

**No. 91**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Tuesday, December 5, 2006.

10:00 a.m.

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

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

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

Garcia—present  
George—present  
Gilbert—present  
Goschka—present  
Hammerstrom—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 Lloyd Williams of First Baptist Church of Fowlerville offered the following invocation:

Dear God in Heaven, we thank You for Your grace and Your mercy today. We thank You for a new day of life to live, and we thank You for the measure of strength that You've given us to be here. Lord, we would pray for our leaders. We pray for Governor Granholm and her family. Lord, we pray for the men and women of this Senate. We pray for their lives and their families and their well-being.

Lord, we pray for all of our leaders throughout the state and those who are serving our state and the people. God, bless them. Give them wisdom today as they oversee the protection of the people of this state; Lord, for the laws and the harmony of the people.

Lord, we pray for the most needy of our state. Lord, we pray for those who are in need of shelter. Lord, we pray for those who are in need of jobs; Lord, for the hurting and for those who are sick.

Lord, we pray for help, encouragement, and Lord, for the men and women who are serving in our military. Lord, how we pray for them today. We pray for their families back home, especially at this time of year. Lord, we pray for their protection. Lord, we pray that You would be with especially the family members who are in need of comfort. They've lost a loved one and we pray for them, and we pray for Your strength for them.

Lord, we would ask that You would bless the men and women of this chamber today. Lord, we pray that You would give them wisdom and direction. Lord, we pray that You would bless their hard work. 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 Garcia and Emerson entered the Senate Chamber.

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

**Senate Bill No. 246**

**Senate Bill No. 1242**

The motion prevailed.

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

The motion prevailed.

Senator Hammerstrom moved that the Committee on Health Policy be discharged from further consideration of the following bill:

**House Bill No. 6603, entitled**

A bill to provide for the sharing of certain health care coverage information; to provide for the powers and duties of certain departments and agencies; and to provide penalties and fines.

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 bill be referred to the Committee on Appropriations.

The motion prevailed.

Senator Hammerstrom moved that the Committee on Appropriations be discharged from further consideration of the following bills:

**House Bill No. 5300, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 44h.

**House Bill No. 5301, entitled**

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 4 (MCL 390.1184).

**House Bill No. 5302, entitled**

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending section 3 (MCL 390.1283), as amended by 2004 PA 180.

**House Bill No. 5303, entitled**

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 4 (MCL 390.974), as amended by 1986 PA 270.

**House Bill No. 5304, entitled**

A bill to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 4 (MCL 390.1324).

**House Bill No. 5305, entitled**

A bill to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 4 (MCL 390.1374), as amended by 1990 PA 47.

**House Bill No. 5306, entitled**

A bill to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 4 (MCL 390.1404).

**House Bill No. 5307, entitled**

A bill to amend 1966 PA 313, entitled "An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor," by amending section 3 (MCL 390.993), as amended by 1980 PA 503.

**House Bill No. 5308, entitled**

A bill to amend 1978 PA 105, entitled "An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules," by amending section 4 (MCL 390.1274), as amended by 2004 PA 184.

**House Bill No. 5309, entitled**

A bill to amend 1976 PA 228, entitled "The legislative merit award program act," by amending section 4 (MCL 390.1304), as amended by 2004 PA 182.

**House Bill No. 5310, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 7b (MCL 390.1457b), as added by 2004 PA 595.

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

Senator Hammerstrom moved that the bills be referred to the Committee on Education.

The motion prevailed.

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

**Senate Bill No. 1266**

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

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 30:

**House Bill Nos. 5259 5637 5717 5999 6000 6049 6076 6077 6187 6271 6346 6386 6387 6390  
6394 6576 6577 6580 6587 6626 6636**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, December 1:

**House Bill Nos. 4125 4337 5351 5420 5608 5847 5851 6392 6416 6553 6599 6630**

The Secretary announced that the following official bills were printed on Wednesday, November 29, and are available at the legislative website:

**House Bill Nos. 6658 6659 6660 6661 6662 6663 6664 6665 6666**

The Secretary announced that the following official bills were printed on Thursday, November 30, and are available at the legislative website:

**House Bill Nos. 6667 6668 6669 6670 6671 6672 6673 6674 6675 6681 6693**

The Secretary announced that the following official bills were printed on Friday, December 1, and are available at the legislative website:

**House Bill Nos. 6676 6677 6678 6679 6680 6682 6683 6684 6685 6686 6687 6688 6689 6690  
6691 6692 6694 6695 6696 6697 6698 6699 6700 6701 6702 6703 6704 6705**

The Secretary announced that the following official bills were printed on Monday, December 4, and are available at the legislative website:

**Senate Bill Nos. 1513 1514 1515 1516 1517 1518**

### Messages from the Governor

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

**Senate Bill No. 272  
Senate Bill No. 271  
Senate Bill No. 264  
Senate Bill No. 274  
Senate Bill No. 281  
Senate Bill No. 175  
Senate Bill No. 236  
Senate Bill No. 892  
Senate Bill No. 893  
Senate Bill No. 956  
Senate Bill No. 957  
Senate Bill No. 179  
Senate Bill No. 1026  
Senate Bill No. 1027  
Senate Bill No. 1028  
Senate Bill No. 372  
Senate Bill No. 973  
Senate Bill No. 974  
Senate Bill No. 975  
Senate Bill No. 976  
Senate Bill No. 242  
Senate Bill No. 297  
Senate Bill No. 1085  
Senate Bill No. 1086  
Senate Bill No. 1094  
Senate Bill No. 50**

The motion prevailed.

The following messages from the Governor were received and read:

November 30, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 301, 302 and 1802 of the Occupational Code, 1980 PA 299, MCL 339.301, 339.302 and 339.1802:

**Board of Examiners in Mortuary Science**

Ms. Christine S. Daggett of 13985 Northland Drive, Big Rapids, Michigan 49307, county of Mecosta, succeeding Harold Doll, whose term has expired, representing professionals, for a term commencing November 30, 2006 and expiring June 30, 2010.

Mr. Daniel P. Dwyer of 30895 Huron River Drive, Flat Rock, Michigan 48134, county of Wayne, succeeding Martin Hollebeek, whose term has expired, representing professionals, for a term commencing November 30, 2006 and expiring June 30, 2010.

December 4, 2006

I respectfully submit to the Senate, pursuant to Section 6 Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 9 of the Michigan Exposition and Fairgrounds Authority Act, 1978 PA 361, MCL 285.169:

**State Exposition and Fairgrounds Authority Board**

Mr. Thomas G. Coon, Ph.D., a Democrat, of 1222 Wild Cherry Drive, Williamston, Michigan 48895, county of Ingham, reappointed to represent agricultural interests, for a term expiring February 28, 2009.

Mr. Mark T. Gaffney, a Democrat, of 4721 Orchard Avenue, Dearborn, Michigan 48126, county of Wayne, reappointed to represent organized labor, for a term expiring February 28, 2009.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

November 30, 2006

Due to errors in the December 27, 2005 filed with your office pursuant to Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657, please be advised of the following bold corrections:

**Michigan Corn Marketing Program Committee**

Mr. Mark J. Kies of 5551 Thompson Road, Allen, Michigan 49227, county of Hillsdale, succeeding Richard Godfrey, whose term has expired, representing District 3 growers, for a term commencing December 22, 2005 and expiring March 5, 2008.

Mr. Carl A. Barth of 57096 Cowling Road, Three Rivers, Michigan 49093, county of St. Joseph, succeeding Daniel Klein, whose term has expired, representing District 2 growers, for a term commencing December 22, 2005 and expiring March 5, 2008.

Mr. Kenneth J. Wadsworth of 2191 North Sandusky Road, Sandusky, Michigan 48471, county of Sanilac, **succeeding Steven D. Error, whose term has expired, representing District 7 growers, for a term expiring March 5, 2008.**

Sincerely,  
Jennifer M. Granholm  
Governor

The message was referred to the Committee on Government Operations.

Senators Leland and Goschka entered the Senate Chamber.

### Messages from the House

The House of Representatives requested the return of  
**Senate Bill No. 1128, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 15a.

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

The motion prevailed.

**Senate Bill No. 248, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811k, 257.811l, and 257.811n), sections 217d and 811h as amended by 2003 PA 152, section 801 as amended by 2004 PA 427, sections 811d, 811f, and 811g as added by 2000 PA 77, section 811e as amended by 2001 PA 124, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811k as added by 2000 PA 73, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, and 811p; and to repeal acts and parts of acts.

