and technology educator in the secondary school system for nearly 40 years. She is currently the principal, the leader of Michigan's preeminent magnet high school, Cass Technological High School. Because of her science and technology background, she understands the importance of higher education training in that area in order to prepare our young people for the state's future economy.

For that reason, I do support her appointment strongly and feel she is the best qualified person to serve on that board.

Senator Stamas' statement is as follows:

Colleagues, the Senate Appropriations Subcommittee on Higher Education had an opportunity to interview and have a discussion with Lenora Ashford regarding this appointment. We recommended unanimously her approval. I would note that, as the previous speaker did, her qualifications for this are outstanding. Her unique background of trying to get young people interested in science and technology and the appointment to Michigan Tech, I think, is a great fit. I think she will do an outstanding job.

I would further note that she has a great understanding of research and development and that Howard University can play a critical role in that. That is also a great fit with Michigan Tech. A number of us had a chance to go up there this year and see the work that they are doing in this arena. It might further the argument that research and development is only being done at a few universities, but we have an opportunity in all fifteen universities.

I would strongly recommend your support for this appointment.

Senator Hardiman's statement is as follows:

I rise to support the appointment of Lenora Ashford to the Michigan Technological University Board of Control. As it has been stated already, she is eminently qualified. But as a principal and a former teacher of science at Cass Tech, she sees the young people as they come and she is able to encourage them to proceed and continue their educational career. She has tremendous, tremendous enthusiasm for not only science, but for the young people. This is another asset which will bode well for her giving support at the Michigan Technological Board. And so I rise to strongly support her appointment.

Senator Prusi's statement is as follows:

I rise to join with my colleagues in the higher education committees and subcommittees to enthusiastically endorse the appointment of Lenora Ashford to the Michigan Technological University Board of Control. I think it speaks highly of the bond between the Upper Peninsula and Michigan's largest city that we can have an educator from the city of Detroit, who works so closely with the educators, up on the Keweenaw Peninsula in my district and brings her students all the way north to Houghton every year and works so closely with inspiring them to look at math and science technology and engineering as a career field. I think it's that kind of commitment and that kind of partnership that Michigan should be looking at throughout its higher education community. I believe this is an important step in making that happen. I would ask that my colleagues confirm her appointment.

The following message from the Governor was received on November 30, 2007, and read:

EXECUTIVE ORDER  
No. 2007-45

**Revoking Declaration of Financial Emergency  
for City of Hamtramck**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, Section 15 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1215, authorizes the Governor, based on a report issued by a review team, to determine the existence of a local government financial emergency in a city, village, township, county, an authority established by law, or a public utility owned by a city, village, township, or county;

WHEREAS, on November 15, 2000, Acting Governor and Lieutenant Governor Dick Posthumus determined that a local government financial emergency existed in the City of Hamtramck, Wayne County;

WHEREAS, the Local Emergency Financial Assistance Loan Board created under Section 2 of the Emergency Municipal Loan Act, 1980 PA 243, MCL 143.942, was assigned responsibility for the management of the local government financial emergency in the City of Hamtramck as provided by Section 18 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1218;

WHEREAS, the Local Emergency Financial Assistance Loan Board has recommended that the conditions have been satisfied for revoking the determination of a local government financial emergency in the City of Hamtramck;

WHEREAS, the State Treasurer also has recommended that the declaration of a local government financial emergency in the City of Hamtramck be revoked;

WHEREAS, an audited financial report submitted to the Department of Treasury by the City of Hamtramck reports a general fund surplus for the fiscal year ending June 30, 2006;

WHEREAS, the City of Hamtramck reports that it has completed the fiscal year ending June 30, 2007 without a deficit;

WHEREAS, under Section 25 of the Local Government Fiscal Responsibility Act, 1990 PA 72, MCL 141.1225, the Governor may determine that the conditions for revoking the declaration of a financial emergency have been met after receiving a recommendation from the Local Emergency Financial Assistance Loan Board;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

A. The declaration of a financial emergency in the City of Hamtramck is revoked, as the conditions for revoking the declaration have been met.

B. Copies of this Order shall be transmitted to the City Clerk for the City of Hamtramck and to the members of the Local Emergency Financial Assistance Loan Board.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 30th day of November in the year of our Lord, two thousand and seven.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on November 30, 2007, and read:

EXECUTIVE ORDER  
No. 2007-46

**Michigan Juvenile Accountability  
Block Grant Advisory Board**

**Department of Human Services**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, under Section 1804 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee-4, a state receiving federal juvenile accountability block grants is required to establish an advisory board to recommend a coordinated enforcement plan for the use of the funds;

WHEREAS, formal establishment of an advisory board for juvenile accountability block grants is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

WHEREAS, effective use of juvenile accountability block grants will strengthen the juvenile justice system in Michigan;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

A. "Board" means the Michigan Juvenile Accountability Block Grant Advisory Board created within the Department of Human Services by this Order.

B. "Department of Human Services" or "Department" means the principal department of state government created as the Department of Social Services under Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550, renamed the Family Independence Agency under 1995 PA 223, MCL 400.1, and renamed the Department of Human Services under Executive Order 2004-38, MCL 400.226.

#### **II. CREATION OF MICHIGAN JUVENILE ACCOUNTABILITY BLOCK GRANT ADVISORY BOARD**

A. The Michigan Juvenile Accountability Block Grant Advisory Board is established as an advisory body within the Department of Human Services.

B. The Advisory Board shall include the following 9 members:

1. The Director of the Department of Human Services, or his or her designee from within the Department.
2. The Director of the Department of Corrections, or his or her designee from within the Department.
3. The Director of the Department of State Police, or his or her designee from within the Department of State Police.
4. The Superintendent of Public Instruction, or his or her designee from within the Department of Education.
5. The following members appointed by the Governor:
  - a. A county sheriff or deputy sheriff.
  - b. A county prosecutor or assistant county prosecutor.
  - c. A judge of the circuit court with active responsibility for cases involving family law and juvenile justice.
  - d. An individual representing nonprofit, nongovernmental victim advocacy organizations.
  - e. An individual representing nonprofit, religious, or community groups.

C. Of the members of the Advisory Board initially appointed by the Governor under Section II.B.5, 2 members shall be appointed for a term expiring on October 31, 2008, 1 member shall be appointed for a term expiring on October 31, 2009, 1 member shall be appointed for a term expiring on December 31, 2010, and 1 member shall be appointed for a term expiring on December 31, 2011. After the initial appointments under this paragraph, members shall be appointed for a term of 4 years.

D. A member of the Advisory Board shall continue to serve until a successor is appointed and qualified. A vacancy on the Advisory Board occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term.

#### **III. CHARGE TO THE ADVISORY BOARD**

A. The Advisory Board shall do all of the following:

1. Recommend and regularly update a state coordinated enforcement plan for the use of funds received under Section 1801 to 1810 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee to 3796ee-10, or any successor law.

2. Ensure that proposed use of funds under the state coordinated enforcement plan are for the purpose of strengthening the juvenile justice program, including any of the following:

- a. Developing, implementing, and administering graduated sanctions for juvenile offenders.
- b. Building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities.
- c. Hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system.
- d. Hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced.
- e. Providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders.
- f. Establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime.
- g. Establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders.
- h. Establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders.
- i. Establishing and maintaining a system of juvenile records designed to promote public safety.
- j. Establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.

k. Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies.

l. Establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders.

m. Establishing and maintaining accountability-based programs that are designed to enhance school safety. The programs may include research-based bullying, cyberbullying, and gang prevention programs.

n. Establishing and maintaining restorative justice programs, as defined under Section 1801 of the federal Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3796ee.

o. Establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism.

p. Hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming.

q. Establishing, improving, and coordinating pre-release and post-release systems and programs to facilitate the successful reentry of juvenile offenders from State or local custody in the community.

3. The Advisory Board shall recommend timelines for the juvenile accountability block grant process administered by the Bureau of Juvenile Justice of the Department.

B. The Advisory Board also shall provide advice and recommendations on other matters relating to strengthening the juvenile justice system in Michigan as requested by the Governor or the Department.

#### **IV. OPERATIONS OF THE ADVISORY BOARD**

A. The Advisory Board shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Advisory Board shall be performed under the direction and supervision of the Director of the Department.

B. The Advisory Board shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Advisory Board serving constitutes a quorum for the transaction of the Advisory Board's business. The Advisory Board shall act by a majority vote of its serving members.

D. The Advisory Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Advisory Board.

E. The Advisory Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Advisory Board may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

F. Members of the Advisory Board shall serve without compensation. Members of the Advisory Board may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

G. The Advisory Board may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Advisory Board and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

H. The Advisory Board may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Advisory Board shall refer all legal, legislative, and media contacts to the Department.

#### **V. MISCELLANEOUS**

A. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Advisory Board or to any member or representative of the Advisory Board, any necessary assistance required by the Advisory Board or any member or representative of the Advisory Board, in the performance of the duties of the Advisory Board so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Advisory Board.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

D. This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 30th day of November, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

November 29, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 23 of the Michigan Occupational Health Safety and Health Act, 1974 PA 154, MCL 408.1023:

**Occupational Health Standards Commission**

Mr. Gary R. Novak of 9783 Viewcrest Court, Howell, Michigan 48843, county of Livingston, appointed to represent the management of principal industries in the state, for a term commencing November 29, 2007 and expiring August 5, 2008.

Ms. Margaret Robinson Faville of 1036 Scenic Drive, Muskegon, Michigan 49445, county of Muskegon, reappointed to represent labor, for a term expiring August 5, 2010.

Mr. Satyam R. Talati of 3401 Mill Creek Drive, Lake Orion, Michigan 48360, county of Oakland, reappointed to represent the general public, for a term expiring August 5, 2010.

Sincerely,  
Jennifer M. Granholm  
Governor

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

**Messages from the House**

The following message was received and read:  
Office of the Speaker of the House

December 1, 2007

Senate Majority Leader Mike Bishop  
Michigan State Senate  
Room S-106 Capitol Building  
Lansing, Michigan 48909

Dear Senate Majority Leader Bishop:

I agree to call the House of Representatives into emergency session on December 1, 2007.

Sincerely,  
Andy Dillon  
Speaker of the House

The message was referred to the Secretary for record.

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

**Senate Bill No. 53**

**House Bill No. 4120**

**Senate Bill No. 511**

**House Bill No. 4507**

**Senate Bill No. 388**

The motion prevailed.

Senator Cropsey moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

**Senate Bill No. 845**

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

**Senate Bill No. 845, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 3d (MCL 205.93 and 205.93d), section 3 as amended by 2007 PA 103.

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

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1937 PA 94, entitled "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 of that tax; to prescribe penalties; and to make appropriations," (MCL 205.91 to 205.111) by adding section 3e.

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. 517**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

Senator Cropsey moved that the bill be given immediate effect.

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

The Senate agreed to the title as amended.

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

**Senate Bill No. 593, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending the heading or part 131 and sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111.

Substitute (H-1).

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. 518****Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

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

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Third Reading of Bills**

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

**Senate Bill No. 104****Senate Bill No. 667**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 104, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 319b, 320a, 625, 625c, 625m, 625n, 626, 727, 732a, 904d, and 907 (MCL 257.303, 257.319, 257.319b, 257.320a, 257.625, 257.625c, 257.625m, 257.625n, 257.626, 257.727, 257.732a, 257.904d, and 257.907), sections 303, 319b, and 907 as amended by 2006 PA 298, section 319 as amended by 2004 PA 362, section 320a as amended by 2004 PA 495, section 625 as amended by 2006 PA 564, sections 625c, 625m, and 904d as amended by 2003 PA 61, section 625n as amended by 1998 PA 349, section 626 as amended by 2004 PA 331, section 727 as amended by 2004 PA 62, and section 732a as amended by 2004 PA 52, and by adding section 601d; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

**Roll Call No. 519****Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn

Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 667, entitled**

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 2006 PA 613.

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. 520**

**Yeas—38**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas
Brown	Hardiman	Patterson	Van Woerkom
Cassis	Hunter	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

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

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Clark-Coleman as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**Senate Bill No. 925, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 395 (MCL 18.1395), as amended by 2007 PA 2.

The bill was placed on the order of Third Reading of Bills.

### **Introduction and Referral of Bills**

Senators Patterson, Jelinek, Richardville, Anderson, Olshove, Allen, Basham, Birkholz and Hardiman introduced  
**Senate Bill No. 945, entitled**

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending sections 3 and 7 (MCL 445.63 and 445.67), section 3 as amended by 2006 PA 566, and by adding section 7a.

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

### **Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

Today I rise to recall the words of Brother Ray Charles who said, "The injustice in justice is kicking the weak and protecting the strong." Well, that sounds a lot like the injustice that exists in Michigan's current insurance system. We are continually kicking the weak, requiring them to pay higher and higher rates for a product that is required under law, while basing those rates on where they might live, how they pay their bills, or what they do for a living. Meanwhile, the strong—the insurance companies—continue to accumulate outrageous profits while being protected by laws that require little accountability and many protections.

Let us change our priorities and start protecting the weak and kicking the strong—at least figuratively—when we find them guilty of exploiting those individuals who can least afford it. How many times do I have to remind you: It's simply the right thing to do.

You know, if we would have done something about predatory lending in 2001 when I had some bills, well, we would not be going through what we are going through today. So it's me today and you tomorrow with insurance if we continue to let big business do this to us.

### **Scheduled Meetings**

#### **Appropriations -**

##### **Subcommittee -**

**Capital Outlay -** Wednesday, December 5, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Economic Development and Regulatory Reform -** Wednesday, December 5, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Finance** - Wednesday, December 5, 12:30 p.m., Room 405, Capitol Building (373-1758)

**Legislative Retirement Board of Trustees** - Wednesday, December 5, 3:00 p.m., Room H-252, Capitol Building (373-0575)

**Michigan Capitol Committee** - Thursday, December 6, 9:00 a.m., Room 426, Capitol Building (373-5527)

**Natural Resources and Environmental Affairs** - Wednesday, December 5, 1:30 p.m., Room 110, Farnum Building (373-3447)

**Senior Citizens and Veterans Affairs** - Wednesday, December 5, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 11:25 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, December 5, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

