

No. 96
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Thursday, December 14, 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

Senator Thomas M. George of the 20th District offered the following invocation:

Heavenly Father, as we reflect on our four-year sojourn here, let us be thankful. Let us be thankful for the bountiful land You have entrusted to us. Let us be thankful for the opportunity to participate in the governance of this state, and let us be grateful for the time You have given us together.

Now, as we look ahead to the future with anticipation for the challenges it holds, we ask for Your continued guidance in our work and deliberations. We ask Your blessings on our colleagues who are completing their time of service. We thank You for sending them among us and humbly ask that You continue to light their paths. Amen.

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

Motions and Communications

Senators Leland, Sanborn, Sikkema, Switalski, Johnson and Jacobs entered the Senate Chamber.

Senator Schauer moved that Senator Barcia be temporarily excused from today's session.
The motion prevailed.

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 the Committee on Government Operations be discharged from further consideration of the following bills:

House Bill No. 4918, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending section 7 (MCL 15.217).

House Bill No. 4919, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 3 and 6 (MCL 15.213 and 15.216).

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

House Bill No. 4918

House Bill No. 4919

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

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

House Bill No. 5078

House Bill No. 5259

House Bill No. 5637

House Bill No. 6638

House Bill No. 6639

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

The following communication was received:
Office of the Auditor General

December 12, 2006

Enclosed is a copy of the following audit report:
Performance audit of the Customer Contact Process, Department of Treasury.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Wednesday, December 13, and are available at the legislative website:

Senate Bill Nos. 1520 1521

By unanimous consent the Senate proceeded to the order of
Messages from the House

Senator Thomas entered the Senate Chamber.

Senate Bill No. 640, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide for certain tax deductions and tax credits; to prescribe the requirements of and restrictions on individual or family development accounts; to provide for the promulgation of rules; and to provide penalties and remedies.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and ordered that it be given immediate effect.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 900

Yeas—36

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

Nays—0

Excused—1

Not Voting—1

Garcia

In The Chair: President

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

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

Senators Garcia and Barcia entered the Senate Chamber.

Senate Bill No. 840, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8501, 8502, 8503, 8505, 8506, 8507, 8509, 8510, and 8514 (MCL 324.8501, 324.8502, 324.8503, 324.8505, 324.8506, 324.8507, 324.8509, 324.8510, and 324.8514), section 8501 as amended by 1998 PA 276 and sections 8502, 8503, 8505, 8506, 8507, 8509, 8510, and 8514 as added by 1995 PA 60, and by adding sections 8501a, 8519, 8520, 8521, and 8522.

The House of Representatives has amended the bill as follows:

1. Amend page 20, line 5, by striking out all of enacting section 1.

The House of Representatives has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 901

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 full title.

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

Senate Bill No. 868, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78 and 78m (MCL 211.78 and 211.78m), section 78 as added by 1999 PA 123 and section 78m as amended by 2003 PA 263.

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 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 78m (MCL 211.78m), as amended by 2003 PA 263.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 902

Yeas—35

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

Nays—0

Excused—0

Not Voting—3

Basham	George	Hammerstrom
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In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

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

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

The motion prevailed.

Senator Toy's statement is as follows:

Members, on the floor with me today, I have some very special people, part of my extended family—my staff. I would like to present them with some Christmas coal—no. I'd like to present them with some nice little parting gifts. These young people, some of them are older than I am, have worked very, very hard to make me look good, to make the Senate look good, and to make the state of Michigan look good. They have done a superb job.

Jessica is finally getting married, so she doesn't need a boyfriend. Becky, we are not sure if she has a boyfriend, but we are not sure. Then Suzanne is married, so don't try to grab up Suzanne. Then Garrett also needs a girlfriend and Heather needs a boyfriend. That is my staff. We have had a lot of great fun and a lot of great laughs. I would like to present them with a few tokens of my appreciation—if you would just approach the microphone.

They wanted to sing, but I told them it was not allowed on the Senate floor.

Senate Bill No. 924, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74117 and 81116 (MCL 324.74117 and 324.81116), section 74117 as amended by 2003 PA 170 and section 81116 as amended by 2003 PA 111.

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. 927, entitled

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending the title and section 2 (MCL 429.112).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 928, entitled

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending section 3 (MCL 429.113).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 1104, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2534 (MCL 600.2534), as amended by 1996 PA 378.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 903

Yeas—36

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

Nays—0

Excused—0

Not Voting—2

Basham	George
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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.

Senator Hammerstrom moved that Senator George be temporarily excused from the balance of today’s session.
The motion prevailed.

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

Senate Bill No. 1110, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 2a of chapter XI (MCL 771.2a), as amended by 2005 PA 126.

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.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 904

Yeas—36

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott

Birkholz	Emerson	Kuipers	Sikkema
Bishop	Garcia	Leland	Stamas
Brater	Gilbert	McManus	Switalski
Brown	Goschka	Olshove	Thomas
Cassis	Hammerstrom	Patterson	Toy
Cherry	Hardiman	Prusi	Van Woerkom
Clark-Coleman	Jacobs	Sanborn	Whitmer

Nays—0

Excused—2

Basham George

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.

Senator Basham entered the Senate Chamber.

Senate Bill No. 1125, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 2, 3, and 5 (MCL 445.902, 445.903, and 445.905), section 2 as amended by 1984 PA 91 and section 3 as amended by 2004 PA 462.

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. 1241, entitled

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

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.

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

The motion prevailed.

Senator Leland's statement is as follows:

Mr. President and members, I am honored today to give one of my employees who is retiring, Karen Parry, a Special Tribute from my office.

Now I would like the members to bear with me for a moment because the tribute is rather on the salty side. So as I read it, I am going to have to extract some words and put some of my own words in to wing it, so if I stumble during the reading, you will understand that I can't read it in its entirety as it was prepared.

“LET IT BE KNOWN, That it is with the greatest pleasure that we join in offering praise and tribute to Karen Parry, as she retires, after working 21 years in the State Senate.

Karen started her legislative career as a committee clerk working for Representative Lynn Jondahl. In her time, she also worked for Senator Faust, and after his retirement, Karen moved on to the staff of Representative David Gubow. Then Karen made a jump and began working for me and she has been with me for the last 10 years”—skip, skip, skip.

“Karen's time with me has made her a living legend. Without her loving and guiding hand, I, no doubt, would be in some unfortunate fate by now. Dealing with me in the day-to-day, day in and day out operations would drive a lesser person to absolute madness. Karen, however, has responded with the typical grace and aplomb. I have often called her the glue in the office that holds everything together. Without her nothing could be accomplished.

Her service has been exemplary and she will be greatly missed. The constituents of the 5th District, in particular, will surely miss her. They will miss the care and the dedication that she gave all of them when they call the office. Karen has always had the part of doing her best to help those who called or wrote to my office for help. Although this work is not really easy and often frustrating, she did a great job. Whether it was getting the gas on, the electricity on, the phone bill reconnected, the cable reconnected, or food stamps, she always had a listening ear and a great heart. She is a terrific, terrific social worker. Of course, she studied from the master.

IN SPECIAL TRIBUTE Therefore, This document is signed and dedicated to honor and commend Karen upon the occasion of her retirement after 21 years of distinguished service work for the state of Michigan.

May she know of our admiration and warmest wishes for her happiness and health in the years ahead.”

Senator George entered the Senate Chamber.

Senate Bill No. 1257, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 716 (MCL 257.716), as amended by 1998 PA 427.

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 not concurred in, 2/3 of the members serving not voting therefor.

Senator Hammerstrom moved that the bill be given immediate effect,

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

The Senate agreed to the full title.

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

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 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. 1269, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 4404 (MCL 500.4404), as amended by 1995 PA 210.

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. 1393, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as amended by 2004 PA 445.

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. 1398, entitled

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

The House of Representatives has amended the bill as follows:

- 1. Amend page 3, line 10, after "**124.503.**" by striking out the balance of the subsection.

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 905

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 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. 1399, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226a (MCL 257.226a), as amended by 2002 PA 642.

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. 1404, entitled

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

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. 1405, entitled

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

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. 1408, entitled

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

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 1409, entitled

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

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain

expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 78i, 78k, and 131e (MCL 211.78i, 211.78k, and 211.131e), as amended by 2003 PA 263; and to repeal acts and parts of acts.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 906

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 question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

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

Senate Bill No. 1412, entitled

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

The 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. 1418, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901 and 16909 (MCL 324.16901 and 324.16909), as amended by 2002 PA 496.

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. 1419, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 16902 (MCL 324.16902), as amended by 2002 PA 496.

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. 1420, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 16903 (MCL 324.16903), as amended by 2002 PA 496.

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. 1421, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 16903b (MCL 324.16903b), as added by 2002 PA 496.

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. 1422, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 16908 (MCL 324.16908), as amended by 2002 PA 496.

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. 1423, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 16911.

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. 1424, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2005 PA 179.

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. 1481, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30104, 30105, and 30107 (MCL 324.30104, 324.30105, and 324.30107), sections 30104 and 30105 as amended by 2006 PA 275 and section 30107 as added by 1995 PA 59.

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. 1495, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 2006 PA 316.

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. 1508, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41), as amended by 1998 PA 513.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

House Bill No. 4357, entitled

A bill to amend 2004 PA 438, entitled "An act to designate Police Officers Memorial Day in the state of Michigan," by amending the title and sections 1 and 2 (MCL 435.351 and 435.352).

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

1. Amend page 1, line 3, after "designate" by striking out "**SEPTEMBER 11**" and inserting "**MAY 4**".

The House of Representatives has concurred in the Senate substitute (S-1) as amended.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 907**Yeas—37**

Allen
Barcia

Clarke
Cropsey

Jacobs
Jelinek

Schauer
Scott

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

Nays—0

Excused—0

Not Voting—1

Johnson

In The Chair: President

Senate Bill No. 95, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1284 (MCL 380.1284), as amended by 1997 PA 53.

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. 908

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 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. 162, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 521a.

(For text of amendment, see Senate Journal No. 95, p. 2555.)

The question being on concurring in the amendment made to the bill by the House,
 The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 909

Yeas—36

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

Nays—0

Excused—0

Not Voting—2

Gilbert Schauer

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.

Senate Bill No. 405, entitled

A bill to amend 1980 PA 497, entitled “Construction lien act,” by amending sections 110, 115, 202, 203, 204, and 206 (MCL 570.1110, 570.1115, 570.1202, 570.1203, 570.1204, and 570.1206), section 110 as amended by 2001 PA 151, sections 115 and 203 as amended by 1982 PA 17, and sections 202 and 206 as amended by 1981 PA 191.

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. 910**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 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.

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 Kuipers 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. 5717, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 59 and 78n (MCL 211.59 and 211.78n), section 59 as amended by 2001 PA 97 and section 78n as added by 1999 PA 123.

House Bill No. 5257, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 78 (MCL 41.78), as amended by 1989 PA 77.

House Bill No. 5923, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 754 (MCL 330.1754), as amended by 1995 PA 290.

House Bill No. 5927, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 104 (MCL 330.1104), as amended by 1986 PA 287.

House Bill No. 5966, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as amended by 2002 PA 700.

House Bill No. 6668, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 4101, 4105, and 4110 (MCL 324.4101, 324.4105, and 324.4110), section 4105 as amended by 2004 PA 325, and by adding sections 4112 and 4113.

House Bill No. 5608, entitled

A bill entering into the interstate insurance product regulation compact; and for related purposes.

House Bill No. 5078, entitled

A bill to amend 1911 PA 149, entitled "An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms "public corporations," "state agencies" and "private property" as used herein," by amending section 3 (MCL 213.23), as amended by 2006 PA 368.

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 amendment, the following bill:

House Bill No. 6478, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; and to repeal acts and parts of acts.

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

1. Amend page 5, line 13, after "**THAN**" by striking out "**180**" and inserting "**270**".
2. Amend page 6, line 3, after "**PROGRAM**" by inserting "**OR DEPARTMENT OF COMMUNITY HEALTH DESIGNATED SINGLE POINT OF ENTRY AGENCIES, OR BOTH,**".
3. Amend page 6, line 5, after "**WITH**" by inserting "**THE DEPARTMENT OF HUMAN SERVICES AND**".
4. Amend page 6, line 19, after "**HEALTH**" by inserting a comma and "**IN CONSULTATION WITH THE DEPARTMENT OF HUMAN SERVICES AND THE OFFICE OF FINANCIAL SERVICES,**".

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 6209, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

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. 6599, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 1, 2, 3, 4, 5, and 8 (MCL 445.401, 445.402, 445.403, 445.404, 445.405, and 445.408), sections 1 and 3 as amended by 2006 PA 294; and to repeal acts and parts of acts.

Substitute (S-3).

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

1. Amend page 6, line 5, after "mills" by striking out the balance of the subdivision and inserting a comma and "**FOUNDRIES, AND OTHER SCRAP PROCESSORS.**".

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. 6630, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2004 PA 457.

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 amendment, the following bill:

House Bill No. 6681, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 13a.

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

1. Amend page 1, line 1, after "**TOWNSHIP**" by inserting "**IN A COUNTY WITH A POPULATION OF MORE THAN 1,000,000 BUT LESS THAN 2,000,000**".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 6576, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30104b.

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:

House Bill No. 6577, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending sections 4 and 21 (MCL 325.1004 and 325.1021), section 4 as amended by 2006 PA 37, and by adding section 4a.

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:

House Bill No. 6638, entitled

A bill to amend 1949 PA 208, entitled "An act to authorize cities, villages and townships of this state to designate neighborhood areas for the purpose of planning and carrying out local public improvements for the prevention of blight within such areas; to authorize assistance in carrying out plans for local improvements by the acquisition and disposal of real property in such areas; to provide for the combining of neighborhood improvements that benefit the entire neighborhood into 1 improvement project; to provide for the establishment of local assessment districts coterminous with the neighborhood boundaries; to prescribe the methods of financing the exercise of these powers, and to declare the effect of this act," by amending sections 2 and 4 (MCL 125.942 and 125.944).

Substitute (S-1).

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

1. Amend page 5, line 3, after "**PROPERTY**" by inserting a comma.

2. Amend page 5, line 5, after "**FOR**" by striking out "**PUBLIC USE**" and inserting "**OTHER PUBLIC USES**".

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. 6639, entitled

A bill to amend 1945 PA 344, entitled "An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of

real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act," by amending sections 2, 3, and 5 (MCL 125.72, 125.73, and 125.75), sections 2 and 3 as amended by 1986 PA 320.

Substitute (S-1).

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

1. Amend page 5, line 22, after "**PROPERTY**" by inserting a comma.
2. Amend page 5, line 24, after "**FOR**" by striking out "**PUBLIC USE**" and inserting "**OTHER PUBLIC USES**".

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. 6661, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115h, 115i, 115j, 115k, 115l, and 115m (MCL 400.115f, 400.115g, 400.115h, 400.115i, 400.115j, 400.115k, 400.115l, and 400.115m), sections 115f and 115g as amended by 2004 PA 193, sections 115h and 115k as added by 1994 PA 238, and sections 115i, 115j, 115l, and 115m as amended by 2002 PA 648, and by adding sections 115t and 115u.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 6478

House Bill No. 6209

House Bill No. 5717

House Bill No. 6599

House Bill No. 6630

House Bill No. 5923

House Bill No. 5927

House Bill No. 6681

House Bill No. 5966

House Bill No. 6576

House Bill No. 6577

House Bill No. 6668

House Bill No. 5608

House Bill No. 5257

House Bill No. 5078

House Bill No. 6638

House Bill No. 6639

House Bill No. 6661

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

The following bill was read a third time:

House Bill No. 4125, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2006 PA 380.

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. 911

Yeas—37

Allen
Barcia

Clarke
Cropsey

Jacobs
Jelinek

Schauer
Scott

Basham	Emerson	Johnson	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			

Nays—0

Excused—0

Not Voting—1

Kuipers

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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4536, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34c (MCL 211.34c), as amended by 2006 PA 376.

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. 912

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
Cherry
Clark-Coleman

Hammerstrom
Hardiman
Jacobs

Prusi
Sanborn

Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: President

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

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6030, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 2003 PA 247.

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. 913

Yeas—38

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

Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs

Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6277, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4v (MCL 205.54v), as amended by 2002 PA 452.

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. 914

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6278, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4q (MCL 205.94q), as amended by 2002 PA 456.

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. 915

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 question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6386, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 916**Yeas—33**

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

Nays—5

Johnson	Stamas	Switalski	Whitmer
Patterson			

Excused—0**Not Voting—0**

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6387, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 917**Yeas—30**

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

Nays—8

Basham
Cropsey

Emerson
Johnson

Patterson
Stamas

Switalski
Whitmer

Excused—0**Not Voting—0**

In The Chair: President

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

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

Senate Bill No. 229
House Bill No. 6108
House Bill No. 6187
House Bill No. 6346
House Bill No. 6368
House Bill No. 6478
House Bill No. 6209
House Bill No. 5717
House Bill No. 6599
House Bill No. 6630
House Bill No. 5923
House Bill No. 5927
House Bill No. 6681
House Bill No. 5966
House Bill No. 6576
House Bill No. 6577
House Bill No. 6668
House Bill No. 5608
House Bill No. 5257
House Bill No. 5078
House Bill No. 6638
House Bill No. 6639
House Bill No. 6661

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 229, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 416e.

The question being on the passage of the bill,

Senator Jacobs moved that the previous question be ordered.

The motion did not prevail.

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.

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

The motion prevailed.

Senator Hammerstrom's first statement is as follows:

Just to let the members know, this is one of the bills in the package on mental health parity. I want to talk about why this bill is even before you. You know, years ago people with mental illness were usually treated in institutions and the state paid for it. So when we had employer-paid health care coverage, it was excluded from that health coverage and the state was picking up the cost.

Well, over time science has progressed to the point where we now know and can treat people outside of institutions, and they can still be productive people within their community. But, quite frankly, the insurance industry and the insurance packages have not kept up with the science. We still discriminate. We treat physical health in one manner and we treat mental health with a different set of rules.

Now, I know you have heard me say this before, but I believe that the brain is a part of the body and that all health care should be treated the same. That is why I put forth these bills.

Now, I know there are those who are going to say this is a mandate, and they will refuse to accept the fact that the way we wrote it, it is not a mandate. We were very careful to write it to say if you provided mental health insurance; we did not say if you provided health insurance. We said if you provided mental health insurance as a part of the package, you cannot discriminate. We did not tell them what the package had to say. We allowed them to come up with whatever number of days they wanted to count, whatever the co-pays were. We just said that you had to treat them the same. I thought it was a fair way to address it and let them talk about their health care costs.

You know, I was at a seminar out at Michigan State a few weeks ago and they were talking about the high cost of health care and the ever-increasing cost, which are not going to go down, quite frankly, because we are aging, we are living longer, and we are utilizing the system they talked about. And in spite of that, employers for the most part continue to cover health insurance for their employees. They said the reason they do it is because it is the right thing to do. Well, I contend, ladies and gentlemen, that parity is also the right thing to do.

I want to thank my committee members who listened to over fifteen and a half hours of testimony from real people, read hundreds of pages of written testimony, and went through actuarial reports showing that there is little, if any, increased cost for providing mental health parity. They also read the reports about the offset cost, where businesses would see less absenteeism and they would see more productivity. The business community in this state, however, continues to hold its head in the sand. They do not want this issue. They want us to continue to pay for these people in the state institutions or in the state's system under Medicaid because that is where most of these people wind up. And yet these are the same people who are asking us for a tax break when we need to cover those costs within the state system.

Yesterday, Ohio became the 40th state to pass mental health parity on a vote of 30-1. It is not a matter of if this is going to come, my friends; it's a matter of when it's going to come. I hope that within the next four years you will have the ability to do the right thing and pass some form of mental health parity.

Senator Toy's statement is as follows:

I, too, rise today to share with you that one of my three degrees is in child psychology. So as we go through this life and see the human condition, we are very concerned about our friends, neighbors, and relatives who go through some of these experiences and challenges.

To wait is indeed too late. I have had three constituents in the past four months call me with these types of problems. As I talked to them, two of them committed suicide. We are in a grave situation in our state, as we know it, with the certain economic challenges we all face, and those folks out there are trying to find jobs, trying to keep it together, and trying to keep food on the table. They have even more challenges when they have a situation that is less than perfect.

What we can't see in our heads, we sometimes ignore. When somebody has a cut and it's bleeding, we can bandage it, take care of it, or stitch it up. These folks need a lot of help. They have abilities beyond some of our abilities. Some of them are extremely brilliant and very productive. When we talk about family values, this is indeed a family value that we need to pay attention to and particularly in helping our communities, so that they can be functioning human beings for both their families and our community.

We are responsible for the health, safety, and welfare of all people regardless of their abilities or inabilities. I pray to God that each and every one of us never have to experience the kinds of challenge in their lives that some of my colleagues on this floor, some of those lobbyists out there, and some of the people in the Gallery have experienced.

Please let's get together on this issue. Let's make it happen because to wait is indeed too late.

Senator Johnson's first statement is as follows:

This is one of those issues that your ignorance is so, almost blinding. How the business community can claim that this is going to cost them more is just sheer ignorance or stupidity. Anyone who has a loved one who is afflicted with mental illness understands the cost involved. It is costly, but it is far more costly if that individual is not receiving the necessary care so that individual could lead a productive life. There was a time in this state and in this country when we institutionalized people who sneezed in the wrong direction.

The federal courts and the Supreme Courts' *Griswold* versus whatever back in the late '60s said you shall, all of you states shall deinstitutionalize, get rid of those institutions where you are just housing people, feeding them, bedding them, and ignoring them. They can and will be productive citizens.

There is a woman who serves—she may have retired by now—in one of the automobile industry's executive offices, who suffers from schizophrenia. She sees a physician I am familiar with. She is an extraordinarily productive human being. She went through several years of sheer hell, but she maintained her job. She was able to afford, fortunately for her income, that kind of care most people can't. Most people don't have loved ones who can care for them. Some people are fortunate enough to have that. I happen to have somebody in my family, very near and dear to me, who suffers from a very serious and severe mental illness. It can happen to you. It can strike anyone of you, any one of you any day.

I see a psychiatrist every other week. Why? Because I am dealing with someone with an illness. Believe me, it takes one hell of a lot out of you. How can the business community be so willing to pay for cancer, diabetes, broken limbs, transplants, you name it? But, oh, if something is wrong with your synopses and you are not quite communicating correctly or you are not thinking or you are hearing voices—no help.

When we were going through our family crisis, and it was before we, by the way, had parity, I just learned that; I didn't know that. When my family was in crisis, it took us a matter of five weeks to expend the dollars that were allotted through Blue Cross and Blue Shield through our health care benefits we had at that time. As we continued through the crisis, the dollar amount that we received to help pay for the cost of the physician who was trying to help us through the crisis kept diminishing. Then you are on your own. It costs \$160 per visit right now for me to see my psychiatrist I go to every other week, but we have parity.

You know, I am a pretty sane person, damn it. But how can you ignore what happens to other individuals and how it destroys families and loved ones and ignores their abilities? The individual in my family had one prelim to go and he would have had his doctorate's.

Senator Johnson's second statement is as follows:

Mr. President, I am going to ask you to do me a favor. I am going to ask you to thank the Governor because through her introduction of budgets, the one thing that she has truly acknowledged is those individuals with mental health problems. She is well aware of the crisis that this state faces and how we readily ignore them and talk about everything else but.

Senator Hammerstrom's second statement is as follows:

Mr. President, through you to the members, I made an agreement that we would not take a vote on this because of the fact that we missed our five-day rule. So my challenge was to encourage you to take it up next time, and that's why I do not want this.

I would ask that the previous question not be called again from the Senator.

Senator Cassis' statement is as follows:

As a former school psychologist, I did do an internship almost 27 years ago when mental illness resulted in expensive hospitalization. I worked at York Works and Ypsilanti State Hospital; they no longer exist. They are likely to become the home, interesting enough, of the new Toyota plant in Michigan. With modern medications, tremendous, tremendous progress has been made alone with therapy without the extensive need of hospitalization and it can keep people in their workplace and in their homes.

Certainly, we know the value of the prison diversion system for those who have mental needs but do not have criminal intent. We made some progress. We also know proper treatment will reduce the time that employees who struggle with mental illness will be off the job, saving businesses tens of thousands of dollars, not to mention the dignity of each and every worker.

As the good Senator from the 17th District has worked very hard, put her heart and soul in this, we congratulate her and we will keep this moving forward. For me, as one Senator, it boils down to an issue right now of timing. As our economy improves and we have every, every distinct determination to work with the private sector and public sector to move Michigan's economy forward to see it restored to health, then I think the likelihood of adoption of this measure will occur.

Senator Brater's statement is as follows:

I rise with very mixed feelings at this podium today. I do wish to thank the Senator from the 17th District for bringing this issue before us for all her hard work on the issue. I know she has been a leader since we had been in the House

together on mental health issues. I know that deep in her heart she has worked very hard to move us forward. We have had our differences on mental health issues and one of them has just come up today. This terminology of institutionalization is a complex piece of vocabulary. Some people would choose to refer to the facilities that we use to have in this state for people with mental illness as hospitals. Those who remember, in the 1990s we closed 15 out of 21 hospitals that we had in this state.

Yes, people with mental illness are now in institutions, and those institutions are known as our state prisons. That is where they have gone when we closed the hospitals—into the prisons—and this is truly an uncivilized situation. There are those who with medication can be productive citizens. We need to find ways through mental health parity to pay for them to get their medications and live successfully in the community.

Fortunately, research has not advanced to the point where everyone with mental illness is able to function as a productive citizen. Some people are barely trying to function, trying to maintain housing, and trying to stay out of tangling with law enforcement. Every day there are people who are ending up criminalized because we don't have adequate facilities for people with mental illness in this state.

Back in the 1990s, I also had mental health parity legislation and we finally got a hearing for it in the House when David Gubow was chair of the committee. We used to have a mental health committee, you may recall, in the House. One of the people who came to testify were the parents of a person who had committed suicide because they had felt that they had become a burden on their family and they decided to kill themselves in order not to incur the expenses on the family for their medical treatment.

This is truly a life and death matter. It is truly something we can't afford not to do. I wish it had come up sooner in this session so that it could have gone to the House and we could have had a vote on this matter. I truly do pledge to you, to the good chair of the Health Policy Committee, that I will continue to work. I know many of my colleagues will continue to work til we do bring this issue to a true vote and to some progress.

The following bill was read a third time:

House Bill No. 6108, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788).

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. 918

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

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 establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6187, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 233 (MCL 257.233), as amended by 2005 PA 317.

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. 919

Yeas—36

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

Nays—0

Excused—0

Not Voting—2

Hammerstrom

Johnson

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.

Senator Hammerstrom moved that Senator Johnson be temporarily excused from the balance of today’s session. The motion prevailed.

The following bill was read a third time:

House Bill No. 6346, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 811 (MCL 257.811), as amended by 2004 PA 71.

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. 920

Yeas—37

Allen	Clarke	Jacobs	Schauer
Barcia	Cropsey	Jelinek	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			

Nays—0

Excused—1

Johnson

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. 6368, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 667a (MCL 257.667a), as amended by 2002 PA 534.

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. 921

Yeas—36

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0

Excused—1

Johnson

Not Voting—1

Emerson

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.

Senator Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 6478, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; 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. 922

Yeas—37

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	Hardiman	Prusi	Van Woerkom
Cherry	Jacobs	Sanborn	Whitmer
Clark-Coleman			

Nays—0

Excused—0

Not Voting—1

Hammerstrom

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6209, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

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. 923

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Garcia

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5717, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 59 and 78n (MCL 211.59 and 211.78n), section 59 as amended by 2001 PA 97 and section 78n as added by 1999 PA 123.

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. 924**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The President pro tempore, Senator Birkholz, assumed the Chair.

The following bill was read a third time:

House Bill No. 6599, entitled

A bill to amend 1917 PA 350, entitled “An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,” by amending sections 1, 2, 3, 4, 5, and 8 (MCL 445.401, 445.402, 445.403, 445.404, 445.405, and 445.408), sections 1 and 3 as amended by 2006 PA 294; 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. 925**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: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6630, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2004 PA 457.

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. 926

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Emerson

In The Chair: Birkholz

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5923, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 754 (MCL 330.1754), as amended by 1995 PA 290.

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. 927

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: Birkholz

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain

agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:26 p.m.

1:38 p.m.

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

The following bill was read a third time:

House Bill No. 5927, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 104 (MCL 330.1104), as amended by 1986 PA 287.

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. 928

Yeas—30

Allen	Cherry	Jacobs	Sanborn
Barcia	Clarke	Kuipers	Scott
Basham	Cropsey	Leland	Sikkema
Birkholz	Emerson	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Goschka	Patterson	Thomas
Brown	Hammerstrom	Prusi	Van Woerkom
Cassis	Hardiman		

Nays—0

Excused—0

Not Voting—8

Clark-Coleman	George	Johnson	Toy
Garcia	Jelinek	Schauer	Whitmer

In The Chair: President

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

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

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

The motion prevailed.

Senator Allen’s statement is as follows:

Mr. President, I appreciate the opportunity to address the body. We have an employee who is moving on, and I have a small token of our appreciation for him. Jeremy Hendges has been with our team for many years. I first had the opportunity to know him as an employee in my former life as a haberdasher. He is someone whom I have seen grow and develop over the last years and has done a phenomenal job.

Unfortunately, he will be leaving our Team Allen and heading over to Cropsey’s office to keep the trains running on time there. So we are very happy for him in his future, but we are sad to see him leaving our office. So I have a small token of our appreciation, a photograph of the Capitol.

We wish him well in his new endeavors.

Senator Hammerstrom moved that Senators Garcia, Toy and Johnson be temporarily excused from the balance of today’s session.

The motion prevailed.

Senator Garcia entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 6681, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” (MCL 42.1 to 42.34) by adding section 13a.

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. 929

Yeas—35

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

Nays—0

Excused—2

Johnson

Toy

Not Voting—1

Emerson

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,”.

The Senate agreed to the full title.

Senators Toy and Johnson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 5966, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2567a (MCL 600.2567a), as amended by 2002 PA 700.

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. 930**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

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading,

evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6576, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30104b; 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. 931

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6577, entitled

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending sections 4 and 21 (MCL 325.1004 and 325.1021), section 4 as amended by 2006 PA 37, and by adding section 4a.

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. 932**Yeas—30**

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

Nays—8

Brater	Clarke	Scott	Van Woerkom
Clark-Coleman	Emerson	Thomas	Whitmer

Excused—0**Not Voting—0**

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to protect the public health; to provide for supervision and control over public water supplies; to prescribe the powers and duties of the department of environmental quality; to provide for the submission of plans and specifications for waterworks systems and the issuance of construction permits therefor; to provide for capacity assessments and source water assessments of public water supplies; to provide for the classification of public water supplies and the examination, certification and regulation of persons operating those systems; to provide for continuous, adequate operation of privately owned, public water supplies; to authorize the promulgation of rules to carry out the intent of the act; to create the water supply fund; to provide for the administration of the water supply fund; and to provide penalties.”

The Senate agreed to the full title.

Protest

Senator Brater, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 6577 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:

Mr. President, these bills allow applicants to pay a larger fee to enable the department to process their permits quicker in order to extend sewer and water into rural areas. As I said during General Orders, I opposed these bills because they are in direct contradiction to the Land Use Council recommendations which recommended creating incentives for redeveloping in areas where infrastructure already exists.

This bill and the following bill do the opposite in encouraging development in rural areas and areas where sewer and water do not yet exist.

The other problem I have with these bills is that they do not move us toward a comprehensive approach to adequate funding for the Department of Environmental Quality. This department is woefully underfunded. We need to take a comprehensive approach to identifying revenues that will adequately fund environmental protection, monitoring, and enforcement in this state.

The following bill was read a third time:

House Bill No. 6668, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 4101, 4105, and 4110 (MCL 324.4101, 324.4105, and 324.4110), section 4105 as amended by 2004 PA 325, and by adding sections 4112 and 4113.

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. 933

Yeas—30

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

Nays—8

Brater	Clarke	Scott	Van Woerkom
Clark-Coleman	Emerson	Thomas	Whitmer

Excused—0

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5608, entitled

A bill entering into the interstate insurance product regulation compact; and for related purposes.

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. 934

Yeas—37

Allen	Clarke	Jelinek	Schauer
Barcia	Cropsey	Johnson	Scott

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

Nays—0

Excused—0

Not Voting—1

Emerson

In The Chair: President

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

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

The following bill was read a third time:

House Bill No. 5257, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 78 (MCL 41.78), as amended by 1989 PA 77.

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. 935

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 5078, entitled

A bill to amend 1911 PA 149, entitled “An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms “public corporations,” “state agencies” and “private property” as used herein,” by amending section 3 (MCL 213.23), as amended by 2006 PA 368.

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. 936**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 6638, entitled

A bill to amend 1949 PA 208, entitled “An act to authorize cities, villages and townships of this state to designate neighborhood areas for the purpose of planning and carrying out local public improvements for the prevention of blight within such areas; to authorize assistance in carrying out plans for local improvements by the acquisition and disposal of real property in such areas; to provide for the combining of neighborhood improvements that benefit the entire neighborhood into 1 improvement project; to provide for the establishment of local assessment districts coterminous with the neighborhood boundaries; to prescribe the methods of financing the exercise of these powers, and to declare the effect of this act,” by amending sections 2 and 4 (MCL 125.942 and 125.944).

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. 937

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 6639, entitled

A bill to amend 1945 PA 344, entitled “An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act,” by amending sections 2, 3, and 5 (MCL 125.72, 125.73, and 125.75), sections 2 and 3 as amended by 1986 PA 320.

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. 938**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: President

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

The President pro tempore, Senator Birkholz, resumed the Chair.

The following bill was read a third time:

House Bill No. 6661, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115h, 115i, 115j, 115k, 115l, and 115m (MCL 400.115f, 400.115g, 400.115h, 400.115i, 400.115j, 400.115k, 400.115l, and 400.115m), sections 115f and 115g as amended by 2004 PA 193, sections 115h and 115k as added by 1994 PA 238, and sections 115i, 115j, 115l, and 115m as amended by 2002 PA 648, and by adding sections 115t and 115u.

The question being on the passage of the bill,

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

The motion prevailed.

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

The motion prevailed.

Senator Cropsey's statement is as follows:

I hope people will listen to the other side of this issue. It is not like this is a new issue before this body or before the Legislature. There were four legislative hearings on this, three in the House and one in the Senate. It passed the House of Representatives 106-0. The new Speaker of the House of Representatives, Andy Dillon, voted for it and the current chairman of the House Appropriations, Scott Hummel, voted for it. I think they did so because they realized that there is a very serious need out there and that it hasn't just been the Legislature that has been talking about this issue, but there have been some very august bodies that are saying we better do something and we better do something quick.

What this legislation does is it's basically three things: First, it discusses the funding source and there are four distinct funding sources for which the adoption and medical subsidies come. On your desk today, you each should have received a chart talking about the funding sources. You notice that the Title IV-E funding source has been going up significantly. Total for TANF state funds and medical is now \$209 million. This is money that is currently being spent. You notice on the state portion the miserly portion that the state puts into these children. By the way, I think it might be important for us to say.

On the second point, who is eligible for these funds. The children who are eligible for these adoption funds are those who meet the criteria of special needs to qualify for adoption subsidies under Title IV-E. States have got the discretion of defining special needs for those subsidies when they are only using their own General Fund dollars.

Thirdly, there are several different problems that currently exist in the system. I briefly want to mention seven of them. Before I do that, though, I do want to get to the question of what this is really going to cost. Before we start talking about so much fiscal responsibility, yesterday this Legislature passed the Merit program, of which the next four years that we are here \$70 million is unfunded, and after that four-year period of time, it looks like it is somewhere between \$65-\$70 million per year is unfunded. We also did some retirement things for certain state employees. From what I understand, it is \$7.5 million. Did any body discuss how on earth we were going to come up with the money for that?

Another issue I would like to bring up: The department wanted to do the vaccine that just went through the Legislature in the last few months. Did any body discuss the \$300 or better than \$300 per vaccine on that and where is the money coming from for that? But yet, all of a sudden, we start talking about special needs children—children who are hard to place, children in which they came to our Judiciary Committee yesterday. They came in wheelchairs, and they were children who could not even speak, children who had special operations on their tracheas so that they could continue to breathe; children who had to be diapered, even though they were adolescent and older; children who are among the very, very least of these. Now, all of a sudden, we hear this may cost \$10-\$20 million; this might cost \$30 million. Yesterday or the day before in the Judiciary Committee, testimony was from the department it might cost \$10-\$20 million. Before that, I heard it was from \$6-\$10 million. Is that something that should be discussed? Yes, it is. But remember we are discussing adoption subsidy for the very least of these.

Now, let's look at some of the problems that these parents have. Adoptive parents must apply for the subsidy prior to completion of the adoption process. But, yet, in the four hearings that were held, there were numerous instances where information was known about the physical and emotional problems that were intentionally withheld from parents, or they were deceptively told otherwise, either by the state or the adoption agencies. Secondly, parents were not even told that an adoption subsidy program exists. Third, parents lack assistance or clarity in how to submit proper requests for reimbursement. Fourth—now get this—understand what is happening here—is parents face retaliation from the state department for pursuing adoption subsidies or medical subsidies; for pursuing the rights that they had they were threatened by state employees. Fifth, Child Protective Services began harassing families who refused to accept a denial for subsidy assistance. Sixth, parents appealed subsidy decisions only to find administrative law judges were not prepared or not informed on Title IV-E funding. Seventh, directives by administrative law judges were not even followed then when they were finally done by the department.

The bill before you today seeks to remedy these problems primarily by putting in state statute the federal language and removing the loopholes that are used by our state department to avoid fulfilling the intent of federal Title IV-E funding. It also puts into place the practice of using Deferred Subsidy Agreements—something currently used by most states. I find it interesting that no one from the department even disputed that these problems exist. No one has ever contacted the sponsor's office to say thanks for bringing these problems to their attention or that they wanted to find a solution. Just so everybody understands, the Legislature is not the only place where these problems have been noticed. The Legislative Auditor General of the state of Michigan has consistently reported problems with the Adoption Subsidy Program. This is what the Legislative Auditor General has said, "DHS's internal control over the Adoption Subsidy Program did ensure its compliance with federal laws and regulations regarding activities allowed or unallowed, allowable costs or cost principles, tasks management, and eligibility. Our review disclosed material weaknesses in internal control"—get this—"material noncompliance with federal laws and regulations regarding eligibility. As a result we issued an adverse opinion on compliance with federal laws and regulations for the adoption assistance program."

Internal control that does not ensure compliance with federal laws and regulations could result in sanctions, disallowances, and/or further reductions in adoption assistance awards. Federal expenditures for the adoption assistance programs totaled approximately \$192.8 million for the two-year period ending September 30, 2004. We identified known questionable costs of \$56,109 and known, and likely known questionable costs totaling \$45,753,803. So what you have here, folks, if you are going to question the costs and not the humanity of this, you are just going to question the costs, it is somewhere between saying it's going to cost us \$10-\$20 million or maybe \$30 million—where that number came from, I have no idea—but, yet, we know that our own Auditor General is saying we have serious problems in this program because we could lose up to \$45 million in federal funds.

By the way, this is not news to the department. The department received, January 4, 2005, two years ago a memo from the federal Department of Human Services, the administration for children and families, and at the end of their

letter, the federal department very clearly stated to the state department the administration for child and families services will not seek retroactive payments. Now that's two years ago that they said they will not seek retroactive payments. But if Michigan remains in nonconformance, the state will be subject to a penalty related to the extent of noncompliance—now that has been two years ago.

Additionally, we cannot negate the possibility that Michigan could be sued by families who allege that they should have received adoption assistance payments but did not. So we have been on notice for two years from the federal government that we are not in compliance. The Auditor General has said that there is potentially \$45 million that has not been spent properly that we could lose and the federal government could come back on us.

Now it hasn't only been the federal government and our own Auditor General, but lo and behold, I have Michigan Court Improvement Program Reassessment from August 2005—a year and a half ago. This is what our Supreme Court has said about the Adoption Assistance Program. Throughout the six sites visited during the reassessment, there were complaints about the insufficient subsidies. An informant in one county said that infants under 3 years old, children under 3 years old were not getting subsidies unless they are clearly diagnosed as impaired, so foster parents are delaying adopting those children.

Basically, what the court is saying is because it is not being run right that people are not adopting foster children like it should. An informant in another county said that it is not possible to get increased levels of care subsidies for children with physical or mental health needs. Families considering adopting a special needs child would request an increased level of care subsidy, but it was most often denied. Subsidies were not sufficient for families considering adopting these children, which delayed permanency. While potential adoptive families can appeal a denial of increased level of care subsidies, they could not appeal a denial unless it was put in writing. Therefore, the Department of Human Services delayed putting denials in writing in order to stave off these appeals. Negotiations for subsidies were reported to add considerably to the amount of time required for completion of the adoption. Basically, what the Supreme Court is saying, in DHS, when it comes to adopting the neediest of the needy, foot-dragging is going on. They are taking as long as they can and that it's truly a detriment to the children.

Lastly, as far as the different reports, do people know what is going on around here? Yes, they do. There is a children's rights group that, if it hasn't filed a class action suit, will probably soon be filing a class action suit, and believe you me, \$30 million will seem like a bargain by the time that is all done. But this is how they start out their report. Michigan operates the seventh-largest child welfare system in the United States—seventh-largest in the whole United States—but it is the bottom twelfth state in the percentage of state and local dollars it directs along with federal funds to help these children. We have the seventh-largest system in the whole United States, but yet, we are twelfth from the bottom, as far as actually getting the money to these children.

You know, I have gone through the statistics from the federal government. I've gone through the statistics of our own Legislative Auditor General. We've gone through the report of our state Supreme Court, and we've gone through the report of the Children First—an outside group. We can talk about statistics all we want, but yet, you needed to take a look at the children who were in front of us at the Judiciary Committee. We have a little boy who is in a wheelchair, he is all shriveled up, he can't move his head, and he has a piece of cloth put in his mouth so he won't choke on his saliva. You can look at a little girl who has cerebral palsy and you can take a look there and you can say that this child has extensive needs and why isn't the government who said it would help with these children, in order to place them in families, why is the government denying them care?

Several letters have come and I want to give you a couple of the letters here. This is written by Janelle and Charles Smith, who are from Cheboygan. It is three pages. I am not going to go through the whole thing, but I want to hit some highlights for you. They said they could not come to the hearings for the very reason they still have a rough time in their lives and they are not strong enough to attend.

It has been four years since they lost their adopted son, who was 7 years old at the time. They were forced to relinquish the rights of their son so he could receive services for his mental health, and they said sadly, "We don't even think, even though we relinquished rights to this boy, that he has gotten those mental health services yet. His mental illness is being ignored like it was ignored when he was with us. If the state acknowledges it, then they will have to pay for his treatment. He was homicidal and suicidal in our home and he was a definite threat to us and our little girl, his little sister, who was also adopted. He tried to take her life twice in our home. He has Reactive Attachment Disorder and Fetal Alcohol Effects.

For two months we were living in a crisis situation with our son. We could not get services for him because we did not have a medical subsidy. Every service provider that we took him to turned us down because we had no coverage and no money to pay for therapy, counseling, or mental health treatment. We were left with Community Mental Health in our county and they were absolutely no help to us in any way. We were threatened by staff at Community Mental Health and were treated like abusive parents.

We literally ran our son all over the state of Michigan trying to find services for him and felt we were let down everywhere we went. On February 8, 2002, I remember crying on the phone with someone from the subsidy office in Lansing, begging for help because our son and my whole family were living in a crisis with our son's mental illness. The worker I spoke with finally approved the medical subsidy for us. No one told us how we could use it and then we

were informed that this still doesn't mean we could get services even though the subsidy was approved. Our Community Mental Health office in our county said they still had the last word if we would get services or not, and they turned us down for treatment for our son."

Can you imagine this? Can you actually imagine the trauma that these people have been going through? They took the child to Grand Rapids, they took the child to Mott Hospital, and they took him to Marquette General in the middle of a blizzard. They said, "We finally did receive the medical subsidy," but it was too late and they were never informed on how to use it and it left them with nothing. This forced them to make a decision that no parent should have to make. "We lost our son due to lack of mental health services here in Michigan because we had no medical subsidy." They were told that they had adopted the child from a welfare agency and they were lied to about the child's mental health, the Fetal Alcohol Effects, the heart defect, and the asthma. All this was in the name of getting these children placed and then adopted. They said, "We would still have adopted our children, no question about that," but they would have known the tools they needed to help him if they had been given the truth upfront.

"We were left to find out on our own about our son's mental illness and the past trauma that he had endured." Because the adoption agency lied to them about the children, they could not apply for more adoption subsidy. They got the minimum and that's all they have ever gotten. They had to prove their level of care to the subsidy office. She also said, "I have no idea on how we were to do that." The adoption agency knew about their level of care and they had all the medical records that they had kept prior to the adoption. They had the effects on the fetal alcohol, the chronic asthma. "Our daughter's heart defect that they went and had closed at Mott Children's Hospital six months after the adoption was finalized." This is what happened to the family because they were lied to and the state would not pickup and do its job. They said, "Financially we are crippled. Losing our son and the three years leading up to that, we went completely broke," and they went bankrupt. "We lost our vehicle and almost our home. Thanks to the parents, they helped us save the home." They have their own business and the husband is busy and still trying to catch up on the finances.

Folks, you know, we can leave and we can say we have given \$70 million that we can't find the money for, for children who are of nice affluent families, for children who have all their faculties, but yet, not for the children who can't get out of a wheelchair and walk; for children who can't get out of a wheelchair and go to the bathroom; for children who can't even speak because they had to have tubes put down their voice boxes ruined. We can't find \$5 million, \$10 million, \$20 million, or \$30 million for them? When we are faced with potentially \$45 million in liability because we won't, I would hope that at this time of year that we would say that we are going to take care of the very least of these. The House of Representatives did so unanimously and I would hope that we would have at least 20 votes here to do this.

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

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

The motion prevailed, and the President pro tempore, Senator Birkholz, designated Senator Kuipers as Chairperson.

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

House Bill No. 4918, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending section 7 (MCL 15.217).

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:

House Bill No. 4919, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 1, 3, and 6 (MCL 15.211, 15.213, and 15.216).

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
Messages from the House

Senator Emerson entered the Senate Chamber.

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 make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal years ending September 30, 2006 and September 30, 2007; to provide conditions on those appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

Senator Sikkema moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 939

Yeas—2

Emerson

Leland

Nays—36

Allen
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Excused—0

Not Voting—0

Senate Bill No. 1292, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 3, 7, 10, 11, 15, and 17 of chapter XII (MCL 712.1, 712.3, 712.7, 712.10, 712.11, 712.15, and 712.17), sections 1, 7, 10, 11, 15, and 17 as added by 2000 PA 232 and section 3 as amended by 2002 PA 688, and by adding section 2a to chapter XII; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 9, line 8, after "**DETERMINATIONS**" by striking out the balance of the subsection and inserting "**OF PATERNITY OR MATERNITY AS DESCRIBED IN SECTION 11.**".

2. Amend page 13, following line 5, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2007."

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

The House of Representatives requested the return of

Senate Bill No. 1292, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 3, 7, 10, 11, 15, and 17 of chapter XII (MCL 712.1, 712.3, 712.7, 712.10, 712.11, 712.15, and 712.17), sections 1, 7, 10, 11, 15, and 17 as added by 2000 PA 232 and section 3 as amended by 2002 PA 688, and by adding section 2a to chapter XII; and to repeal acts and parts of acts.

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

Motions and Communications

The following communication was received and read:

Office of the Senate Majority Leader

December 14, 2006

Pursuant to Joint Rule 3(a), I have made the following conferee appointments to the Conference Committee on Senate Bill No. 1081:

Senator Sikkema, Senator Johnson and Senator Prusi

Respectfully yours,
Ken Sikkema
Senate Majority Leader

The communication was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

House Bill No. 6694, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

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

1. Amend page 3, line 11, after "**RETIREEES**" by inserting "**OF A COUNTY, CITY, VILLAGE, OR TOWNSHIP**".

2. Amend page 6, line 4, after "**517(2)**" by inserting "**EXCEPT THAT PETITIONERS SHALL HAVE 60 DAYS AFTER THE PUBLICATION OF THE NOTICE OF INTENT TO FILE A PETITION AND THE REGISTERED ELECTOR REQUIREMENT SHALL BE NOT LESS THAN 5% OR 10,000 REGISTERED ELECTORS, WHICHEVER IS LESS**".

3. Amend page 6, line 16, after "**SUBSECTION (1)**" by inserting "**OR (3)**".

4. Amend page 7, line 13, after "**COSTS**" by inserting "**AND MAY INCLUDE A WELLNESS PROGRAM THAT PROMOTES THE MAINTENANCE OR IMPROVEMENT OF HEALTHY BEHAVIORS**".

5. Amend page 7, line 14, after "**SUBSECTION (1)**" by inserting "**OR (3)**".

6. Amend page 7, line 18, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
7. Amend page 7, line 23, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
8. Amend page 7, line 26, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
9. Amend page 8, line 1, after “**CURRENT**” by inserting “**UNFUNDED**”.
10. Amend page 8, line 5, by striking out all of subsection **(10)** and inserting:
“**(10) A COUNTY, CITY, VILLAGE, OR TOWNSHIP SHALL NOT ISSUE A MUNICIPAL SECURITY UNDER SUBSECTION (1) OR (3) UNLESS THE COUNTY, CITY, VILLAGE, OR TOWNSHIP HAS BEEN ASSIGNED A CREDIT RATING WITHIN THE CATEGORY OF AA OR HIGHER BY AT LEAST 1 NATIONALLY RECOGNIZED RATING AGENCY.**”.
11. Amend page 9, line 1, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
12. Amend page 9, line 3, after the first “**THE**” by inserting “**PROJECTED**”.
13. Amend page 9, line 4, after “**SUBSECTION (1)**” by inserting “**OR (3)**”.
14. Amend page 9, line 5, after “**POINTS**” by striking out the balance of the subsection and inserting a period.
15. Amend page 9, following line 10, by inserting:
“**(12) BEFORE A COUNTY, CITY, VILLAGE, OR TOWNSHIP ISSUES A MUNICIPAL SECURITY UNDER THIS SECTION, THE COUNTY, CITY, VILLAGE, OR TOWNSHIP SHALL OBTAIN THE APPROVAL OF THE DEPARTMENT OF TREASURY. THE DEPARTMENT OF TREASURY SHALL REVIEW THE PROPOSED ISSUANCE OF MUNICIPAL SECURITIES AND IF IT VERIFIES THAT THE COUNTY, CITY, VILLAGE, OR TOWNSHIP MEETS THE REQUIREMENTS OF THIS SECTION, THE DEPARTMENT OF TREASURY SHALL APPROVE THE ISSUANCE OF MUNICIPAL SECURITIES UNDER THIS SECTION.**”.

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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. 4647, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 36e.
Substitute (S-1).

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

1. Amend page 3, line 21, by striking out all of subsection **(5)** and renumbering the remaining subsection.

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

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

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

House Bill No. 4918

House Bill No. 4919

House Bill No. 6694

House Bill No. 4647

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

The following bill was read a third time:

House Bill No. 4918, entitled

A bill to amend 1968 PA 357, entitled “An act to prescribe the powers, duties and functions of the state officers’ compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission,” by amending section 7 (MCL 15.217).

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. 940

Yeas—37

Allen
Barcia

Clarke
Cropsey

Jelinek
Johnson

Schauer
Scott

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

Nays—0

Excused—0

Not Voting—1

Emerson

In The Chair: President

The Senate agreed to the title of the bill.

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

The following bill was read a third time:

House Bill No. 4919, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 1, 3, and 6 (MCL 15.211, 15.213, and 15.216).

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. 941

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Emerson entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 6694, entitled

A bill to amend 2001 PA 34, entitled “Revised municipal finance act,” by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

The question being on the passage of the bill,

Senator Whitmer offered the following amendment:

1. Amend page 7, line 13, after “**TO**” by striking out “**REDUCE**” and inserting “**MANAGE**”.

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

Senator Schauer requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 942**Yeas—18**

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

Nays—20

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

Excused—0**Not Voting—0**

In The Chair: President

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 943**Yeas—16**

Allen	Clarke	Hardiman	Scott
Birkholz	George	Jacobs	Sikkema

Bishop
Cassis

Gilbert
Hammerstrom

Jelinek
McManus

Thomas
Toy

Nays—21

Barcia
Brater
Brown
Cherry
Clark-Coleman
Cropsey

Emerson
Garcia
Goschka
Johnson
Kuipers

Leland
Olshove
Patterson
Prusi
Sanborn

Schauer
Stamas
Switalski
Van Woerkom
Whitmer

Excused—0

Not Voting—1

Basham

In The Chair: President

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

The question being on the motion to reconsider,

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

The motion prevailed.

Protests

Senators Switalski, Stamas and Johnson, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 6694.

Senator Switalski moved that the statement he made during the discussion of the bill be printed as his reason for voting “no.”

The motion prevailed.

Senator Switalski’s statement, in which Senators Stamas and Johnson concurred in, is as follows:

I will be voting against House Bill No. 6694 because I think it encourages risky behavior by locals, allowing them to bond for what are in effect operating expenses.

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

The motion prevailed.

Senator Whitmer’s statement is as follows:

Mr. President, I rise to offer an amendment addressing a concern that has been raised with the bill. The bill currently requires that a local unit of government put in place a plan to reduce health care costs.

Mr. President, I wish it were that simple. Health care costs are rising and that’s no mystery. My concern is that we are essentially providing that a local unit of government reduce the quality of the benefits it currently provides to its employees because that’s the only way to ensure that costs go down.

In light of that issue, I have an amendment that changes the phrase, “reduce health care costs” to “manage health care costs.” I believe that’s the best we can do in the current situation when the costs of health care are rising so rapidly.

I ask for your support.

The following bill was read a third time:

House Bill No. 4647, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 36g.

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. 944

Yeas—23

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

Nays—15

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

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 not concurred in, 2/3 of the members serving not 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 imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,".

The Senate agreed to the full title.

Protest

Senator Thomas, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4647 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting "no."

The motion prevailed.

Senator Thomas' statement is as follows:

Mr. President, I voted "no" on the previous legislation for a very simple reason. Nothing in that bill actually creates an incentive to build new windmills in the state of Michigan. That bill is simply a \$3 million giveaway to existing windmill owners in the state of Michigan.

Now, if this Legislature is happy, well, clearly it is with writing a \$3 million check annually to DTE Energy. You did that. I don't mean to single them out, but they certainly have windmills that are certainly in existence. That bill will not give any incentive to new people to build them. It takes a very long time to manufacture the windmill, get the zoning done, actually purchase the land, work with the local unit of government, and clear the right-of-way—something this Legislature has been interested in.

We have just given away the people's money under the guise of alternative energy and I think that this Legislature has made a mistake.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

House Bill No. 6323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17702, 17703, 17708, 17709, 17745, 17751, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17709, 333.17745, 333.17751, and 333.17763), section 7405 as amended by 2004 PA 536, section 17702 as amended by 1986 PA 304, section 17703 as amended by 1992 PA 281, sections 17708, 17751, and 17763 as amended by 2005 PA 85, and section 17745 as amended by 1997 PA 186, and by adding section 17754.

The House of Representatives has passed the bill.

The bill was read a first and second time by title.

Senator Hammerstrom moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the order of General Orders for consideration today.

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

By unanimous consent the Senate returned to the order of

Conference Reports

Senator Hammerstrom moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

House Bill No. 5453

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

House Bill No. 5453, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52504 (MCL 324.52504), as added by 2004 PA 125.

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

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 5453, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52512.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52504 (MCL 324.52504), as added by 2004 PA 125.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 52504. (1) ~~After the plan is adopted under section 52503, the~~ THE department shall harvest timber from the state forest and other state owned lands owned or controlled by the department in compliance with the plan and any plan updates.

(2) Unless otherwise dedicated by law, proceeds from the sale of timber from the state forest and other state owned lands owned or controlled by the department shall be forwarded to the state treasurer for deposit into the forest development fund established pursuant to section 50507.

(3) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT, TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH JURISDICTION OVER FORESTRY ISSUES, THAT INCLUDES ALL OF THE FOLLOWING:

(A) THE TOTAL NUMBER OF ACRES IN THE STATE FOREST THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT AS HAVING SITE CONDITIONS THAT RESTRAIN TIMBER SALES.

(B) THE SITE CONDITIONS APPLICABLE TO ACREAGE IDENTIFIED UNDER SUBDIVISION (A).

(C) THE TOTAL NUMBER OF ACRES IDENTIFIED UNDER SUBDIVISION (A) IN THE PREVIOUS YEAR'S REPORT THAT ARE NOT IDENTIFIED UNDER SUBDIVISION (A) IN THE CURRENT REPORT AND HAVE BEEN MADE AVAILABLE FOR TIMBER SALE.

(D) THE LOCATIONS WHERE THE ACRES IDENTIFIED UNDER SUBDIVISION (A) AND ACRES AS IDENTIFIED UNDER SUBDIVISION (C) ARE LOCATED.

(E) A STATEMENT OF WHAT THE DEPARTMENT INTENDS TO DO TO REMOVE THE PARTICULAR SITE CONDITIONS IDENTIFIED UNDER SUBDIVISION (B).

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 52504 (MCL 324.52504), as added by 2004 PA 125.

Tom Casperson
 Dave Hildenbrand
 Joel Sheltroun
 Conferees for the House

Gerald Van Woerkom
 Judson Gilbert II
 Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 945

Yeas—29

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

Nays—8

Brater	Jacobs	Schauer	Thomas
Clark-Coleman	Leland	Scott	Whitmer

Excused—0

Not Voting—1

Emerson

In The Chair: President

Protest

Senator Brater, under her constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the first conference report on House Bill No. 5453 and moved that the statement she made during the discussion of the conference report be printed as her reasons for voting "no."

The motion prevailed.

Senator Brater's statement is as follows:

Mr. President, I rise to oppose this conference report, which I did not sign.

Michigan has the most diverse array of forest ecosystems in the contiguous United States outside of the Pacific Northwest because of our unique geography and confluence of boreal forests, northern hardwoods, and white and red pine forests. We need a long-term vision in this state to both maintain our forest base in a sustainable manner and manage our forests for a wide variety of public uses. We must balance the needs of the timber industry with the needs of recreation and the protection of diverse natural resources and wildlife.

The package of forestry bills, of which House Bill No. 5453 is a part, has come a long way and has moved us towards that vision. I do appreciate the changes that were made in this bill on narrowing it down to just reporting. However, the conference report still puts a burden on the DNR to report to the Legislature about using valuable staff time and valuable resources without creating a funding source.

The funding for this responsibility would have to come out of the Forest Development Fund, which is already \$6 million in the hole this year and will face an anticipated \$14 million deficit next year. These deficits could increase if the price of timber drops, so the price of timber or cutting timber will not fund these reporting requirements as some have claimed.

DNR is one of the most stressed departments financially, and we should not be placing additional responsibilities on this department without identifying revenues.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

House Bill No. 6323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17702, 17703, 17708, 17709, 17745, 17751, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17709, 333.17745, 333.17751, and 333.17763), section 7405 as amended by 2004 PA 536, section 17702 as amended by 1986 PA 304, section 17703 as amended by 1992 PA 281, sections 17708, 17751, and 17763 as amended by 2005 PA 85, and section 17745 as amended by 1997 PA 186, and by adding section 17754.

The bill 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. 5204, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

Substitute (S-4).

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. 5637, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

Substitute (S-4).

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 amendments, the following bill:

House Bill No. 6076, entitled

An act to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 4w (MCL 205.54w), as amended by 2004 PA 173.

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

1. Amend page 1, line 9, after "FACILITY" by striking out "BUILT AFTER DECEMBER 31, 1995".
2. Amend page 2, line 25, after "facility" by striking out "built after December 31, 1995".
3. Amend page 3, line 2, after "FACILITY" by striking out the comma and inserting a period and "AN EXEMPTION UNDER THIS SECTION SHALL BE GRANTED UNTIL JANUARY 1, 2008".
4. Amend page 3, line 2, after "FACILITY" by inserting "AND OFFERS HEALTH SERVICES PROVIDED BY THE COUNTY LONG-TERM MEDICAL CARE FACILITY".

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

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

House Bill No. 6077, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4s (MCL 205.94s), as added by 1999 PA 117.

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

1. Amend page 1, line 9, after "FACILITY" by striking out "BUILT AFTER DECEMBER 31, 1995".
2. Amend page 2, line 24, after "facility" by striking out "built after December 31, 1995".
3. Amend page 3, line 1, after "FACILITY" by striking out the comma and inserting a period and "AN EXEMPTION UNDER THIS SECTION SHALL BE GRANTED UNTIL JANUARY 1, 2008".
4. Amend page 3, line 1, after "FACILITY" by inserting "AND OFFERS HEALTH SERVICES PROVIDED BY THE COUNTY LONG-TERM MEDICAL CARE FACILITY".

The Senate agreed to the amendments recommended by the Committee of the Whole, and the bill as amended 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 at the head of the Third Reading of Bills calendar:

House Bill No. 5204

House Bill No. 5637

House Bill No. 6323

House Bill No. 6076

House Bill No. 6077

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

The following bill was read a third time:

House Bill No. 5204, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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. 946

Yeas—34

Allen
Barcia
Basham
Birkholz

Clarke
Cropsey
Garcia
George

Jelinek
Johnson
McManus
Olshove

Scott
Sikkema
Stamas
Switalski

Bishop
Brater
Brown
Cherry
Clark-Coleman

Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs

Patterson
Prusi
Sanborn
Schauer

Thomas
Toy
Van Woerkom
Whitmer

Nays—1

Cassis

Excused—0

Not Voting—3

Emerson

Kuipers

Leland

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5637, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

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. 947

Yeas—30

Allen
Barcia
Birkholz
Bishop
Brown
Cassis
Cherry
Cropsey

Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jelinek
Johnson

Kuipers
Leland
McManus
Olshove
Patterson
Prusi
Sanborn

Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—6

Basham
Brater

Clark-Coleman
Clarke

Jacobs

Scott

Excused—0

Not Voting—2

Emerson

Schauer

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.

Protest

Senator Basham, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5637 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Basham’s statement is as follows:

I am urging my colleagues to vote “no” on this piece of legislation, I’ll certainly be voting “no.”

There is a reason that Michigan has frost laws, and the major issues with this bill is it would allow overweight trucks traveling on some of our most vulnerable roads during March, April, and sometimes May to avoid the frost laws and to tear up our roads—trucks weighing up to 80,000 pounds. We have more axles than any other state, the heaviest weights, and at the most vulnerable time in this state where the moisture is actually coming out of the ground and the roads are not totally frozen or totally thawed—these overweight trucks, especially on inside lanes when they are trying to stop at intersections and when they are on country roads with a gravel base.

I’ve got pictures if my colleagues would like to see them at my desk. I know I can’t use props here, but the pictures are pretty telling. To be able to utilize frost laws and say we have to have them because we are going to have an emergency, the MDOT works well with the industry. This is a cure looking for a problem. There is no problem with the way Michigan’s roads are handled right now other than we need to reduce, not exceed, our weights on our roads. We need to reduce, as far as I am concerned, some of the widths and lengths of some of the vehicles traveling our most vulnerable roads. But this goes the opposite direction. This says you can just ignore the frost laws during the most vulnerable period.

Again, it’s in the name of emergency vehicles. The road commissions, who actually issue the permits, bend over backwards to make sure that their customers can get electricity, propane, or any other service. If there is an issue with trucks wanting to, like where there is a storm, they’re exempt from the frost laws anyway.

So, I mean, again, it looks like the industry would rather not have any laws at all and would rather not have to worry about paying for roads. There are rumors going around here, and there are a lot of reasons that I will vote “no,” but those same folks are wanting us to increase our taxes for diesel trucks to fix roads. Some folks want us to increase gas taxes. What we should be doing is looking at a comprehensive package. I would be willing to work with my colleagues across the aisle on this most serious issue affecting Michigan motorists.

You know, these potholes cost every person who drives a vehicle hundreds and hundreds of dollars every year. There is a reason there are so many people not wanting to but having to drive pick-up trucks in this state, just so they don't lose their vehicle in a pothole.

Anyway, again, Mr. President, I would encourage members to take a serious look at this piece of legislation and vote "no."

The following bill was read a third time:

House Bill No. 6323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17702, 17703, 17708, 17709, 17745, 17751, and 17763 (MCL 333.7405, 333.17702, 333.17703, 333.17708, 333.17709, 333.17745, 333.17751, and 333.17763), section 7405 as amended by 2004 PA 536, section 17702 as amended by 1986 PA 304, section 17703 as amended by 1992 PA 281, sections 17708, 17751, and 17763 as amended by 2005 PA 85, and section 17745 as amended by 1997 PA 186, and by adding section 17754.

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. 948

Yeas—37

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

Nays—0

Excused—0

Not Voting—1

Emerson

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

"An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to

provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”.

The Senate agreed to the full title.

Senator Schauer moved that Senator Emerson be excused from the balance of today’s session.
The motion prevailed.

The following bill was read a third time:

House Bill No. 6076, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4w (MCL 205.54w), as amended by 2004 PA 173.

The question being on the passage of the bill,

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

Roll Call No. 949

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6077, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4s (MCL 205.94s), as added by 1999 PA 117.

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. 950

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

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

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 65, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7jj.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in

connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” (MCL 211.1 to 211.157) by adding section 7kk.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 951

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

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

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 make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

The House of Representatives has appointed Reps. DeRoche, Farhat and Brown as conferees to join with Sens. Sikkema, Johnson and Prusi.

The bill was referred to the Conference Committee.

Senate Bill No. 309, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending the title and section 3 (MCL 445.63) and by adding sections 12, 12a, and 12b.

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 pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 952**Yeas—36**

Allen	Clark-Coleman	Jacobs	Sanborn
Barcia	Clarke	Jelinek	Schauer
Basham	Cropsey	Johnson	Scott
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

Nays—0**Excused—1**

Emerson

Not Voting—1

Sikkema

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.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

Senate Bill No. 102, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 20d. The House of Representatives has amended the bill as follows:

1. Amend page 1, line 1, after "JANUARY 1," by striking out "2006" and inserting "2007".

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 953

Yeas—37

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

Nays—0

Excused—1

Emerson

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.

Senate Bill No. 454, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174 (MCL 750.174), as amended by 1998 PA 312.

The House of Representatives has passed the bill 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. 455, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 151.

The House of Representatives has passed the bill 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. 466, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 111b (MCL 400.111b), as amended by 2000 PA 187.

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. 583, entitled

A bill to amend 2002 PA 593, entitled "Michigan next energy authority act," by amending section 2 (MCL 207.822). 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.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 954**Yeas—37**

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

Nays—0**Excused—1**

Emerson

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.

Senate Bill No. 584, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8a (MCL 125.2688a), as amended by 2006 PA 116.

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 amended the title to read as follows:

A bill to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials, by amending section 8a (MCL 125.2688a), as amended by 2006 PA 440.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 955

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: President

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

Senate Bill No. 647, entitled

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.
 The House of Representatives has passed the bill and ordered that the bill be given immediate effect.
 The question being on concurring in the committee recommendation to give the bill immediate effect,
 The recommendation was concurred in, 2/3 of the members serving voting therefor.
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 649, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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 amended the title to read as follows:

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 109 (MCL 400.109), as amended by 2006 PA 327.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 956**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: President

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

The President pro tempore, Senator Birkholz, assumed the Chair.

Senate Bill No. 775, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 24, 26, 28, 59a, and 79 (MCL 38.1024, 38.1026, 38.1028, 38.1059a, and 38.1079), section 24 as amended by 1987 PA 58, sections 26 and 59a as amended by 2002 PA 97, section 28 as amended by 1981 PA 123, and section 79 as amended by 1998 PA 501.

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. 803, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 8 (MCL 211.8), as amended by 2002 PA 620.

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. 891, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending the title and sections 1, 3, 13, and 28 (MCL 205.1, 205.3, 205.13, and 205.28), the title and section 1 as amended by 2002 PA 657, section 3 as amended by 2003 PA 92, section 13 as amended by 1996 PA 479, and section 28 as amended by 2003 PA 114.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect.
The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 926, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 74 (MCL 125.2074), as amended by 1987 PA 278.

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.

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Hammerstrom moved that the rule be suspended.
The motion prevailed, a majority of the members serving voting therefor.

The question being on concurring in the substitute made to the bill by the House,
The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 957**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: Birkholz

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. 1017, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 75, 85, and 91 (MCL 38.1375, 38.1385, and 38.1391), section 75 as amended by 1989 PA 194, section 85 as amended by 2002 PA 94, and section 91 as amended by 2004 PA 117.

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. 1032, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter XI (MCL 771.1), as amended by 2004 PA 219.

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.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator Hammerstrom moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 958**Yeas—37**

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

Nays—0**Excused—1**

Emerson

Not Voting—0

In The Chair: Birkholz

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. 1039, entitled

A bill to amend 2004 PA 175, entitled “Streamlined sales and use tax revenue equalization act,” (MCL 205.171 to 205.191) by adding section 14.

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. 1106, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending sections 2, 3, and 3a (MCL 551.102, 551.103, and 551.103a), section 2 as amended by 1998 PA 333, section 3 as amended by 1984 PA 346, and section 3a as amended by 1989 PA 270.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1148, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2006 PA 440.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 959

Yeas—37

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

Nays—0

Excused—1

Emerson

Not Voting—0

In The Chair: Birkholz

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. 1203, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3240 and 3241a (MCL 600.3240 and 600.3241a), section 3240 as amended by 2004 PA 538 and section 3241a as added by 1986 PA 94.

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.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 960

Yeas—36

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

Nays—1

Clarke

Excused—1

Emerson

Not Voting—0

In The Chair: Birkholz

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. 1254, entitled

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

The 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. 1274, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20906, 20910, and 20919 (MCL 333.20906, 333.20910, and 333.20919), section 20906 as amended by 2004 PA 6, section 20910 as amended by 2004 PA 582, and section 20919 as amended by 2003 PA 233, and by adding section 20911; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

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

“Sec. 17521. (1) The Michigan board of osteopathic medicine and surgery is created in the department and shall consist of the following **9 11** voting members who shall meet the requirements of part 161: **5 7** physicians, 1 physician’s assistant, and 3 public members.

(2) The requirement of section 16135(d) that a board member shall have practiced that profession for 2 years immediately before appointment is waived until September 30, 1980 for members of the board who are licensed in a health profession subfield created by this part. The Michigan board of osteopathic medicine and surgery does not have the powers and duties vested in the task force by sections 17060 to 17084.”.

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

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 17521, 20906, 20910, and 20919 (MCL 333.17521, 333.20906, 333.20910, and 333.20919), section 17521 as amended by 1993 PA 138, section 20906 as amended by 2004 PA 6, section 20910 as amended by 2004 PA 582, and section 20919 as amended by 2003 PA 233, and by adding section 20911; and to repeal acts and parts of acts.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 961

Yeas—37

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

Nays—0

Excused—1

Not Voting—0

In The Chair: Birkholz

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

Senate Bill No. 1327, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1532 (MCL 380.1532), as amended by 1995 PA 289.

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. 1428, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1060 and 1062 (MCL 600.1060 and 600.1062), as added by 2004 PA 224.

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.

Pending the order that, under rule 3.202, the bill be laid over one day,
Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 962

Yeas—36

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

Nays—0

Excused—1

Emerson

Not Voting—1

Barcia

In The Chair: Birkholz

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. 1353, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2681. 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. 1512, entitled

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

The 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.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Hammerstrom moved that the Committee on Senior Citizens and Veterans Affairs be discharged from further consideration of the following bill:

House Bill No. 5337, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 117 (MCL 32.517).

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

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

House Bill No. 5337

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

Recess

Senator Sikkema moved that the Senate recess until 8:30 p.m. The motion prevailed, the time being 5:37 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Cherry.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 8:37 p.m.

8:45 p.m.

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

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.

Senator Hammerstrom moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:

Senate Resolution No. 168

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

Senators McManus and George offered the following resolution:

Senate Resolution No. 168.

A resolution to urge the United States Coast Guard, the Department of Natural Resources, and the Department of History, Arts and Libraries to work together to do all they can to move a sunken tugboat, the *Seneca*, to an underwater preserve.

Whereas, A 94-foot tugboat, the *Seneca*, sank in early December in a storm in southeast Lake Superior. The tug, which had just been serviced and upgraded in Sault Ste. Marie, was being towed toward Duluth when the storm struck. The 67-year-old *Seneca*, which is being cleaned of its fuel and other materials, now sits, partially sunken, approximately 18 miles east of Grand Marais; and

Whereas, While the loss of the tugboat is very regrettable for the company, this situation offers an opportunity to turn the loss into a significant gain for the state's recreational resources. Underwater preserves in Michigan and across the country draw thousands of divers and students and are major attractions. In Michigan waters, these preserves harbor significant historic artifacts that are most useful for educational as well as recreational purposes. Those who manage and enjoy underwater preserves are often searching for older vessels so they can clean them up and sink them in specific locations to enhance the preserves; and

Whereas, The challenge of removing the *Seneca* from its current location, cleaning it up, and sinking it in an underwater preserve will require the cooperation of many entities and will entail costs. The owner of the boat, who is in strong support of this strategy, groups advocating for Michigan maritime history, and diving organizations strongly feel that this situation represents an opportunity for the state. Clearly, the long-term benefits of removing this tug to add to Michigan underwater recreational and historic resources should be pursued; now, therefore, be it

Resolved by the Senate, That we urge the United States Coast Guard, the Department of Natural Resources, and the Department of History, Arts and Libraries to work together to do all they can to move a sunken tugboat, the *Seneca*, to an underwater preserve; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard, Sector Sault; the Department of Natural Resources; the Department of History, Arts and Libraries; and the Great Lakes Shipwreck Historical Society.

The question being on the adoption of the resolution,
The resolution was adopted.

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.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 60.

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 Grand Valley State University relative to the Grand Valley State University Padnos College of Engineering.

(For text of resolution, see Senate Journal No. 87, p. 2244.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

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.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

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.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

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.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 64.

A concurrent resolution to revise the subtotal project costs for the Wayne State University Engineering Development Center project.

(For text of resolution, see Senate Journal No. 92, p. 2371.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

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 Kuipers 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:

House Bill No. 5337, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 117 (MCL 32.517).

The bill 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. 5761, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

Substitute (S-4).

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. 5259, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

Substitute (S-3).

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

1. Amend page 3, line 20, after "farm" by striking out "or the public utility".
2. Amend page 4, line 2, after "commodities" by striking out the balance of the line through "utility" on line 3.
3. Amend page 4, line 12, after "**COMMISSION**" by inserting a comma and "**OR ARE SUBCONTRACTED BY PUBLIC UTILITIES UNDER THE JURISDICTION OF THE MICHIGAN PUBLIC SERVICE COMMISSION TO PERFORM ELECTRICAL EMERGENCY PUBLIC UTILITY WORK,**".
4. Amend page 4, line 15, after "*(i)*" by inserting "**IF REQUIRED BY THE COUNTY ROAD COMMISSION,**".
5. Amend page 4, line 17, after "**AND**" by striking out the balance of the line through "**WORK.**" on line 18 and inserting "**PROVIDE A STATEMENT THAT THE VEHICLES THAT WERE USED TO PERFORM THE EMERGENCY UTILITY WORK MAY HAVE EXCEEDED THE LOADING MAXIMUMS AND GROSS VEHICLE WEIGHT REQUIREMENTS OF SUBSECTION (12) UNDER SUBSECTION (8).**".
6. Amend page 4, line 23, by striking out all of subparagraph *(iii)*.
7. Amend page 5, line 2, after "*(i)*" by inserting "**IF THE COUNTY ROAD COMMISSION REQUIRES,**".
8. Amend page 5, line 2, after "**UTILITY**" by striking out "**APPLIES**" and inserting "**SHALL APPLY**".
9. Amend page 5, line 6, after "**EACH**" by inserting "**VEHICLE OR**".
10. Amend page 5, line 8, after "**FEE**" by inserting "**FOR A PERMIT**".
11. Amend page 5, line 9, after "**INCURRED**" by inserting "**FOR THE PERMIT**".
12. Amend page 6, line 11, after "**SUBPARAGRAPH**" by striking out the balance of the line through "**TO,**" on line 12 and inserting "**MAY INCLUDE**".
13. Amend page 6, line 15, by striking out all of sub-subdivision **(C)**.
14. Amend page 6, line 16, by striking out "**(D)**" and inserting "**(C)**".
15. Amend page 6, line 17, by striking out all of sub-subdivision **(E)** and inserting:
"(D) THE RESTRICTED ROAD OR ROADS INTENDED TO BE TRAVELED UPON TO THE NONEMERGENCY WORK SITE OR SITES."

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. 6315, entitled

A bill to amend 1915 PA 63, entitled "An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed," by amending sections 1 and 1a (MCL 35.831 and 35.831a), section 1 as amended by 2005 PA 26 and section 1a as added by 2005 PA 27.

Substitute (S-1).

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

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

Senator Hammerstrom moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

House Bill No. 5761
House Bill No. 5259

House Bill No. 5337**House Bill No. 6315**

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. 5761**House Bill No. 6661****House Bill No. 5259****House Bill No. 5337****House Bill No. 6315**

The motion prevailed.

The following bill was read a third time:

House Bill No. 5761, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

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. 963**Yeas—33**

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

Nays—2

Leland	Switalski
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Excused—1

Emerson

Not Voting—2

Brater	Sanborn
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In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

The Senate agreed to the title of the bill.

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

House Bill No. 6661, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115h, 115i, 115j, 115k, 115l, and 115m (MCL 400.115f, 400.115g, 400.115h, 400.115i, 400.115j, 400.115k, 400.115l, and 400.115m), sections 115f and 115g as amended by 2004 PA 193, sections 115h and 115k as added by 1994 PA 238, and sections 115i, 115j, 115l, and 115m as amended by 2002 PA 648, and by adding sections 115t and 115u.

(This bill was read a third time earlier today and consideration postponed. See p. 2613.)

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. 964

Yeas—25

Allen	Cropsey	Hardiman	Scott
Birkholz	Garcia	Jelinek	Sikkema
Bishop	George	Johnson	Stamas
Brown	Gilbert	Kuipers	Thomas
Cassis	Goschka	McManus	Toy
Clark-Coleman	Hammerstrom	Patterson	Van Woerkom
Clarke			

Nays—11

Barcia	Cherry	Olshove	Switalski
Basham	Jacobs	Prusi	Whitmer
Brater	Leland	Schauer	

Excused—1

Emerson

Not Voting—1

Sanborn

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

"An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates."

The Senate agreed to the full title.

Protests

Senators Switalski and Whitmer, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 6661 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Switalski’s statement is as follows:

This bill has a noble purpose of increasing adoptions, but almost every bill introduced in these chambers has a noble purpose, except some of mine. This one happens to cost \$30 million. It was introduced for the first time two weeks ago and it was discharged from committee late last night.

So if you want to spend \$30 million we don’t have and not show where the revenue is coming from, go ahead. But there are some members on both sides of the aisle who are not so fiscally irresponsible. We have a budgetary process that evaluates all the needs and good ideas and resources at hand and prioritizes them.

This is a \$30 million spending bill made in a vacuum. Don’t be part of such a process.

Senator Whitmer’s statement is as follows:

I rise to oppose the passage of this bill. In the Judiciary Committee last week, we had testimony, and I tell you, it pulled at your heart strings. These were good people who are doing extraordinary things for some amazing kids, and this is an issue that we should be confronted with, we should be talking about. But the fact of the matter is that this bill was discharged late last night. It was only introduced two weeks ago and it was passed through the House in one day. We do not have the facts as to what the real costs of this bill are, and for a group of people who say we are all about being fiscally responsible, it is irresponsible to move forward with a change of this magnitude without taking the time to see what the costs are. The cost of additional assistance alone in this bill would be \$10-\$20 million, the department estimates. The medical subsidiary cost of the Medicaid system is much higher than that. We are looking at a \$20-\$30 million price tag on this bill alone that has only been in existence for 14 days.

It certainly merits our consideration, but it certainly, as well, merits a much lengthier study as to what the real cost is going to be and how we are going to balance the budget. We’ve got a quarter of the state’s General Fund, which is still unknown as to what we are going to do with the tax structure in the state of Michigan.

To make changes of this magnitude at the twelfth hour is irresponsible, and I will oppose this bill for those reasons, but not because ultimately this may make good public policy because these are extraordinary people doing wonderful things. This is irresponsible at this twelfth hour and we need to oppose this bill today.

Senator Hammerstrom moved that Senator Sanborn be excused from the balance of today’s session.

The motion prevailed.

The following bill was read a third time:

House Bill No. 5259, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

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. 965

Yeas—27

Allen	Cropsey	Jelinek	Sikkema
Barcia	Garcia	Johnson	Stamas
Birkholz	George	Kuipers	Switalski
Bishop	Gilbert	Leland	Thomas
Brown	Goschka	McManus	Toy
Cassis	Hammerstrom	Patterson	Van Woerkom
Cherry	Hardiman	Schauer	

Nays—9

Basham
Brater
Clark-Coleman

Clarke
Jacobs

Olshove
Prusi

Scott
Whitmer

Excused—2

Emerson

Sanborn

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.

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

The motion prevailed.

Senator Basham’s statement is as follows:

This is really a bad bill getting worse as it goes along. This bill allows subcontractors for public utilities to actually drive their trucks and not tell the counties which trucks they are driving. It loosens the restriction so they don’t have to verify which vehicles are overweight or which vehicles are not overweight. They don’t even have to say that the vehicles—there is no way of telling if the vehicles are actually an overweight vehicle, so there is no way to hold the company accountable if, in fact, they are driving overweight trucks on those roads that are sensitive to the weight restrictions. This bill also takes out everything that Consumers Energy doesn’t like. And Consumers Energy, it seems like they wrote the bill, so they might as well come into the well of the Senate and push the button to vote for the very bad bill that this is.

There is a reason that we have a frost law in this state, and this bill, if it’s passed, will cost the everyday driver millions upon millions of dollars in road damage that will be done by these overweight trucks driving on these surfaces of roads that are sensitive to climate change when we have the frost laws into effect for three months in Michigan.

So I urge my colleagues not to support this very bad piece of legislation and send it back from whence it came.

The following bill was read a third time:

House Bill No. 5337, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 117 (MCL 32.517).

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. 966**Yeas—36**

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0**Excused—2**

Emerson

Sanborn

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6315, entitled

A bill to amend 1915 PA 63, entitled “An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed,” by amending sections 1 and 1a (MCL 35.831 and 35.831a), section 1 as amended by 2005 PA 26 and section 1a as added by 2005 PA 27.

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. 967**Yeas—36**

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0

Excused—2

Emerson

Sanborn

Not Voting—0

In The Chair: President

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

Senator Hammerstrom moved that rule 2.106 be suspended to allow committees to meet during Senate session.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 662, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2005 PA 91.

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. 1111, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2005 PA 267.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 7 (MCL 207.557), as amended by 2005 PA 267.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 968**Yeas—35**

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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	

Nays—0**Excused—2**

Emerson Sanborn

Not Voting—1

Whitmer

In The Chair: President

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

Senate Bill No. 1253, entitled

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

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1289, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by repealing section 216 (MCL 330.1216). 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 Senate agreed to the full title. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1292, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 1, 3, 7, 10, 11, 15, and 17 of chapter XII (MCL 712.1, 712.3, 712.7, 712.10, 712.11, 712.15, and 712.17), sections 1, 7, 10, 11, 15, and 17 as added

by 2000 PA 232 and section 3 as amended by 2002 PA 688, and by adding section 2a to chapter XII; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 9, line 8, after “**DETERMINATIONS**” by striking out the balance of the subsection and inserting “**OF PATERNITY OR MATERNITY AS DESCRIBED IN SECTION 11.**”.

2. Amend page 13, following line 5, by inserting:

“Enacting section 2. This amendatory act takes effect January 1, 2007.”.

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 969

Yeas—36

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0

Excused—2

Emerson	Sanborn
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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.

Senate Bill No. 1354, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2683. 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 amended the title to read as follows:

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and

other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 2683a.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 970

Yeas—36

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

Nays—0

Excused—2

Emerson Sanborn

Not Voting—0

In The Chair: President

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

The Senate agreed to the title as amended.

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

Senate Bill No. 1410, entitled

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

The House of Representatives has amended the bill as follows:

1. Amend page 7, line 21, after "child" by striking out the balance of the sentence through "hospitalization" on line 21.

2. Amend page 7, line 23, after “means” by striking out the balance of the line through “injury” on line 25 and inserting “AN INJURY TO THE CHILD THAT REQUIRES MEDICAL TREATMENT OR HOSPITALIZATION AND”.

3. Amend page 7, line 26, after “the” by inserting “CHILD’S”.

4. Amend page 7, line 26, after “well-being” by striking out “of a child”.

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 971

Yeas—36

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0

Excused—2

Emerson	Sanborn
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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.

Senate Bill No. 1427, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278b (MCL 380.1278b), as added by 2006 PA 123.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 972**Yeas—36**

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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

Nays—0**Excused—2**

Emerson Sanborn

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.

Senate Bill No. 1499, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Roscommon county and Crawford county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

The House of Representatives returned, in accordance with the request of the Senate

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 House of Representatives requested the return of

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.

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

The motion prevailed.

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

The motion prevailed.

Senator Goschka's statement is as follows:

Well, I want to say to this wonderful group of people of mixed Democrats and Republicans how greatly honored I have been to serve with you these last four years and how very grateful I am to have served in this state for 14 years in the State Legislature. I came in with terms limit in 1992 when the people of this state voted term limits in. The people of the 94th District in the State House saw fit to vote for Mike Who? from West Branch, Michigan, and when it was all said and done, we won a very close race by 142 votes. I will never forget that great victory. I sure didn't do it alone; I had a lot of help. I will forever appreciate that. I remember after the 2002 election when we had such an exodus of lawmakers. Frankly, I wondered how I would fit in with the new caucus. There were a lot of new people coming in, some of whom I knew, but hadn't necessarily worked with, and I will tell you I was so incredibly humbled when I realized that this was going to be a great mix, and it has worked well.

You know, back in 1992 when I first won, that was my fourth try for public office. I had run in 1982 and 1984 for county commission and I ran in 1990 for State Representative. My long-term strategy was that if I was on the ballot enough, they would think I was the incumbent. You know, I tell you—I was just talking with Senator Johnson earlier—it's good to have humbling experiences in life because it really helps us to look people in the eye and realize that we honestly are no better than anybody else. But, by the grace of God, we are where we are, we are who we are, and we are not all in and of ourselves that great.

I remember on September 24, 1982, I was laid off from Pete Packing Company in Chesaning. I went for a year and a half with no job. I couldn't buy a job. I went out, I knocked on doors, and I knocked on the plant gates. I could not find a job. I qualified for welfare and food stamps. I'll tell you, those were some of the most difficult days of my life to get up every day and to have nowhere to go. It was downright discouraging, it was depressing, and yet, in this great country that we call America, I never dreamed that one day I would chair the FIA budget, actually dealt with those people who were on General Assistance. That is the greatness of this country that if we believe in the passionate things that we believe in and we honestly want to make a genuine, positive difference and we stake out our claim and we put forth our best foot that we can indeed endure and make a difference.

I want to say that I have been very fortunate to be married to my wife Maryann for 27 years and especially in the early years of being in the State House. We all know what it is like coming from a tough district. I had a bull's eye on my back. I knew it and I don't think I was ever home for those first four years. I was out at event after event getting to know my district. My kids have grown up to a great degree. I am grateful they are still quite young and I have been able to spend a lot of time with them. My daughter is 20 and I have two sons 17 and 15—almost 15. I have so much appreciated my wonderful family. They have stood by me, they have been faithful, and I will forever be grateful for the family that I have. That is the bedrock of my life.

I could mention things about everyone here—some good. I am going to mention just a few. You know, Tom George and Cameron Brown have an incredible, insatiable interest in the love of history. I have always appreciated that. I have had people tell me over the years that I have had a wealth of meaningless information in my mind, but I am so glad I met a man named Tom George, who actually was interested in it.

Cameron Brown, you have a remarkable sense of humor. You really do and I think you are very, very bright, very articulate and I appreciate you.

Bill Hardiman, I got to know you early, and I tell you what, you exude integrity in every manner, and we are proud that you are our friend.

Tony Stamas, there is a fellow who truly does deliver. He is a hard worker. I think he is a dear friend. I remember back in 1990, one of my races, he wrote me a \$100 check. I felt why would he do that? We both know I am going to lose.

Michelle McManus, you are one gal with a lot of moxie and I mean that. I think the world of you, Michelle. I think you are a great leader. I appreciate the way that you are a confidant of mine, and I will forever be grateful for my friendship with you.

Mike Bishop, totally inclusionary. That is a man who honestly seeks others' opinions and tries to involve everybody, very thoughtful. I think he is a visionary. I don't know that we have done this yet, but I think it would be wonderful if we gave a hand to the next leader of the Michigan State Senate, Mike Bishop.

Shirley Johnson, I can't see you because the flowers are in the way, but you are straightforward. You are honest. I will tell you something, I think you are very gracious. You have a very soft heart and you know that. I want to tell you, you have been my friend in the many things that I have tried to do in higher education. You have been right there as my vice chair, and none of it could have gotten done without your support. I will forever be grateful that you are my friend.

Ken Sikkema has been our leader for four years. I have known Ken for 14 years. Ken, I will tell you there has been times that you have had to grab me literally by the nap of the neck. That's where my wife grabs me and it seems to work. I think she talked to you, but I want to tell you I have appreciated when the times have been tough and I needed you there for me. You have been there and I appreciate what you have done for me, Ken. Thank you.

Mickey Switalski, I will tell you, you are like Kessler's whisky. You are smooth as silk; that is what I am told. I think you are incredibly resourceful and you are most trustworthy. I think you do a great job in the Legislature for your constituents. Thank you. That is smooth as silk.

Jim Barcia, my very dear friend, I will tell you, you are my best friend. I remember when I met you in August 1990, and by then I became known as the Harold Stassen of Saginaw County. I was running for lot of different things, never one but for a lot of things. Then I met you and I honestly could not get over how gracious you were to me and how kind you were to me. You treated me like a human being; you were a sitting State Senator. I could not vote for you. I could not do a thing for you and you treated me like a very warm human being. You are a decent man. I tell you what, Jim, you are Mr. Clean. You are wonderful and I will forever be grateful for the friend you are to me.

Just a few other things. Ellen Jeffries from the Senate Fiscal Agency, that woman for four years helped me so much on the higher education budget. When I think of higher education, I must say, as you know, I pushed very hard for floor funding. I had your support whether you agreed with it entirely or not. You were there for me and I appreciate that. The Michigan Tuition Grant is something that I truly believe in for the independent colleges and universities for those students from Michigan who are needs-based. We've been in those battles and I am proud that this group right here stood tall, Democrats and Republicans, to protect the Michigan Tuition Grant.

You know, there are folks who make us look good on television. I hope it is happening right now. Jeff Marshall, in particular, that is one fellow whom I have grown to like an awful lot. He is a great, great guy. That whole crew are great people.

The staff and pages, I've always enjoyed getting to know you, joking around with you, complimenting your ties if you have one, wishing that you had one if you didn't.

The sergeants, I've always appreciated working with you. You know, my one greatest lament I wanted in the worse way was a larger-than-life-size statue, a bronze of "Mad Dog" Thornhill at Michigan State University, and we never got it.

Then, Lieutenant Governor Cherry, I have appreciated your integrity. I have appreciated your friendship and the chats that we have had. I think you have done a wonderful job for this state and I appreciate your friendship. Thank you so much for the way that you have helped us in this body to conduct ourselves in a way that is honoring to the people of this state.

To all of you, I just want to say I am grateful; I truly am. Every one of you, at one point, will be in this position. You know you are leaving the Legislature. It is a fact of life; you will be leaving. I am leaving. I leave with the greatest of memories, and I am a better person for having worked with you and having known you. Indeed, God is good and I am better because of you all.

Thank you so much and thank you to the people of my district, Saginaw and Gratiot counties, for giving me the chance to stand tall for issues for them. I will be grateful for the rest of my life.

Senator Hammerstrom's statement is as follows:

You know, some of the people in this body know that I first got the itch to be a state legislator when I was 8 years old and I had the ability to sit on the House floor in the Capitol in Atlanta, Georgia. I left there that day thinking this was the coolest job in the world. Now maybe I didn't think it was the coolest job in the world because in 1952 I am not sure cool had the same meaning that it does today. But I knew it was something that I wanted to do.

My run up here has been better than I have ever imagined as an 8-year-old child because where else on Earth could you work with so many Type A personalities? It has been a challenge at times, but it has also been very rewarding. My term in the Legislature has also afforded me a great opportunity to learn—to learn issues that I never knew I cared about, but also to learn more about ones that I did know that I cared about.

I have been fortunate enough to accomplish almost everything that I wanted to do legislatively. When I leave here, provided that they get that HPV bill back over here, I will have passed 130 public acts, dealing with everything from playground safety to protecting our daughters from the HPV virus. Having said that, it is not just because of me; it's because of the people who have helped me to do that. I want to thank the committee members who have worked with me over the years. I want to thank the committee clerks who have helped me; the people from LSB, the central staff—and I mean the central staff from both sides of the aisle—who have worked with me in building consensus to move acts forward that are good for the people of this state. I also want to thank the associations, the lobbyists, and the advocates who have helped us move this forward. Ladies and gentlemen, we do it for the advocates, we do it for the citizens, and we need to listen to them and know what their issues are so we can move those forward.

For the past four years, I have had the honor and enjoyed being Floor Leader. It has been challenging at times, but it has been fun and I have a lot of people who I need to recognize in helping me to enjoy that.

Lieutenant Governor Cherry, first of all, you have made it very easy to work. We kind of have it down pat, don't we. John, you are going to have to get used to somebody new as you move forward because we can do the eye signals and know what we are doing.

The leadership of Ken Sikkema and Bob Emerson, my cohort on the other side of the aisle, Minority Leader Mark Schauer, the sergeants, the Session Staff, Ken's staff, the SIS people, and Amy and Stacey have made it look easy when it really isn't, and they have made me look good. I want to thank all of you for doing that.

I also want to thank Jeremy, who has kind of come on board in the last couple of weeks to learn how to do this, so he can lead the next Floor Leader through this. I want to tell you, Senator Cropsey, he is going to do a great job. He is going to tell you exactly what to do, and I hope you will learn. You will do what I did. You will do exactly what they tell you to do because they know what it is. I also hope that before you get here that someone will remember that there is a stool down here that you don't need and they will remove that.

I also want to thank my women colleagues who sometimes refer to themselves as the Dirty Dozen. Yeah, we did have some pictures taken tonight, but you know, ladies and gentlemen, this is the first time that we have had these many women in the Michigan Senate. I think it is going to be a very long time before we have these many women again. This was historic and every one of you has done a great job. We have come together and I hope that all of us will work forward to recruiting new women because women do bring a different perspective to the debate. It's a perspective that is needed and I hope that women will continue to run for that office and not be discouraged.

I want to thank my staff, my staff over the years, in particular, Terry, Jackie, Gretchen, Amy, and Stacey, who are on board right now and who represent over 40 years of service in serving the people in the 17th District. I think that is remarkable. They really are my extended family. I have watched them grow and develop professionally. I am looking forward to them moving on to newer and better horizons. I will be watching them. But I want to tell you, I am going to enjoy a little bit of freedom without them looking over my back and telling me where I need to be and going absolutely bonkers when they lose me in a grocery store for an hour and a half and have no idea where I am, which really did happen.

You know, I came in here with Mike Goschka, 14 years ago, actually, and, Michelle, you were in that class and Alan, you were in that class, and that was when we had shared leadership in the House. I have to confess that was probably the best session I have ever served in. It was certainly a wonderful session to come in as a freshman. I learned to work both sides of the aisle. I learned how to build consensus. We blew up the school finance system and put it back together, and we did that under shared leadership. I also learned some very valuable lessons when I came in as a freshman. There were two of them and I want to tell you what they were. The first thing I learned is your word is all you have in this city. The second one was when you have the votes, vote and when you don't, talk. I think somehow some of that has been forgotten, and I want to pass that on to you as you move into your next session because I hope it will serve you well as you move forward.

So, Ken especially, I want to thank you for being a part of the team. I think we worked well together. It was definitely a team. Your staff and my staff worked together. I could not have asked for a better shared leadership in doing that. So to the colleagues who are leaving with me, I have been honored to have served with you for the last 14 years. I wish you well as you begin the next chapter of your life. I hope that at some point our paths will cross again.

To the ones of you who are remaining, I hope you are going to enjoy the next four years because my first session in shared leadership was my favorite and the best session. This last session, as a lamb duck, was the second best because now you can do what you want to do. You don't have to be driven as we were like being in swing districts to vote where you had to vote and put up those safe votes. You could actually do what you want to do.

So I encourage all of you to march to the freedom that you now have as lamb ducks and do what is right for the people in this state. I have enjoyed serving with you and I wish you all Godspeed.

The President pro tempore, Senator Birkholz, assumed the Chair.

Senator Sikkema's statement is as follows:

Madam President and members, I intend to keep my remarks quite short. If I could say only one thing, I want to say it at the beginning and that is to express my very deep and heartfelt gratitude to people not only those within a shout of my voice, but those who are not. Certainly, the people here, first and foremost, my colleagues, my staff, the staff of the Secretary of the Senate's office, and all the people who I have had an opportunity to work with. I just want to thank you for your patience and becoming over time good friends. I would be remiss if I didn't thank those people who can't hear me tonight and that is those thousands of constituents over 20 years who gave me the opportunity to do the one thing that I've always wanted to do and that is to be in the Michigan Legislature.

I have always thought from the day I entered the Capitol when I was 23 years old, which is 30 years ago as a young staff person, I've always thought that this was one of the best jobs in the world. It had the right combination of intellectually stimulating and demanding work; a group of people who demanded the best of you each and every day and a sense that you were actually making a difference in the world about you. I think it would be very, very hard for any of us to find that same combination in other endeavors or other walks of life.

Now I could spend time telling you dozens and dozens of war stories that I've experienced over 20 years, but I don't know. They seem a lot funnier in my own mind than when I tell them to people, so I am not going to relay any of those. But I think after 20 years I have finally learned what this job is all about. It just takes some of us a little longer than others, and that is, in one word, it's really about stewardship. I think there is a tendency—maybe you don't have it anymore with term limits, but prior to term limits, if you were here a long time, there was a tendency to think that we own this. This is my Senate seat or this is my office at the Capitol. It isn't. You know, we are stewards, whether it's a

Senate seat or a House seat, we are stewards of the office we hold. We are only that and we are all that. It is a very important concept and it means that we have to leave this better than when we found it. It doesn't belong to us; it belongs to the people of Michigan.

My first day as a State Representative 20 years ago, I can distinctly remember the feeling I had—kind of a combination of excitement, enthusiasm, and to some extent, some awe. I never lost that feeling. Some days are better than others and there are moments and some days that are better than other moments in those days. In the last few years, as I have driven up and into the parking lot and walked into the Capitol, my mind has probably been preoccupied with the agenda of the day. Almost every day here, I've had a chance to gaze up at the ceiling while we were in session, stand at one end of the first floor where my office is and look down that entire first floor hallway as the sun or sometimes the moonlight is shining through that. Or I've been out front and have been able to see the Capitol dome at day or at night, and I have never in 20 years lost the sense of excitement and enthusiasm, and yes, awe about this place and what we do.

One of the great myths that we sometimes have is you can have legacies. We don't have legacies. Some Presidents have legacies. I think very few Governors have legacies, and legislators, we don't have legacies. But I think we can at times have what I will call teaching moments where we set an example by what we do. I would hope that if I have had any teaching moments in four years that I have been able to put into action something I said four years ago.

I was cleaning out my office the other day, actually, and in one of my files, I came across the remarks I made four years ago on the opening day of session, which is about to end. I looked at this speech and I said here is one of the comments I made about this session starting four years ago: "Challenges confront us immediately, most significantly, a very severe and sobering state budget deficit." But that is not what I wanted to reflect on. Actually, what I said in that speech was, "Everybody is looking at us, a Democratic Governor and a Republican Legislature and wondering how we were going to act." I said we were going to work together because we were going to seek common ground. In fact, I said we will work together because we will build a common agenda. We will do great things in this session because we care about the future of Michigan. We care about the future of Michigan more than we care about being a Republican or a Democrat. We care about Michigan more than we care about being a Senator or a Representative or a Governor, and our love for the state transcends being in the majority or the minority.

I hope if I have had any teaching moments at all, it's been that I've put into action the words that I said four years ago, that our opportunity for progress will come if we work together. It is my firm hope that the Michigan Senate will always continue to be what the constitutions envisioned for us and that is that this is a place of open and honest debate. It is a body that gives the perspective of time and insight to issues, and it is a place that values careful deliberation. I have had a wonderful time here. I will never ever forget the friendships that I have developed on both sides of the aisle. I think I had a farewell party a couple of weeks ago, which I sort of begrudgingly agreed to attend. I said at the time that some of the deepest relationships you have in life are those that have been formed in tension and stress and debate, and for me, that is absolutely true. The relationships I have developed here over 20 years are among the deepest that I have ever had and that I ever will have.

I wish you all the best for those who are going to serve and continue to serve here. You will serve again under difficult circumstances, but I am confident that if you pledge to find that common ground, you will help to make Michigan a better place for the future.

I thank you from the bottom of my heart for working with me for these many years.

Senate Bill No. 613, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

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 amended the title to read as follows:

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings

for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 973

Yeas—35

Allen	Clark-Coleman	Jacobs	Schauer
Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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	

Nays—0

Excused—2

Emerson	Sanborn
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Not Voting—1

Whitmer

In The Chair: Birkholz

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the title as amended.

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

Senate Bill No. 1101, entitled

A bill to amend 1993 PA 331, entitled “State education tax act,” by amending section 5b (MCL 211.905b), as amended by 2004 PA 543.

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.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 974**Yeas—35**

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

Nays—0**Excused—2**

Emerson Sanborn

Not Voting—1

Gilbert

In The Chair: Birkholz

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.

The President, Lieutenant Governor Cherry, resumed the Chair.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:24 p.m.

10:38 p.m.

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

Senate Bill No. 1500, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 14i (MCL 400.14i), as amended by 2005 PA 333.

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.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 975**Yeas—35**

Barcia	Clarke	Jelinek	Scott
Basham	Cropsey	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	Jacobs	Schauer	

Nays—0**Excused—2**

Emerson	Sanborn
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Not Voting—1

Allen

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.

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

The motion prevailed.

Senator Johnson's statement is as follows:

You know, I have with me this evening—and I had not intended to stand up to speak or to give any farewell speeches and I am not going to do that. There are some individuals who, well, as a matter of fact, I think each and every one of you is the State Senator. God bless you for that, but understand something—without the staff who is there to support you, you would not be half of what you are. That's the God's honest truth. It is really the individuals—the Senate Fiscal Agency, they should be here and we should all be thanking them; the in-house staff for the Democrats and the in-house staff for the Republicans. We should all be thanking them because all we are are the ones who ran for election. Guess who does all the work? Not you or I. Who the hell are you kidding? It is the individuals in our office and in my office—I am going to start with Joe because he is the most recent addition. I would love very much to take the guy home; he is that good. No, I don't mean that, wait, wait—sorry, Cliff. No, no. You know, this body is as raunchy as it was when I first got here and I thought that was all cleared up, sorry. Sorry, Joe, but I love you dearly.

Karen, thank you from the bottom of my heart. When Brian suggested you come to the office, you have been a great addition.

Tony, should I tell them how I hired you? Should I? Okay. It was a toss-up between Tony and Mike. Well, you have to understand that Cliff and I lived in Fort Collins, Colorado, for a few years. I won't go into all of that. This is a little girl who grew up on the South Side of Chicago and never left the South Side of Chicago and ended up in Fort Collins, Colorado. The downtown was like four blocks, kind of scary; one bank, one store, one restaurant. In any event, I became acquainted with something called Rocky Mountain oysters. I didn't know what they were and didn't want to know what they were. I didn't want to find out what they were. No thanks.

Well, I did the interview with Tony and Mike and Tony won. Guess what? He knew what they were because Tony had lived in Wyoming, and to tell you the truth, Tony brought us some tonight and Nancy Cassis loved them more than anybody. Second to Nancy was Ken Sikkema. So thanks to Tony.

And then comes Mike, who has just been an incredible individual. He took a leave of absence and just did a stupendous job on the Pappageorge election. Frankly, I have made a commitment to him that in two years from now, I hope he runs for State Representative. Fran Amos will be retiring. He lives in that district and he would be phenomenal—that's Mike.

Tom, how in the world did you step in and to have the knowledge that you do is just been phenomenal.

Brian, as everybody knows, is my sweetheart. He was unemployed. He worked on my campaign in the special election to come to the Senate. He left a few months ago, and Tom came from central staff to replace him. There isn't anybody under this dome, in this city who knows as much intimacy and specifics about this state budget than this man. I kid you not. It will drive you crazy. He can find the commas, the colons, the pennies, the dollars, the millions, and the billions, and he knows where they all go. There is not a question he can't answer.

So with that, I have surrounded myself with nothing but men—sorry Cliff.

Oh, I forgot Dominick. Good God, thank you. This is my intern—was three years ago, Dominick. Actually he should be the office manager. He is going to work for Representative Knollenberg and he is going to be his chief of staff. Dominick is capable of doing anything and everything. He is as bright as any man I have ever known. He has more integrity than I. Frankly, I am probably closer to him than most any.

I love all these guys dearly. Aren't I the lucky one.

I really apologize having grown up on the South Side of Chicago. The last thing in the world you did was forgot the Italian.

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 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 amended the title to read as follows:

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 57 (MCL 400.57), as added by 1995 PA 223, and by adding sections 57p and 57s.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 976

Yeas—35

Allen	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Jelinek	Sikkema
Basham	Cropsey	Kuipers	Stamas
Birkholz	Garcia	Leland	Switalski
Bishop	George	McManus	Thomas
Brater	Gilbert	Olshove	Toy
Brown	Goschka	Patterson	Van Woerkom

Cassis
Cherry

Hammerstrom
Hardiman

Prusi
Schauer

Whitmer

Nays—1

Johnson

Excused—2

Emerson

Sanborn

Not Voting—0

In The Chair: President

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

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

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

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

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

House Bill No. 6580, entitled

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

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:

House Bill No. 6587, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57e (MCL 400.57e), as amended by 2001 PA 280.

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 at the head of the Third Reading of Bills calendar:

House Bill No. 6580

House Bill No. 6587

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

The following bill was read a third time:

House Bill No. 6580, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57b, 57f, and 57g (MCL 400.57b, 400.57f, and 400.57g), section 57b as amended by 1999 PA 9 and sections 57f and 57g as amended by 2001 PA 280, and by adding sections 57q, 57r, 57t, and 57u.

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. 977

Yeas—27

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

Nays—9

Basham	Clark-Coleman	Leland	Thomas
Brater	Clarke	Scott	Whitmer
Cherry			

Excused—2

Emerson	Sanborn
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Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6587, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57e (MCL 400.57e), as amended by 2001 PA 280.

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. 978

Yeas—35

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

Nays—1

Johnson

Excused—2

Emerson

Sanborn

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

General Orders

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

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

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

House Bill No. 4931, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2004 PA 418.

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. 4539, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 3 and 4 (MCL 207.773 and 207.774), section 3 as amended by 2004 PA 396 and section 4 as amended by 2004 PA 566.

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.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:18 p.m.

11:35 p.m.

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

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

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

House Bill No. 6694, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

(This bill was defeated earlier today and the motion to reconsider the vote postponed. See p. 2621.)

The question being on the motion to reconsider the vote by which the bill was defeated,

The motion prevailed.

The question being on the passage of the bill,

Senator Whitmer offered the following amendment:

1. Amend page 7, line 13, after "TO" by striking out "REDUCE" and inserting "MANAGE THE".

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

Senator Schauer requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 979

Yeas—17

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

Nays—19

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

Excused—2

Emerson	Sanborn
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Not Voting—0

In The Chair: President

Senator Whitmer offered the following amendment:

1. Amend page 7, line 13, after “**TO**” by striking out “**REDUCE**” and inserting “**CONTROL**”.

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

Senator Schauer requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 980**Yeas—15**

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

Nays—19

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

Excused—2

Emerson	Sanborn
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Not Voting—2

Kuipers	Switalski
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In The Chair: President

The question being on the passage of the bill,
The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 981**Yeas—17**

Allen	Cassis	Goschka	Jelinek
Barcia	Garcia	Hammerstrom	McManus
Birkholz	George	Hardiman	Sikkema
Bishop	Gilbert	Jacobs	Toy
Brown			

Nays—17

Brater	Johnson	Patterson	Stamas
Cherry	Kuipers	Prusi	Switalski
Clark-Coleman	Leland	Schauer	Van Woerkom
Clarke	Olshove	Scott	Whitmer
Cropsey			

Excused—2

Emerson	Sanborn
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Not Voting—2

Basham	Thomas
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In The Chair: President

Senator Hammerstrom moved that when the Senate adjourns today, it stand adjourned until Friday, December 15, 2006, at 12:01 a.m.

The motion prevailed.

Senator Hammerstrom moved that rule 3.311 be suspended to permit a second reconsideration of the vote by which the following bill was defeated:

House Bill No. 6694

The motion did not prevail, a majority of the members serving not voting therefor.

Senator Hammerstrom requested the yeas and nays.

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

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

Roll Call No. 982**Yeas—20**

Allen	Cropsey	Hammerstrom	Patterson
Birkholz	Garcia	Hardiman	Sikkema
Bishop	George	Jacobs	Stamas

Brown
CassisGilbert
GoschkaJelinek
McManusToy
Van Woerkom**Nays—14**Barcia
Basham
Brater
CherryClark-Coleman
Clarke
Johnson
LelandOlshove
Prusi
SchauerScott
Switalski
Whitmer**Excused—2**

Emerson

Sanborn

Not Voting—2

Kuipers

Thomas

In The Chair: President

Committee Reports

The Committee on Transportation reported

House Bill No. 5078, entitled

A bill to amend 1911 PA 149, entitled “An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms “public corporations,” “state agencies” and “private property” as used herein,” by amending section 3 (MCL 213.23), as amended by 2006 PA 368.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 5259, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

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.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Leland

Nays: Senator Basham

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

The Committee on Transportation reported

House Bill No. 5637, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Leland

Nays: Senator Basham

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

The Committee on Transportation reported

House Bill No. 6638, entitled

A bill to amend 1949 PA 208, entitled "An act to authorize cities, villages and townships of this state to designate neighborhood areas for the purpose of planning and carrying out local public improvements for the prevention of blight within such areas; to authorize assistance in carrying out plans for local improvements by the acquisition and disposal of real property in such areas; to provide for the combining of neighborhood improvements that benefit the entire neighborhood into 1 improvement project; to provide for the establishment of local assessment districts coterminous with the neighborhood boundaries; to prescribe the methods of financing the exercise of these powers, and to declare the effect of this act," by amending sections 2 and 4 (MCL 125.942 and 125.944).

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

House Bill No. 6639, entitled

A bill to amend 1945 PA 344, entitled "An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act," by amending sections 2, 3, and 5 (MCL 125.72, 125.73, and 125.75), sections 2 and 3 as amended by 1986 PA 320.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kuipers, Goschka and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Convention and Tourism Promotion (HB 6606) submitted the following:

Meeting held on Wednesday, December 13, 2006, at 8:35 a.m., Room 428, Capitol Building

Present: Senators Kuipers, Allen and Thomas

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, December 14, 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

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 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Cherry, declared the Senate adjourned until Friday, December 15, 2006, at 12:01 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