The House of Representatives has substituted (H-8) the bill.

The House of Representatives has passed the bill as substituted (H-8), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 628 and 629 (MCL 257.628 and 257.629), as amended by 2006 PA 85.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 465, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16177 and 20175 (MCL 333.16177 and 333.20175), section 16177 as amended by 1998 PA 332 and section 20175 as amended by 2000 PA 319, and by adding sections 16213 and 20175a.

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.

**Senate Bill No. 468, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2002 PA 437.

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.

**Senate Bill No. 567, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," (MCL 252.301 to 252.325) by adding section 7a.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

**Senate Bill No. 568, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 3, 4, 6, 7, 11, 15, 16, 17, 18, 18a, and 19 (MCL 252.302, 252.303, 252.304, 252.306, 252.307, 252.311, 252.315, 252.316, 252.317, 252.318, 252.318a, and 252.319), sections 2, 3, 4, 6, 7, 15, 17, and 19 as amended and section 11 as added by 1998 PA 533 and section 18a as added by 1998 PA 464, and by adding section 11a; and to repeal acts 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), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1972 PA 106, entitled "An act to provide for the licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials; to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts," by amending sections 2, 3, 4, 6, 7, 9, 11, 12, 15, 16, 17, 18, 18a, and 19 (MCL 252.302, 252.303, 252.304, 252.306, 252.307, 252.309, 252.311, 252.312, 252.315, 252.316, 252.317, 252.318, 252.318a, and 252.319), sections 2, 3, 4, 6, 7, 9, 15, 17, and 19 as amended and section 11 as added by 1998 PA 533 and section 18a as added by 1998 PA 464, and by adding section 11a; and to repeal acts and parts of acts.

Pursuant to rule 3.202, the bill was laid over one day.

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 Allen 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. 4042, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 51 (MCL 28.4251), as amended by 2006 PA 184.

**House Bill No. 5435, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2004 PA 338.

**House Bill No. 5492, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7457 (MCL 333.7457), as added by 1988 PA 139.

**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.

**House Bill No. 5885, entitled**

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending sections 7b, 8, and 8a (MCL 125.37b, 125.38, and 125.38a), sections 7b and 8a as added and section 8 as amended by 2001 PA 265.

**House Bill No. 5886, entitled**

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies," by amending sections 7b, 8, and 9 (MCL 125.327b, 125.328, and 125.329), section 7b as added and sections 8 and 9 as amended by 2001 PA 263.

**House Bill No. 5960, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 78101 (MCL 324.78101), as amended by 2004 PA 587, and by adding section 78117.

**House Bill No. 6318, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

**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.

**House Bill No. 6039, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2511. 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. 647, entitled**

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.

Substitute (S-4).

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

1. Amend page 3, line 16, after "preserve" by inserting "by reasonable means".
2. Amend page 3, line 17, after "statement" by striking out "by reasonable means".

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.

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

**House Bill No. 5022, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 276.

Substitute (S-3).

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

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

**House Bill No. 6118, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 4 and 8 (MCL 207.804 and 207.808), section 4 as amended by 2003 PA 248 and section 8 as amended by 2006 PA 283.

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. 59, 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 419.

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:  
**House Bill No. 5135, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 37a of chapter VII, sections 12, 13, and 20a of chapter VIII, sections 1k, 10, 11, 12, and 13 of chapter IX, section 3 of chapter XI, and sections 13j, 16y, 16z, 21, 51, 52, 53, and 54 of chapter XVII (MCL 767.37a, 768.12, 768.13, 768.20a, 769.1k, 769.10, 769.11, 769.12, 769.13, 771.3, 777.13j, 777.16y, 777.16z, 777.21, 777.51, 777.52, 777.53, and 777.54), section 37a of chapter VII as added by 1994 PA 229, section 20a of chapter VIII as amended by 1983 PA 42, section 1k of chapter IX as added by 2005 PA 316, sections 10, 11, and 12 of chapter IX as amended and sections 51, 52, and 53 of chapter XVII as added by 1998 PA 317, section 13 of chapter IX as amended by 1994 PA 110, section 3 of chapter XI as amended by 2004 PA 330, section 13j of chapter XVII as added by 2002 PA 30, section 16y of chapter XVII as amended by 2006 PA 166, section 16z of chapter XVII as amended by 2006 PA 62, and sections 21 and 54 of chapter XVII as amended by 2000 PA 279; and to repeal acts and parts of acts.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5374, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 2006 PA 103.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5968, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2004 PA 220.

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. 1501, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2001 PA 280, and by adding sections 57s, 57t, 57u, and 57v.

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. 1266, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 11, 13, 15, 27, and 29 (MCL 55.271, 55.273, 55.275, 55.287, and 55.289).

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.

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:

**Senate Bill No. 647**

**Senate Bill No. 59**

**Senate Bill No. 1501**

**Senate Bill No. 1266**

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:

**House Bill No. 5661**

**House Bill No. 5682**

**House Bill No. 5961**

**House Bill No. 6075**

**House Bill No. 6186**

**House Bill No. 6310**

**House Bill No. 5580**

**House Bill No. 5704**

**House Bill No. 4481**

**Senate Bill No. 647**

**Senate Bill No. 59**

**Senate Bill No. 1501**

**Senate Bill No. 1266**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5661, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

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. 759**

**Yeas—36**

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

**Nays—1**

Kuipers

**Excused—0**

**Not Voting—1**

Scott

In The Chair: President

Senator Schauer moved that Senator Scott be temporarily excused from the balance of today's session.  
The motion prevailed.

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:

**House Bill No. 5682, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 98 (MCL 250.1098), as added by 2005 PA 258.

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. 760****Yeas—37**

Allen  
Barcia

Clarke  
Cropsey

Jacobs  
Jelinek

Sanborn  
Schauer

Basham  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry  
Clark-Coleman

Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman

Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Scott

**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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions;”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5961, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 685 (MCL 257.685), as amended by 2006 PA 14.

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. 761**

**Yeas—37**

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

Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman

Jacobs  
Jelinek  
Johnson  
Kuipers  
Leland  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom  
Whitmer

**Nays—0**

**Excused—1**

Scott

**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 registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6075, entitled**

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending section 184 (MCL 259.184), as amended by 1996 PA 370.

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. 762**

**Yeas—36**

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

**Nays—1**

Leland

**Excused—1**

Scott

**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 relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state, by political subdivisions, or by public airport authorities; providing for the incorporation of public airport authorities and providing for the powers, duties, and obligations of public airport authorities; providing for the transfer of airport management to public airport authorities, including the transfer of airport liabilities, employees, and operational jurisdiction; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6186, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1074.

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. 763**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Scott

**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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 6310, entitled**

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1075.

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. 764**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Scott

**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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”.

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 5580, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 24c and 24d (MCL 168.24c and 168.24d).

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5704, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 312 and 646a (MCL 168.312 and 168.646a), section 312 as amended by 2005 PA 71 and section 646a as amended by 2004 PA 295.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

**House Bill No. 4481, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 759a (MCL 168.759a), as amended by 1999 PA 216; 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. 765**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Scott

**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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local



officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 647, entitled**

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.

The question being on the passage of the bill,

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

**Roll Call No. 766**

**Yeas—30**

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

**Nays—7**

Brater	Clarke	Jacobs	Thomas
Clark-Coleman	Emerson	Leland	

**Excused—1**

Scott

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Brater, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 647 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.” The motion prevailed.

Senator Brater’s statement is as follows:

This is a bill that allows statements that police officers make at administrative hearings to remain secret. I have some concerns about this bill because police officers have powers that ordinary citizens do not have in their ability to discharge their firearms, to make arrests, impound vehicles, and a whole array of powers that they can lawfully exercise.

I think it's very important in a free society, with a democratic society such as we operate in that there be adequate accountability and ability of citizens to know what is going on in the police force that is protecting them. I think it's important, when we have a bill of this nature, that we take time to review all of its ramifications. Unfortunately, although this bill has been around in various iterations for some time, it is being taken up and passed rather rapidly in the lame duck session. I think there are some problems with the bill that have not been resolved. Therefore, I can't support it at this time.

Senator Scott entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 59, 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 419.

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. 767**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1501, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57, 57b, 57e, 57f, and 57g (MCL 400.57, 400.57b, 400.57e, 400.57f, and 400.57g), section 57 as added by 1995 PA 223, section 57b as amended by 1999 PA 9, and sections 57e, 57f, and 57g as amended by 2001 PA 280, and by adding sections 57p, 57q, 57r, 57s, and 57t.

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. 768****Yeas—22**

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

**Nays—16**

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

**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

**Protest**

Senator Johnson, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1501.

Senator Johnson's statement is as follows:

Back in the early '60s when my sister's husband, brilliant man that he is and was, decided to rob—armed robbery—a music store, he got caught in the music store, gun in hand, looking for the guitar of his choice. Brilliant, right? Well, it turns out, unbeknownst to my sister, this was the man's second offense. He had already spent five years in prison, so now he was about to spend another five to ten. My sister's pregnant with her second child. She never finished her first year in high school. Okay, so much for the Dickey family.

Anyway, as my sister applied for welfare as a result of not having any income and being pregnant, the state of Illinois did as follows. Now this is called real welfare reform. They visited my dad. He spray painted machines for a living. The poor guy constantly qualified for some sort of assistance but refused to take it. That's probably where the Republicanism comes with me, but in any event, there's dad alone, widowed, and living in his one-and-a-half-room basement apartment on the South Side of Chicago. Clearly, he cannot help her. Had he been able to, had his income been decent enough, he would have been required by the state of Illinois to help support my sister, but he couldn't. So then the state of Illinois knocked on our door. Now Cliff and I are living in Evergreen Park in Illinois in an attic apartment, one room, kind of divided. You could barely move in the john; I mean move around. Cliff was going to law school, and according to Lyndon Johnson, Clifford and I, who were both working at the time, lived under the poverty level, or just at the poverty level because we were at \$3,000 annually. He was at school, I was working, and the mother-in-law took care of our son.

It is quite clear that a number of individuals who end up on welfare have families—same with Medicaid, as a matter of fact—but they have families who could help bail out that individual. Why not do that first? Why not see if there isn't some family member who can help that individual before you kick her off and her children starve?

The following bill was read a third time:

**Senate Bill No. 1266, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 11, 13, 15, and 19 (MCL 55.271, 55.273, 55.275, and 55.279), as amended by 2006 PA 426.

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. 769**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

Senator Hammerstrom moved that the rules be suspended and that the following bill, now on Committee Reports, be immediately referred to the Committee on Government Operations:

**House Bill No. 6456**

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

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

**Senate Resolution No. 165**

The resolution consent calendar was adopted.

Senator George offered the following resolution:

**Senate Resolution No. 165.**

A resolution designating December 4-8, 2006, as Promise Week.

Whereas, The Kalamazoo Promise scholarship program was announced approximately one year ago; and

Whereas, The Kalamazoo Promise provides Kalamazoo Public School graduates with the opportunity to obtain post-secondary education with up to a 100 percent tuition scholarship; and

Whereas, The Michigan Senate joins the Kalamazoo community in recognizing the importance of student success and educational excellence in creating community vitality and economic development for the greater Kalamazoo area and the entire state; and

Whereas, A strong correlation has been documented between educational attainment and a community's quality of life; and

Whereas, The Kalamazoo Promise dramatically intensifies the area's focus on and commitment to education; and

Whereas, The community is grateful to the generous anonymous donors who made the Kalamazoo Promise possible. It also recognizes the responsibility of every member of the community to take ownership of and build on the promise of educational success and community vitality; and

Whereas, The week of December 4-8, 2006, is declared Promise Week to highlight and foster the work of four broad-based community task forces in the areas of student success, educational excellence, community vitality, and economic development; and

Whereas, Community events including a town meeting, a youth and education fair, forums, and local meetings will be held during Promise Week to highlight the community's response to the announcement of the Kalamazoo Promise; to describe the importance and impact of the Promise on the greater Kalamazoo area and its example to communities across the state of Michigan; now, therefore, be it

Resolved by the Senate, That December 4-8, 2006, be designated as Promise Week; and be it further

Resolved, That the Michigan Senate encourages the entire Kalamazoo community to attend Promise Week activities and discover ways to build on the Promise through personal involvement and commitment.

Senators Cassis, Clarke, Goschka, Hardiman, Johnson and Toy were named co-sponsors of the resolution.

By unanimous consent the Senate proceeded to the order of

**Statements**

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

The motion prevailed.

Senator Scott's statement is as follows:

I was absent from the chamber and missed several roll call votes because I was over at the House with a bill that I have there in committee. Had I been present, I would have voted "yes" on Roll Call Nos. 760-765. I would have voted "no" on Roll Call No. 766.

I just wanted to bring to the attention of my colleagues that folks in Detroit are just really sick and tired of these high insurance rates. So now they are out picketing some of our insurance companies. So, you know, we can alleviate all of this if we just start working on these insurance bills.

We have a few more days if we really mean to help those who are in need of being helped for affordable insurance. We can do this. They're not stopping. I see that they are going to once again start doing some picketing this week. So they are out there protesting against these high insurance rates. I would hope that we would take into consideration all people, as I always say, to help them lower their rates.

Thank you, but I guess if that's the only thing they can do is boycott, then that's what we will have to do—whatever means necessary.

**Committee Reports**

The Committee on Appropriations reported

**Senate Bill No. 1081, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; to

provide for expenditures under the supervision of the director of the department of management and budget and the state administrative board; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to prescribe standards and conditions relating to the appropriations; to make appropriations for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 62.**

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

(For text of resolution, see Senate Journal No. 88, p. 2255.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 63.**

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

(For text of resolution, see Senate Journal No. 88, p. 2256.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

**Senate Concurrent Resolution No. 61.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Northwestern College relative to the Northwestern College Oleson Center Renovations.

(For text of resolution, see Senate Journal No. 87, p. 2245.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported  
**Senate Concurrent Resolution No. 59.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Glen Oaks Community College relative to the Glen Oaks Community College Science Addition/Allied Health Renovation project.

(For text of resolution, see Senate Journal No. 87, p. 2243.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson  
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Local, Urban and State Affairs reported

**Senate Bill No. 1266, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 11, 13, 15, 27, and 29 (MCL 55.271, 55.273, 55.275, 55.287, and 55.289).

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.

Laura M. Toy  
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Whitmer

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 Local, Urban and State Affairs submitted the following:

Meeting held on Thursday, November 30, 2006, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Toy (C), Birkholz, Goschka, Basham and Whitmer

The Committee on Technology and Energy reported

**House Bill No. 6456, entitled**

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

With the recommendation that the bill be referred to the Committee on Government Operations.

Bruce Patterson  
Chairperson

To Report Out:

Yeas: Senators Patterson, Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Thomas

Nays: None

The bill was referred to the Committee on Government Operations.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Monday, December 4, 2006, at 2:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Kuipers, Birkholz, Brown, Cassis, Olshove and Thomas

Absent: Senator Leland

## COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, November 29, 2006, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Kuipers, Birkholz, Brown, Cassis, Olshove, Leland and Thomas

## COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, November 30, 2006, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), George, Cropsey, Goschka, Hardiman, Prusi, Clarke and Cherry

**Scheduled Meetings**

**Agriculture, Forestry and Tourism** - Thursday, December 7, 8:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations** - Wednesday, December 6, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Banking and Financial Institutions** - Thursday, December 7, 12:00 noon, Room 100, Farnum Building (373-2417)

**Commerce and Labor** - Wednesday, December 6, 1:00 p.m., Room 210, Farnum Building and Thursday, December 7, 8:30 a.m., Room 100, Farnum Building (373-2413)

**Conference Committee -**

**County Boards and Commissions Membership (HB 4315)** - Wednesday, December 6, 3:30 p.m. or later after committees are given leave by the House to meet, Room 424, Capitol Building (373-8538)

**Economic Development, Small Business and Regulatory Reform** - Wednesday, December 6, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Finance** - Wednesday, December 6, 12:00 noon, Room 110, Farnum Building (373-1758) (CANCELED)

**Government Operations** - Wednesday, December 6, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797)

**Health Policy** - Wednesday, December 6, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

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

**Michigan Law Revision Commission** - Monday, December 18, 1:00 p.m., Room 426, Capitol Building (373-0212)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 11:57 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, December 6, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate