

No. 64
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Wednesday, June 25, 2008.

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

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

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

Senator Bill Hardiman of the 29th District offered the following invocation:

Father God, as we gather here today to do the people's work, we also gather to do Your work to be a blessing to the people of the state of Michigan. First of all, Father, we want to thank You for Your love, Your kindness, and Your goodness to us. We can't recount the many blessings You have given to us, and we just want to say thank You.

Father, as we move forward to do a difficult job, in difficult times, we ask that You give us Your peace in our spirits. We ask that You give us Your direction. We ask that You bless our efforts, Lord God, that we might be a blessing to so many others.

Father, I ask that You work in the lives of the people of this great state of Michigan. Father, work in the communities, and help them to do what we can't; what we shouldn't. Help them to give and to love and to be a blessing to each other. Father, help us to be models of that right here. Let our talk, our communication, be a model to the people of this great state.

Father, bless the proceedings and give us joy on the journey and give us good success. We ask these things in the precious name of Jesus Christ. Amen.

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

Motions and Communications

Senator McManus entered the Senate Chamber.

Senator Cropsey moved that Senator Stamas be excused from today's session.
The motion prevailed.

Senator Cropsey moved that the Committee on Local, Urban and State Affairs be discharged from further consideration of the following resolution:

House Concurrent Resolution No. 86.

A concurrent resolution relative to secondary road patrol funds for cities and villages in all of Michigan's counties.

The motion prevailed, a majority of the members serving voting therefor, and the resolution was placed on the order of Resolutions.

Senator Cropsey 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. 4343

House Bill No. 5065

House Bill No. 5066

House Bill No. 5067

House Bill No. 5069

House Bill No. 5073

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

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Richardville admittance to the Senate floor.

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

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

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

Senator Thomas moved that Senators Brater, Barcia and Gleason be temporarily excused from today's session.

The motion prevailed.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:06 a.m.

10:25 a.m.

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

During the recess, Senators Bishop, Richardville and Pappageorge introduced Chris Ilitch, President and CEO, Ilitch Holdings, Inc.; and Bill Wellman, Hockey Hall of Fame Cup Keeper; and presented Senate Resolution No. 204, acknowledging the outstanding accomplishments of the Detroit Red Wings, 2008 Stanley Cup Champions.

Mr. Ilitch responded briefly.

During the recess, Senators Barcia, Brater, Jelinek, Jansen and Gleason entered the Senate Chamber.

Recess

Senator Cropsey moved that the Senate recess until 11:45 a.m.
The motion prevailed, the time being 10:27 a.m.

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

During the recess, Senator Garcia entered the Senate Chamber.

Recess

Senator Cropsey moved that the Senate recess until 1:00 p.m.
The motion prevailed, the time being 11:46 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Sanborn.

Recess

Senator Cropsey moved that the Senate recess until 2:00 p.m.
The motion prevailed, the time being 1:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the Assistant President pro tempore, Senator Sanborn.

Recess

Senator Cropsey moved that the Senate recess until 2:30 p.m.
The motion prevailed, the time being 2:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

Recess

Senator Cropsey moved that the Senate recess until 3:00 p.m.
The motion prevailed, the time being 2:32 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

Recess

Senator Cropsey moved that the Senate recess until 3:30 p.m.
The motion prevailed, the time being 3:01 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 24:
House Bill Nos. 4534 6097 6098 6099 6100 6101 6102 6103 6105 6133 6172

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, June 24, for her approval the following bill:
Enrolled Senate Bill No. 867 at 10:52 a.m.

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

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

Senate Bill No. 436

Senate Bill No. 222

Senate Bill No. 229

Senate Bill No. 232

Senate Bill No. 238

Senate Bill No. 240

Senate Bill No. 776

The motion prevailed.

The following messages from the Governor were received and read:

June 24, 2008

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 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Apple Marketing Program Committee

Mr. Gary F. Bartley of 53138 Townhall Road, Dowagiac, Michigan 49047, county of Cass, succeeding Donald H. Baiers, whose term has expired, representing District 1 growers, for a term commencing June 24, 2008 and expiring April 1, 2011.

Mr. Kevin R. Winkel of 63460 Shafer Lake Road, Lawrence, Michigan 49064, county of Van Buren, succeeding Robert A. Colgren, whose term has expired, representing District 2 growers, for a term commencing June 24, 2008 and expiring April 1, 2011.

Mr. Michael J. Beck of 8310 North Williams Road, St. Johns, Michigan 48879, county of Clinton, reappointed to represent District 7 growers, for a term expiring April 1, 2011.

June 24, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Beef Marketing Program Committee

Mr. Scott E. Cary of 3977 North Bliss Road, Alma, Michigan 48801, county of Gratiot, reappointed to represent cattle feeders, for a term expiring May 31, 2011.

Mr. Randy D. Heselschwerdt of 6336 Wells Road, Jackson, Michigan 49201, county of Jackson, reappointed to represent cattle marketers, for a term expiring May 31, 2011.

Mr. Garry L. Wiley of 2598 South Clarwin Road, Gladwin, Michigan 48624, county of Clare, reappointed to represent cattle breeders, for a term expiring May 31, 2011.

June 24, 2008

Pursuant to Section 7111 of the Public Health Code, 1978 PA 368, MCL 333.7111, please be advised of the following appointments and reappointments to office:

Controlled Substances Advisory Commission

Ms. Nina A. Bugbee of 7177 Johnson Road, Flushing, Michigan 48433, county of Genesee, succeeding Margherita P. Clark, whose term has expired, representing the Michigan Board of Nursing, for a term commencing June 24, 2008 and expiring August 30, 2009.

Mr. David L. Dull, M.D., of 2109 Hunters Run, N.E., Ada, Michigan 49301, county of Kent, succeeding James D. Grant, who has resigned, representing the Michigan Board of Medicine, for a term commencing June 24, 2008 and expiring August 30, 2009.

Ms. Sarah M. Elkins of 105 Legato Point, Walled Lake, Michigan 48390, county of Oakland, succeeding Jeffrey T. Rogg, whose term has expired, representing the general public, for a term commencing June 24, 2008 and expiring August 30, 2009.

Mr. Charles L. Blanchard of 5718 Wood Valley Drive, Haslett, Michigan 48840, county of Ingham, reappointed to represent pharmaceutical manufacturers, for a term expiring August 30, 2009.

Ms. Suhair Farida, R.Ph., of 7053 Timberview Trail, West Bloomfield, Michigan 48322, county of Oakland, reappointed to represent the Michigan Board of Pharmacy, for a term expiring August 30, 2009.

Ms. Rhonda J. Hennessy, D.D.S., of 39488 Village Run Drive, Northville, Michigan 48167, county of Wayne, reappointed to represent the Michigan Board of Dentistry, for a term expiring August 30, 2009.

Mr. Lawrence A. Letsche, D.V.M., of 6565 North Territorial Road, Plymouth, Michigan 48170, county of Washtenaw, reappointed to represent the Michigan Board of Veterinary Medicine, for a term expiring August 30, 2009.

Mr. Bradley E. Meisling of 5660 Swallow Avenue, Kalamazoo, Michigan 49009, county of Kalamazoo, reappointed to represent the general public, for a term expiring August 30, 2009.

Mr. Scott A. Monteith, M.D., of 121 South Garfield Avenue, Suite D, Traverse City, Michigan 49686, county of Grand Traverse, reappointed to represent licensed health care professionals from the field of psychiatry, for a term expiring August 30, 2009.

Ms. Claire E. Saadeh, Pharm.D., of 12629 Paradise Drive, DeWitt, Michigan 48820, county of Clinton, reappointed to represent pharmacologists, for a term expiring August 30, 2009.

Ms. Tara L. Scott, DPM, of 26464 Senator Boulevard, Southfield, Michigan 48034, county of Oakland, reappointed to represent the Michigan Board of Podiatric Medicine and Surgery, for a term expiring August 30, 2009.

Mr. Douglas P. Vanator, D.O., of 623 Shipherd Street, P.O. Box 398, Olivet, Michigan 49076, county of Eaton, reappointed to represent the Michigan Board of Osteopathic Medicine and Surgery, for a term expiring August 30, 2009.

Mr. Howard S. Wolpin of 26825 Scenic Highway, Franklin, Michigan 48025, county of Oakland, reappointed to represent the general public, for a term expiring August 30, 2009.

June 24, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Onion Marketing Program Committee

Mr. Glenn J. Leap of 389 118th Avenue, Martin, Michigan 49070, county of Allegan, reappointed to represent growers at-large, for a term expiring August 16, 2010.

Mr. Mark J. Nail of 21705 O Drive North, Marshall, Michigan 49068, county of Calhoun, reappointed to representing growers at-large, for a term expiring August 16, 2010.

Mr. Eric J. Schreur of 6314 Rushview Drive, Hudsonville, Michigan 49426, county of Ottawa, reappointed to represent growers at-large, for a term expiring August 16, 2010.

June 24, 2008

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 pursuant to Section 7 of the Agricultural Commodities Marketing Act, 1965 PA 232, MCL 290.657:

Michigan Plum Marketing Program Committee

Mr. Martin J. Daly of 3750 West Jackson Road, Hart, Michigan 49420, county of Oceana, reappointed to represent growers from Central Michigan, for a term expiring July 1, 2010.

Mr. Paul J. Rood, Jr., of 72723 C.R. 378, Covert, Michigan 49043, county of Van Buren, reappointed to represent growers from Southern Michigan, for a term expiring July 1, 2010.

Mr. Michael R. VanAgtmael of 2102 North 144th Avenue, Hart, Michigan 49420, county of Oceana, reappointed to represent at-large growers, for a term expiring July 1, 2010.

June 24, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Executive Order 2002-3, MCL 12.192:

Michigan Public Educational Facilities Authority

Ms. Amal M. Berry-Brown, a Democrat, of 23047 Beech Street, Dearborn, Michigan 48124, county of Wayne, succeeding Ganesh V. Reddy, who has resigned, for a term commencing June 24, 2008 and expiring March 18, 2012.

Mr. Mark J. Burzych, a Republican, of 4396 Alderwood Drive, Okemos, Michigan 48864, county of Ingham, reappointed for a term expiring March 18, 2010.

Mr. Timothy A. Hoffman, a Republican, of 903 Sandhill Drive, DeWitt, Michigan 48820, county of Clinton, reappointed for a term expiring March 18, 2010.

Sincerely,
Jennifer M. Granholm
Governor

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Olshove, George and Scott introduced

Senate Bill No. 1414, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5124. The bill was read a first and second time by title and referred to the Committee on Transportation.

Senators Olshove, George and Scott introduced

Senate Bill No. 1415, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

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

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 212, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

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 Cropsey moved that the rule be suspended.

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

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

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

The motion prevailed.

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

Senator Cropsey moved that Senator Patterson be excused from the balance of today's session. The motion prevailed.

Senator Garcia entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Motions and Communications

The following communication was received:
Office of Financial and Insurance Regulation

June 18, 2008

I am pleased to forward to you a copy of the 2007 OFIR Annual Report. It contains valuable references for information about regulated entities engaged in the business of insurance, banking and securities in Michigan. It is more than just a statistical report however. We offer updates about each area of the agency, a summary of legislative activity, and descriptions of changes in the status of the entities we regulate.

I hope you will take a few minutes to review this information. This publication is also available on the website at www.michigan.gov/ofir.

Ken Ross
Commissioner

The communication was referred to the Secretary for record.

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

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

Senate Bill No. 212, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

(This bill was returned from the House with a substitute earlier today, rules suspended and consideration postponed. See p.1266.)

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. 420

Yeas—36

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

Nays—0

Excused—2

Patterson

Stamas

Not Voting—0

In The Chair: Richardville

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. 723, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32801 and 32803 (MCL 324.32801 and 324.32803), section 32801 as added by 2003 PA 148 and section 32803 as amended by 2006 PA 34.

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 Cropsey 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. 421**Yeas—36**

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

Nays—0**Excused—2**

Patterson Stamas

Not Voting—0

In The Chair: Richardville

The Associate President pro tempore, Senator Barcia, assumed the Chair.

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 pro tempore, Senator Richardville, resumed the Chair.

Senate Bill No. 727, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 17 (MCL 325.1017), as amended by 2006 PA 37.

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 Cropsey 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. 422

Yeas—36

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

Nays—0

Excused—2

Patterson Stamas

Not Voting—0

In The Chair: Richardville

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. 858, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 4 (MCL 325.1004), as amended by 2006 PA 601.

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 Cropsey 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. 423**Yeas—35**

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

Nays—0**Excused—2**

Patterson	Stamas
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Not Voting—1

McManus

In The Chair: Richardville

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. 859, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

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 Cropsey 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. 424**Yeas—36**

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

Nays—0**Excused—2**

Patterson Stamas

Not Voting—0

In The Chair: Richardville

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. 860, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32701, 32702, 32703, 32705, 32706, 32707, 32708, 32708a, 32709, 32710, 32721, 32722, 32723, 32725, 32727, and 32728 (MCL 324.32701, 324.32702, 324.32703, 324.32705, 324.32706, 324.32707, 324.32708, 324.32708a, 324.32709, 324.32710, 324.32721, 324.32722, 324.32723, 324.32725, 324.32727, and 324.32728), sections 32701, 32702, 32703, and 32707 as amended and sections 32721, 32722, 32723, 32727, and 32728 as added by 2006 PA 33, sections 32705 and 32708 as amended and section 32708a as added by 2006 PA 35, section 32706 as amended by 1996 PA 434, sections 32709 and 32710 as added by 1995 PA 59, and section 32725 as added by 2006 PA 36, and by adding sections 32706a, 32706b, 32706c, 32706d, and 32729; and to repeal acts and parts of acts.

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 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 32728 (MCL 324.32728), as added by 2006 PA 33, and by adding sections 32706a, 32706b, 32706e, and 32729.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator Cropsey 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. 425**Yeas—35**

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

Nays—0**Excused—2**

Patterson Stamas

Not Voting—1

McManus

In The Chair: Richardville

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 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 pro tempore, Senator Richardville, designated Senator Anderson as Chairperson.

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

House Bill No. 4330, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2006 PA 403.

House Bill No. 4453, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6b of chapter V (MCL 765.6b), as amended by 1994 PA 335.

House Bill No. 5833, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 151d (MCL 600.151d), as amended by 2004 PA 465.

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:

House Bill No. 5834, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 85.

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. 4658, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 22, 58, 58a, 58b, and 58c (MCL 125.1422, 125.1458, 125.1458a, 125.1458b, and 125.1458c), section 22 as amended by 2002 PA 385 and sections 58, 58a, 58b, and 58c as added by 2004 PA 480, and by adding sections 58e and 58f.

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. 5065, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32702, 32703, and 32727 (MCL 324.32701, 324.32702, 324.32703, and 324.32727), sections 32701, 32702, and 32703 as amended and section 32727 as added by 2006 PA 33.

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. 5066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32707, 32708, 32708a, 32709, and 32710 (MCL 324.32707, 324.32708, 324.32708a, 324.32709, and 324.32710), section 32707 as amended by 2006 PA 33, section 32708 as amended and section 32708a as added by 2006 PA 35, and sections 32709 and 32710 as added by 1995 PA 59.

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. 5067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

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. 5069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32705 and 32706 (MCL 324.32705 and 324.32706), section 32705 as amended by 2006 PA 35 and section 32706 as amended by 1996 PA 434, and by adding sections 32706a, 32706b, 32706c, 32706d, and 32706e.

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. 5073, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32801 and 32803 (MCL 324.32801 and 324.32803), section 32801 as added by 2003 PA 148 and section 32803 as amended by 2006 PA 34.

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. 4343, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

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

House Bill No. 4343

House Bill No. 5065

House Bill No. 5066

House Bill No. 5067

House Bill No. 5069

House Bill No. 5073

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

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

House Bill No. 5065

House Bill No. 5066

House Bill No. 5067

House Bill No. 5069

House Bill No. 5073

House Bill No. 4343

Senate Bill No. 1163

House Bill No. 4840

Senate Bill No. 635

The motion prevailed.

The following bill was read a third time:

House Bill No. 5065, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32721, 32722, and 32727 (MCL 324.32721, 324.32722, and 324.32727), as added by 2006 PA 33.

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. 426

Yeas—35

Allen
Anderson

Cherry
Clark-Coleman

Hunter
Jacobs

Richardville
Sanborn

Barcia	Clarke	Jansen	Schauer
Basham	Cropsey	Jelinek	Scott
Birkholz	Garcia	Kahn	Switalski
Bishop	George	Kuipers	Thomas
Brater	Gilbert	Olshove	Van Woerkom
Brown	Gleason	Pappageorge	Whitmer
Cassis	Hardiman	Prusi	

Nays—0

Excused—2

Patterson Stamas

Not Voting—1

McManus

In The Chair: Richardville

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5066, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32707, 32708, 32708a, and 32709 (MCL 324.32707, 324.32708, 324.32708a, and 324.32709), section 32707 as amended by 2006 PA 33, section 32708 as amended and section 32708a as added by 2006 PA 35, and section 32709 as added by 1995 PA 59.

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. 427

Yeas—36

Allen	Cherry	Hunter	Prusi
Anderson	Clark-Coleman	Jacobs	Richardville
Barcia	Clarke	Jansen	Sanborn
Basham	Cropsey	Jelinek	Schauer
Birkholz	Garcia	Kahn	Scott
Bishop	George	Kuipers	Switalski
Brater	Gilbert	McManus	Thomas

Brown
CassisGleason
HardimanOlshove
PappageorgeVan Woerkom
Whitmer**Nays—0****Excused—2**

Patterson

Stamas

Not Voting—0

In The Chair: Richardville

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5067, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 32706c and 32706d; 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. 428**Yeas—36**Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
CassisCherry
Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Gleason
HardimanHunter
Jacobs
Jansen
Jelinek
Kahn
Kuipers
McManus
Olshove
PappageorgePrusi
Richardville
Sanborn
Schauer
Scott
Switalski
Thomas
Van Woerkom
Whitmer**Nays—0****Excused—2**

Patterson

Stamas

Not Voting—0

In The Chair: Richardville

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5069, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32702, 32703, 32705, 32706, and 32723 (MCL 324.32702, 324.32703, 324.32705, 324.32706, and 324.32723), sections 32702 and 32703 as amended section 32723 as added by 2006 PA 33, section 32705 as amended by 2006 PA 35, and section 32706 as amended by 1996 PA 434.

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. 429**Yeas—35**

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

Nays—0**Excused—2**

Patterson	Stamas
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Not Voting—1

McManus

In The Chair: Richardville

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5073, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 32701 (MCL 324.32701), as amended by 2006 PA 33.

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. 430

Yeas—36

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

Nays—0

Excused—2

Patterson	Stamas
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Not Voting—0

In The Chair: Richardville

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4343, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32710 and 32725 (MCL 324.32710 and 324.32725), section 32710 as added by 1995 PA 59 and section 32725 as added by 2006 PA 36.

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. 431

Yeas—36

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

Nays—0

Excused—2

Patterson	Stamas
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Not Voting—0

In The Chair: Richardville

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

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

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

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

The Senate agreed to the full title.

Senators Birkholz and Bishop asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Birkholz’s statement is as follows:

Mr. President, this is a great day, a magnificent day for our Great Lakes. We stand on the verge of doing what no other state in the Great Lakes Basin has done; not one other state has done what we are doing here today. We are not only adopting the Great Lakes Basin Compact, but we are adopting a new standard for evaluating large-quantity withdrawals of water which is based on sound science and uses a biological marker to prohibit adverse resource impacts from ever occurring in our water bodies.

We started this journey toward water protection over five years ago with the introduction of Senate Bill No. 289, which became Public Act 148 of 2003, and eventually led to the creation of the Groundwater Conservation Advisory Council. We set recommendations that form the foundation for our action here today.

Over that time, we had one simple mission—to protect the waters and the water-dependent natural resources of our basin and to protect the rights of those who are wise users of those waters. We have done that. We have achieved three significant landmarks with this package of bills today. We protect our waters and our water-dependent natural resources for many generations to come. We have employed a consensus set of recommendations from the Groundwater Conservation Advisory Council that is rooted in sound science and focused on protecting our groundwater and our surface water. We will soon engage in a water withdrawal assessment process that is user-friendly, based on over forty years of peer-reviewed stream data and employs water health on a biological basis.

But we went further than the recommendations of the council and set a conservative set of water-protection zones that permanently preserve a large majority of this state's water resources. We have wisely protected our water users and the future use of our water and directly engaged the public in that effort.

In protecting our existing users, we give them regulatory certainty so that they can continue to use our water wisely. We have also provided clear and science-based standards for new users who want to use our water. This effort that we undertook in Michigan is doing more than simply passing the compact which is going to yield tremendous results, but for our future because people will now know the ground rules for use of our water.

We have enlisted three clear mechanisms for the public to help us in our efforts to safeguard our waters. Individual water-user committees, public input on permitting decisions, and the use of water awareness and education committees. We do include the public in the process.

We have taken the step to affirm the existing authority of the state to protect our natural resources and the existing common law property rights of a person's right to use their water.

And lastly, we have shown a very skeptical public that the Michigan Legislature can indeed produce significant public policy for the people of this state. We know that some have said that the Legislature has not functioned very well lately. There has been great skepticism throughout this state that we would ever reach a consensus for water protection because of political squabbles that occur here, the diverse nature of water interests, and the complexity of this issue. Passing this package is a direct testimony that we can achieve significant results. This has been a collegial effort between the House and the Senate, between leaders of both of these bodies, and between Democrats and Republicans. Although it may have been easy to become distracted by some of the unnecessary criticism that we have received during this process, we never let that get in the way of our end goal.

We have engaged the public in hundreds of hours of workshops, encouraged our citizen stewards in the efforts of the Groundwater Conservation Advisory Council, and engaged the hearts and minds of the people all across this state. Their efforts have a direct handprint on the twelve-bill package that we are concluding now.

Let me end with a very sincere thank you to all the people of this state who have been a part of this process, the members of the Groundwater Conservation Advisory Council, some of them are up in the Gallery today, the Department of Environmental Quality, particularly Frank Ruswick who was there at the end in the final negotiations, to my legislative partners, particularly Representative Rebekah Warren and the committee members—Senators Van Workoem, Patterson, Basham and Prusi—who came to committee some days when they really didn't want to be there and spent long hours listening to testimony. A sincere thank you to the Governor and her staff, most notably Skip Pruss, who weighed in these last few days and were very helpful to reach a final closure. I want to say thank you also to our Majority Leader, who has been there every step of the way encouraging me, and to the Speaker of the House, who has also been very encouraging; and especially to Bob Wilson and Sally Durfee from my staff and the staff from the Democratic side of our committee who have been there helping us too.

I am humbled and grateful to the people of this state for giving me the opportunity to be a part of this landmark achievement in our natural resources policy.

Senator Bishop's statement is as follows:

I think it is important that we all take a moment to appreciate what is going on here today. Here in Michigan we have a unique responsibility to protect the Great Lakes and to prevent the diversion of our water. Our state makes up the heart of the Great Lakes Basin, and we are home to 20 percent of the world's fresh water here in Michigan. As a result of all that has gone on in this chamber in this process, no state has taken a more thorough approach to protect the abundant water resources, while also looking out for the needs of the Michigan job providers.

The water compact bills that we are going to pass out of this chamber today will protect the Great Lakes, as well as the businesses and the individuals who rely on the abundant water resources for their livelihoods. Approval of the water compact will also have a lasting impact on all of us living in Michigan today; a positive, lasting impact on our children and our children's children for many generations to come.

I want to take this moment to pay special tribute to the chair of the committee, Senator Patty Birkholz, for her years of service in the area of protecting our environment; for her leadership and countless hours of hard work and perseverance on this particular issue; not only the hours she has devoted to this issue in the Senate, but also through her work on the water issues while she was in the House, where I had the opportunity to serve with her there. I also want to thank our

staff. We have an outstanding staff that has taken its time to do its homework to lead the way and participate in probably one of the most momentous packages of environmental legislation that we have had since we have served together.

Throughout the process, we made a commitment to develop a comprehensive water protection plan for Michigan that maintains our beautiful natural water resources, while allowing businesses and job providers to continue to grow and help build our state’s economy.

As we know from our experience over the years, it’s not always easy to bring together the interests of Michigan’s business community and the interests of conservationists, natural resource groups, and other groups to find agreements. With this water compact, we sought and achieved common ground. I am particularly proud of my Senate Republican Caucus, who took on this challenge and worked for the past eighteen months to bring diverse groups to the table to develop a plan that worked for everyone in our state. The Michigan Chamber of Commerce, the Michigan United Conservation Clubs, the Michigan Farm Bureau, and many others, all had a seat at the table in developing this comprehensive plan.

I want to thank all of my colleagues for their hard work and bipartisan cooperation in fashioning this compromise. Protection of our water is not just a Republican issue; it is not a Democratic issue; it is a Michigan issue. Thank you for working together to get the job done.

The following bill was read a third time:

Senate Bill No. 1163, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 3 (MCL 400.703), as amended by 1998 PA 442.

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. 432

Yeas—36

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

Nays—0

Excused—2

Patterson	Stamas
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Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4840, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

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. 433**Yeas—36**

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

Nays—0**Excused—2**

Patterson

Stamas

Not Voting—0

In The Chair: Richardville

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 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.

The following bill was read a third time:

Senate Bill No. 635, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

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. 434**Yeas—36**

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

Nays—0**Excused—2**

Patterson Stamas

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Concurrent Resolution No. 22**Senate Resolution No. 181**

The motion prevailed.

House Concurrent Resolution No. 86.

A concurrent resolution relative to secondary road patrol funds for certain communities in Oakland and Wayne Counties.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Kwame Nkrumah was the leader of Ghana and its predecessor state, the Gold Coast, from 1952 to 1966. He was one of the most influential spokesmen of the 20th century in support of Pan-Africa. He said, "When you start dealing with real change, you are always talking about interfering with those who are in possession of something." If we apply his words to changing the insurance situation in Michigan, we are talking about interfering with insurance companies in possession of obscene profits.

Well, when I weigh insurance company profits against the thousands of Michigan residents struggling to pay gasoline costs, medical bills, and mortgage payments, along with outrageous insurance bills, there is no question on whose side I stand. So excuse me if I interfere with those who are enjoying huge monetary gains on the backs of Michigan drivers and homeowners.

It's time for real change, and that change will come when you pass my bills.

Senator Schauer's statement is as follows:

I rise to make a statement to congratulate one of our staff. Tom Lenard is our communications director. Our members, I'm sure, have noted that Tom is not on the floor right now. I hope that Tom is actually watching at home or in the hospital with his wife Stephanie, who just delivered their first child this morning at 11:30 a.m. Madison Kennedy Lenard was born, and the report is that all are healthy and very happy. I would ask you to join me in your thoughts, prayers, and wishes to congratulate Mr. and Mrs. Lenard on the birth of their first child, Madison Kennedy.

Senator Sanborn's statement is as follows:

My office recently heard from a constituent who wanted to remind everyone in the state that while Flag Day may have already taken place, our celebration of Flag Month is not over. This is because Michigan law recognizes Flag Month, which does not actually end until July 14.

While I know that much of the state will not hear my comments today, I would invite all my colleagues to help spread the message that we are currently celebrating Flag Month around the state of Michigan. Our flag is truly an awesome symbol of this nation, our ideals, our struggles, and our history. It represents our shared identity as Americans, as well as the sacrifice made by countless thousands to improve and protect this nation.

Flag Month encourages residents to display the United States flag during the last half of June and the first half of July, while taking time to learn and relearn the proper handling of flag etiquette. I believe this month serves as a valuable reminder to all of us that our flag and our nation are truly special and should be respected and admired. That is why I would ask my colleagues and the residents of the state of Michigan to join me in recognizing Flag Month.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 4343, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5065, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32702, 32703, and 32727 (MCL 324.32701, 324.32702, 324.32703, and 324.32727), sections 32701, 32702, and 32703 as amended and section 32727 as added by 2006 PA 33.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32707, 32708, 32708a, 32709, and 32710 (MCL 324.32707, 324.32708, 324.32708a, 324.32709, and 324.32710), section 32707 as amended by 2006 PA 33, section 32708 as amended and section 32708a as added by 2006 PA 35, and sections 32709 and 32710 as added by 1995 PA 59.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32705 and 32706 (MCL 324.32705 and 324.32706), section 32705 as amended by 2006 PA 35 and section 32706 as amended by 1996 PA 434, and by adding sections 32706a, 32706b, 32706c, 32706d, and 32706e.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5073, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32801 and 32803 (MCL 324.32801 and 324.32803), section 32801 as added by 2003 PA 148 and section 32803 as amended by 2006 PA 34.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Prusi

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 Natural Resources and Environmental Affairs submitted the following:
Meeting held on Tuesday, June 24, 2008, at 8:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Birkholz (C), Van Woerkom, Basham and Prusi
Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture submitted the following:
Joint meeting held on Tuesday, June 24, 2008, at 4:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Brown (C) and Senator Scott
Excused: Senator Jelinek

Scheduled Meetings

Administrative Rules - Thursday, June 26, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-6476)

Appropriations -**Subcommittee -**

Capital Outlay - Thursday, June 26, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Commerce and Tourism - Thursday, June 26, 8:00 a.m., Room 100, Farnum Building (373-2413)

Conference Committees -

Agriculture (HB 5807) - Thursday, June 26, 9:00 a.m., Room 426, Capitol Building (373-8080)

History, Arts, and Libraries (HB 5804) - Thursday, June 26, 8:45 a.m., Room 424, Capitol Building (373-8080)

Labor and Economic Growth (HB 5809) - Thursday, June 26, 11:30 a.m., Room 327, South Tower, House Office Building (373-8080)

Military and Veterans Affairs (HB 5812) - Thursday, June 26, 9:30 a.m. and 4:00 p.m., Room 424, Capitol Building (373-8080)

State Police (HB 5811) - Thursday, June 26, 9:30 a.m. and 4:00 p.m., Room 424, Capitol Building (373-8080)

Finance - Thursday, June 26, 11:00 a.m., Room 110, Farnum Building (373-1758)

Legislative Commission on Government Efficiency - Friday, June 27, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 5:03 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, June 26, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate