

No. 106
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Tuesday, October 16, 2007.

10:00 a.m.

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

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

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

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

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

Senator Mark Schauer of the 19th District offered the following invocation:

“Lord, make me an instrument of Your peace. Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love.

For it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life.”

Amen.

—St. Francis of Assisi

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

Recess

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

The motion prevailed, the time being 10:04 a.m.

11:07 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

The following communication was received and read:

Office of the Auditor General

October 12, 2007

Enclosed is a copy of the following audit report:

Follow-up of the performance audit of Human Resources Management Network (HRMN) Self-Service, Department of Civil Service.

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

The audit report was referred to the Committee on Government Operations and Reform.

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

October 10, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 11:41 a.m. this date, administrative rule (07-10-04) for the Department of Labor and Economic Growth, Public Service Commission, entitled “*Filing Procedures for Electric, Wastewater, Steam, and Gas Utilities*.” These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 10, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 11:43 a.m. this date, administrative rule (07-10-05) for the Department of Treasury, Michigan Higher Education Student Loan Authority, entitled “*Federal Family Education Loan Program (FFELP)*.” These rules take effect immediately upon filing with the Secretary of State.

Sincerely,
 Terri Lynn Land
 Secretary of State
 Robin Houston, Office Supervisor
 Office of the Great Seal

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 11:
House Bill Nos. 4289 4749 4770 4771 4772 4819 4920 4921 4937 4938 5125 5126 5151

The Secretary announced the enrollment printing and presentation to the Governor on Friday, October 12, for her approval the following bill:

Enrolled Senate Bill No. 595 at 10:49 a.m.

The Secretary announced that the following official bills and joint resolutions were printed on Thursday, October 11, and are available at the legislative website:

Senate Bill Nos.	821	822	823	824										
House Bill Nos.	5279	5280	5281	5282	5283	5284	5285	5286	5287	5288	5289	5290	5291	5292
	5293	5294	5295	5296	5297	5298	5299	5300	5301	5302	5303	5304	5305	5306
	5307	5308	5309	5310										
House Joint Resolutions	BB	CC												

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bill:

House Bill No. 5251, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

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

Senator Cropsey moved that the 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. 5251

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

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

Michigan Public Service Commission

Mr. Orjiakor N. Isiogu, a Democrat, of 2079 Ashland Avenue, Okemos, Michigan 48864, county of Ingham, succeeding Laura Chappelle, who has resigned, for a term commencing September 9, 2007 and expiring on July 2, 2013.

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

Senator Thomas moved that Senator Hunter be excused from today’s session.

The motion prevailed.

Messages from the Governor

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

Senate Bill No. 436

The motion prevailed.

The following messages from the Governor were received and read:

October 12, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Sections 16121 and 16805 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16805:

Michigan Board of Audiology

Mr. Srinivas B. Mukkamala, M.D., of 1810 Overhill Drive, Flint, Michigan 48503, county of Genesee, succeeding John G. Bizon, whose term has expired, representing persons licensed to practice medicine or osteopathic medicine and surgery who hold a certificate of qualification from the American Board of Otolaryngology, for a term commencing October 12, 2007 and expiring June 30, 2010.

Ms. Virginia M. Schroeder of 303 Charlesworth, Dearborn Heights, Michigan 48127, county of Wayne, succeeding Linda I. Seestedt-Stanford, who has resigned, representing audiologists, for a term commencing October 12, 2007 and expiring June 30, 2008.

Ms. Karen A. Jacobs of 10440 Wildwood Trail S.E., Rockford, Michigan 49525, county of Kent, reappointed to represent audiologists, for a term expiring June 30, 2011.

Ms. Gyl A. Kasewurm, Au.D., of 3516 Magnolia Lane, St. Joseph, Michigan 49085, county of Berrien, appointed to represent audiologists, for a term expiring June 30, 2011.

October 12, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of 1978 PA 260, MCL 393.352:

Commission for the Blind

Mr. Mark A. Eagle of 3921-4 Hunters Ridge, Lansing, Michigan 48911, county of Eaton, succeeding Richard J. Grant, whose term has expired, representing blind persons, for a term commencing October 12, 2007 and expiring September 30, 2010.

Ms. Margaret Wolfe of 1866 Joseph Street, Ann Arbor, Michigan 48104, county of Washtenaw, succeeding Sheila R. Ashcraft, whose term has expired, representing the general public, for a term commencing October 12, 2007 and expiring September 30, 2010.

October 12, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Sections 16121 and 17421 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17421:

Michigan Board of Optometry

Mr. Harvey M. Curley of 24519 Lexington, Eastpointe, Michigan 48021, county of Macomb, reappointed to represent the general public, for a term expiring June 30, 2011.

Ms. Winifred W. Motherwell of 1153 Haslett Road, Haslett, Michigan 48840, county of Ingham, reappointed to represent the general public, for a term expiring June 30, 2011.

Sincerely,
Jennifer M. Granholm
Governor

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

Michigan Public Service Commission

Mr. Orjiakor N. Isiogu, a Democrat, of 2079 Ashland Avenue, Okemos, Michigan 48864, county of Ingham, succeeding Laura Chappelle, who has resigned, for a term commencing September 9, 2007 and expiring on July 2, 2013.

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

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

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

Roll Call No. 416

Yeas—37

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

Nays—0

Excused—1

Hunter

Not Voting—0

In The Chair: President

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, it is my pleasure to rise in the support of Orji’s matriculations for the Public Service Commission. I am glad that my colleague from Warren referred to him as “Orji” because that is what a lot of his friends, including me, call him. I had the privilege of litigating against Orji when I was in private practice and he was always professional. He always brought a wonderful sense of fight and toughness, but also professionalism to the job. I know that he will serve with integrity at the Public Service Commission, and I am happy to support him today.

Messages from the House

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

Senate Bill No. 53

House Bill No. 4120

The motion prevailed.

Senate Bill No. 276, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

(The House substitute was concurred in on October 10 and the motion for immediate effect postponed. See Senate Journal No. 104, p. 1634.)

The question being on the motion to give the bill 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.

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

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

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

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 747, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1138.

Senate Bill No. 628, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12542 (MCL 333.12542).

House Bill No. 5251, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

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

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

Senate Bill No. 629, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80105 (MCL 324.80105), as added by 1995 PA 58, and by adding section 80155a.

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

House Bill No. 5251

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

The following bill was read a third time:

House Bill No. 5251, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

The question being on the passage of the bill,

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

Roll Call No. 417

Yeas—37

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas

Brown
Cassis
Cherry

Hardiman
Jacobs

Patterson
Prusi

Van Woerkom
Whitmer

Nays—0

Excused—1

Hunter

Not Voting—0

In The Chair: Richardville

Senator Cropsy 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.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senators Kahn, Richardville, Anderson, Sanborn, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove, Brown, Cassis and Hunter offered the following resolution:

Senate Resolution No. 119.

A resolution to urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System.

Whereas, The recent turmoil in housing markets and the mortgage industry across the country has prompted Michigan and the other states of the Union to work together to bring increased safeguards and accountability to this vitally important sector of our economy. Since 2004, well before public attention began focusing on problems with loans and foreclosures, the states have been working through the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators to create a Nationwide Mortgage Licensing System; and

Whereas, The states, with vast experience dealing with more than 300,000 mortgage professionals, are in the final stages of creating the Nationwide Mortgage Licensing System to give state regulators, citizens, and lenders greater tools to identify and isolate unscrupulous operations that prey upon consumers; and

Whereas, The Nationwide Mortgage Licensing System will take best advantage of the information state regulators already have at their disposal to ensure that license status and history are instantly available in a centralized database. In this manner, without the creation of a new bureaucracy, problem individuals and operations cannot evade detection. This system also brings greater consistency in forms and better use of technology, which will not only increase consumer protection, but foster efficiency throughout the industry; and

Whereas, The approach being taken through the Nationwide Mortgage Licensing System, which is scheduled to go into effect in January 2008, is clearly consistent with existing resources and expertise in the states. It will have a notable impact in enhancing the safety for families seeking mortgages and strengthening the industry’s ability to respond to illegal or inappropriate activities; now, therefore, be it

Resolved by the Senate, That we urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System and to expedite Michigan's involvement in this initiative to increase consumer protection, accountability, and efficiency within the mortgage industry; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of Financial and Insurance Services.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Banking and Financial Institutions.

The motion prevailed.

Senators Barcia, Brater, Garcia, Jacobs, Pappageorge and Switalski were named co-sponsors of the resolution.

Senators Kahn, Richardville, Anderson, Sanborn, Birkholz, Gleason, Schauer, Stamas, Clarke, Olshove, Brown, Cassis and Hunter offered the following concurrent resolution:

Senate Concurrent Resolution No. 20.

A concurrent resolution to urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System.

Whereas, The recent turmoil in housing markets and the mortgage industry across the country has prompted Michigan and the other states of the Union to work together to bring increased safeguards and accountability to this vitally important sector of our economy. Since 2004, well before public attention began focusing on problems with loans and foreclosures, the states have been working through the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators to create a Nationwide Mortgage Licensing System; and

Whereas, The states, with vast experience dealing with more than 300,000 mortgage professionals, are in the final stages of creating the Nationwide Mortgage Licensing System to give state regulators, citizens, and lenders greater tools to identify and isolate unscrupulous operations that prey upon consumers; and

Whereas, The Nationwide Mortgage Licensing System will take best advantage of the information state regulators already have at their disposal to ensure that license status and history are instantly available in a centralized database. In this manner, without the creation of a new bureaucracy, problem individuals and operations cannot evade detection. This system also brings greater consistency in forms and better use of technology, which will not only increase consumer protection, but foster efficiency throughout the industry; and

Whereas, The approach being taken through the Nationwide Mortgage Licensing System, which is scheduled to go into effect in January 2008, is clearly consistent with existing resources and expertise in the states. It will have a notable impact in enhancing the safety for families seeking mortgages and strengthening the industry's ability to respond to illegal or inappropriate activities; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System and to expedite Michigan's involvement in this initiative to increase consumer protection, accountability, and efficiency within the mortgage industry; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of Financial and Insurance Services.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Banking and Financial Institutions.

The motion prevailed.

Senators Barcia, Brater, Garcia, Jacobs, Pappageorge and Switalski were named co-sponsors of the concurrent resolution.

House Concurrent Resolution No. 51.

A concurrent resolution to memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP).

Whereas, Since 1997, the State Children's Health Insurance Program (SCHIP) has provided health insurance for children under age 19 from low income families who are not eligible for Medicaid. The program allocated over \$40 billion for SCHIP through 2007 to states that provided matching funds to plan a SCHIP program, to expand their Medicaid program, or to implement a combined program relying on Medicaid and separate private plans; and

Whereas, The compromise SCHIP bill passed by Congress was vetoed by President Bush. This bipartisan measure would have reauthorized the program and added \$35 billion over the next five years to cover 10 million children, including the 6.6 million currently covered and 4 million additional uninsured children; and

Whereas, The number of uninsured children declined by 26.6%, resulting in nearly 79,000 more children having health care coverage than ten years ago. MI Child has operated in conjunction with the Medicaid program to provide a much-needed safety net for Michigan's children; and

Whereas, An override of this veto is crucial to providing access to health care for millions of children. Expansion of this successful program is long overdue and strongly supported by the American people. Politics and misplaced priorities should not supersede a bipartisan solution to protect the health and lives of our most vulnerable citizens – innocent children; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP); and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Barcia, Basham, Brater, Cherry, Clark-Coleman, Clarke, Gleason, Jacobs, Schauer, Scott and Switalski were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Thomas introduced

Senate Bill No. 825, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319 and 319b (MCL 257.319 and 257.319b), section 319 as amended by 2004 PA 362 and section 319b as amended by 2006 PA 298, and by adding section 626d.

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

Senators Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove, Brown, Cassis and Hunter introduced

Senate Bill No. 826, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683).

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

Senators Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove, Brown, Cassis and Hunter introduced

Senate Bill No. 827, 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 2006 PA 594.

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

Senators Clarke, Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Olshove, Brown, Cassis and Hunter introduced

Senate Bill No. 828, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending the title and section 1a (MCL 445.1651a), section 1a as amended by 2002 PA 391.

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

Senators Stamas, Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Clarke, Olshove, Brown, Cassis and Hunter introduced

Senate Bill No. 829, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 2b.

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

Senators Hunter, Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove and Brown introduced

Senate Bill No. 830, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 8 (MCL 445.1658), as amended by 1996 PA 210.

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

Senators Olshove, Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke, Brown, Cassis and Hunter introduced

Senate Bill No. 831, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 10 (MCL 445.1660), as amended by 1996 PA 210.

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

Senators Cassis, Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove, Brown and Hunter introduced

Senate Bill No. 832, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 22a (MCL 445.1672a), as added by 1996 PA 210, and by adding section 22b.

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

Senators Sanborn, Richardville, Anderson, Gleason, Schauer, Birkholz, Stamas, Clarke, Olshove, Brown, Cassis and Hunter introduced

Senate Bill No. 833, entitled

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

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

House Bill No. 4289, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625k, 625l, 904, and 904d (MCL 257.625k, 257.625l, 257.904, and 257.904d), sections 625k, 625l, and 904d as amended by 2003 PA 61 and section 904 as amended by 2004 PA 362.

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

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

House Bill No. 4749, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312a, 658, and 907 (MCL 257.312a, 257.658, and 257.907), section 658 as amended by 2002 PA 494 and section 907 as amended by 2006 PA 298, and by adding sections 658c and 658d; and to repeal acts and parts of acts.

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

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

House Bill No. 4770, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 10a.

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

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

House Bill No. 4771, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 19. The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4772, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 601 (MCL 339.303a and 339.601), section 303a as amended by 2006 PA 489 and section 601 as amended by 2005 PA 278, and by adding article 28; and to repeal acts and parts of acts.

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

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

House Bill No. 4819, entitled

A bill to prescribe the senior medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

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

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

House Bill No. 4920, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 322, 625, and 625b (MCL 257.319, 257.322, 257.625, and 257.625b), section 319 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, and section 625b as amended by 2004 PA 62, and by adding section 20b.

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

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

House Bill No. 4921, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 322, and 625b (MCL 257.303, 257.319, 257.322, and 257.625b), section 303 as amended by 2006 PA 298, section 319 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, and section 625b as amended by 2004 PA 62, and by adding section 20b.

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

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

House Bill No. 4937, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 601 (MCL 339.601), as amended by 2005 PA 278, and by adding section 2006.

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

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

House Bill No. 4938, 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 2005 PA 279.

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

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

House Bill No. 5125, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433).

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

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

House Bill No. 5126, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435). The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 5151, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 53 (MCL 208.53). The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Finance.

Statements

Senators Clark-Coleman and Scott asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Clark-Coleman's statement is as follows:

Mr. President, I was not present during session on Thursday, October 11. Had I been in the chamber, I would have voted "yes" on Roll Call No. 414, the appointment of Mr. Ismael Ahmed to the Department of Human Services. Mr. Ahmed will be an asset to that office.

I would have also voted "yes" on Roll Call No. 415; that is Senate Bill No. 734.

Senator Scott's statement is as follows:

I would like to first deal with my roll call vote on last Thursday. I was not here because I was attending a meeting for the legislative women in Louisville, and I would have voted "yes" on Roll Call No. 414 and Roll Call No. 415.

I begin my statements, as I often do, with a quote. It says, "Outrageously unaffordable auto insurance is chasing people out of Detroit and other Michigan cities and practically forcing thousands of drivers to commit fraud to secure coverage at more reasonable rates, or illegally go without it." No, this is not the reflection of an activist or an author or a civil rights leader. This is a quote from an October 14, 2007, *Detroit Free Press* editorial which was prominently printed on the front page of Sunday's Opinion section.

I have read to you dozens of e-mails from frustrated and angry drivers. I have led thousands of folks to the Capitol to share their frustration. Now one of Detroit's major daily newspapers is telling you and well over half a million readers statewide in a 72-point headline to fix car insurance rates. You have the tools to solve this problem sitting before you. The question is—are you listening? Are you listening?

I would like to thank my colleague on Friday, Senator Buzz Thomas, for standing in the gap for me on insurance.

Committee Reports

The Committee on Appropriations reported

House Concurrent Resolution No. 46.

A concurrent resolution to revise the total project cost of the Health Program Expansion and Information Commons project at Jackson Community College.

(For text of resolution, see Senate Journal No. 96, p. 1501.)

With the recommendation that the concurrent resolution be adopted.

Ron Jelinek

Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

House Bill No. 4591, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1538 and 1539 (MCL 380.1538 and 380.1539), section 1538 as added by 1988 PA 339 and section 1539 as amended by 2004 PA 76, and by adding sections 1531h and 1538a.

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.

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Garcia, George, Jansen, Stamas, Switalski, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: Senators Kahn, Cropsey, Brown, McManus and Anderson

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, October 10, 2007, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

The Committee on Health Policy reported

Senate Bill No. 716, entitled

A bill to amend 2004 PA 47, entitled "Medical records access act," by amending section 3 (MCL 333.26263).

With the recommendation that the bill pass.

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

Thomas M. George
Chairperson

To Report Out:

Yeas: Senators George, Sanborn, Allen, Clarke and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, October 10, 2007, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators George (C), Sanborn, Allen, Clarke and Jacobs
Excused: Senators Patterson and Gleason

The Committee on Campaign and Election Oversight reported

Senate Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article I, sections 1 and 6 of article II, sections 2 and 3 of article IV, section 2 of article VIII, and section 6 of article IX and by repealing section 10 of article II, sections 4, 5, and 6 of article IV, and section 7 of article VII, to repeal constitutional provisions that have been declared unconstitutional.

With the recommendation that the substitute (S-2) be adopted and that the joint resolution then be adopted.

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown and Jansen

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:

Meeting held on Wednesday, October 10, 2007, at 1:00 p.m., Room 405, Capitol Building
Present: Senators McManus (C), Brown, Jansen, Jacobs and Schauer

The Committee on Education reported

Senate Bill No. 482, entitled

A bill to amend 2006 PA 479, entitled "Michigan promise grant act," by amending sections 2 and 4 (MCL 390.1622 and 390.1624).

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis, Whitmer and Gleason

Nays: None

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

The Committee on Education reported

Senate Bill No. 730, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.5, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), sections 4 and 5 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Whitmer and Gleason

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Thursday, October 11, 2007, at 2:30 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Thursday, October 11, 2007, at 8:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Birkholz (C), Van Woerkom, Basham and Prusi

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, October 11, 2007, at 1:00 p.m., Room 210, Farnum Building

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

Scheduled Meetings

Agriculture - Thursday, October 18, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittee -**

Higher Education - Thursday, October 18, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, October 17, 9:00 a.m., Room 210, Farnum Building (373-3543)

Campaign and Election Oversight - Wednesday, October 17, 12:30 p.m., Room 405, Capitol Building (373-1725)

Economic Development and Regulatory Reform - Wednesday, October 17, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Thursday, October 18, 1:00 p.m., Room 210, Farnum Building (373-7350)

Senate Fiscal Agency Board of Governors - Wednesday, October 17, 3:00 p.m., Room S-101, Capitol Building (373-5300)

Senior Citizens and Veterans Affairs - Wednesday, October 17, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:41 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, October 17, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

