

No. 54  
STATE OF MICHIGAN  
**Journal of the Senate**

**93rd Legislature**  
**REGULAR SESSION OF 2006**

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Senate Chamber, Lansing, Thursday, June 1, 2006.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Alan Sanborn.

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

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

Garcia—present  
George—present  
Gilbert—present  
Goschka—present  
Hammerstrom—present  
Hardiman—present  
Jacobs—present  
Jelinek—present  
Johnson—present  
Kuipers—present  
Leland—present  
McManus—present  
Olshove—present

Patterson—present  
Prusi—present  
Sanborn—present  
Schauer—present  
Scott—present  
Sikkema—present  
Stamas—present  
Switalski—present  
Thomas—present  
Toy—present  
Van Woerkom—present  
Whitmer—present

Pastor Floyd Starr of First Presbyterian Church of Mason offered the following invocation:

Gracious and most merciful God, thank You that You have given us a land where we are free to govern. Thank You also that in a society which increasingly seeks to shut You away that this body still desires to open its deliberations by seeking Your guidance and invoking Your presence.

We have called these people to an impossible task, O God. We ask that they please everybody, and even You cannot do that. So we ask that You would fill this place with Your Holy Spirit. Fill the hearts and the minds of all present with Your Spirit, that these people may rightly lead where You rightly guide.

To Your name be the glory, O God. Amen.

The Assistant President pro tempore, Senator Sanborn, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator Cropsey entered the Senate Chamber.

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

**Senate Bill No. 246**

The motion prevailed.

Senator Hammerstrom moved that Senators Garcia, Cassis and Brown be temporarily excused from today's session. The motion prevailed.

Senators Leland and Brown entered the Senate Chamber.

Senator Schauer moved that Senators Barcia, Clarke, Emerson and Thomas be temporarily excused from today's session.

The motion prevailed.

Senator Schauer moved that Senator Clark-Coleman be excused from today's session.

The motion prevailed.

Senators Thomas and Emerson entered the Senate Chamber.

The Secretary announced that the Majority Leader has made the appointment of the following select committee:

**Economic Growth (SCR 45)** - Senators Cassis (C), Sanborn and Thomas.

The select committee appointments were approved, a majority of the members serving voting therefor.

Senator Hammerstrom moved that rule 3.902 be suspended to allow the guests of Senator Gilbert admittance to the Senate floor, including the center aisle.

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

Senator Hammerstrom 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.

### Recess

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

The motion prevailed, the time being 10:07 a.m.

10:18 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Sanborn.

During the recess, Senator Gilbert introduced the Michigan-1 Disaster Medical Assistance Team (DMAT) and presented them with Senate Resolution No. 126, in honor of their service aiding hurricane victims.

Representative Pavlov, Dr. William Drake, and Team Leader Anthony Averbuch responded briefly.

During the recess, Senators Barcia and Cassis entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, May 31:  
**House Bill Nos. 5060 5545 5817 5818 5819 5820 5821**

The Secretary announced that the following official bills were printed on Wednesday, May 31, and are available at the legislative website:

**Senate Bill No. 1287**

**House Bill Nos. 6113 6114 6115**

### Messages from the Governor

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

**Senate Bill No. 272**

**Senate Bill No. 271**

**Senate Bill No. 264**

**Senate Bill No. 274**

**Senate Bill No. 281**

**Senate Bill No. 175**

**Senate Bill No. 236**

**Senate Bill No. 892**

**Senate Bill No. 893**

**Senate Bill No. 956**

**Senate Bill No. 957**

**Senate Bill No. 179**

**Senate Bill No. 1026**

**Senate Bill No. 1027**

**Senate Bill No. 1028**

**Senate Bill No. 372**

**Senate Bill No. 973**

**Senate Bill No. 974**

**Senate Bill No. 975**

**Senate Bill No. 976**

**Senate Bill No. 242**

The motion prevailed.

The following message from the Governor was received and read:

May 31, 2006

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following reappointment to office under Sections 302 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2002:

**Board of Professional Surveyors**

Ms. Carolyn S. Charters of 126 Springhill Road, Traverse City, Michigan 49686, county of Grand Traverse, reappointed to represent the general public, for a term expiring March 31, 2010.

Sincerely,

Jennifer M. Granholm

Governor

The appointment was referred to the Committee on Government Operations.

### Messages from the House

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

**Senate Bill No. 875**

The motion prevailed.

**House Bill No. 5789, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 20, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32k, 32l, 34, 37, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 99b, 101, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632k, 388.1632l, 388.1634, 388.1637, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1699b, 388.1701, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11g, 11j, 15, 18, 20j, 22a, 22b, 22d, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, 54a, and 99b as added by 2005 PA 155, section 11f as amended by 2006 PA 119, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, section 20 as amended and section 34 as added by 2006 PA 120, sections 25a and 161a as added by 1998 PA 553, section 31a as amended by 2006 PA 121, section 32k as added by 2004 PA 351, section 51a as amended by 2006 PA 90, and section 121 as amended by 1995 PA 130, and by adding sections 11m, 22c, 32b, 54b, 57a, 66, 92, 99c, 99d, 99e, 99f, and 104; and to repeal acts and parts of acts.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Moolenaar, Farhat and Plakas as conferees.

The message was referred to the Secretary for record.

**House Bill No. 5796, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2006 and September 30, 2007; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurrent in the Senate substitute (S-1) and appointed Reps. Hummel, Pastor and Brown as conferees.

The message was referred to the Secretary for record.

**Senate Bill No. 538, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 14501 and 14513 (MCL 324.14501 and 324.14513), section 14501 as amended by 2004 PA 333 and section 14513 as amended by 2004 PA 334.

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

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

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

**Senate Bill No. 693, entitled**

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

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

The House of Representatives has passed the bill as substituted (H-3) and ordered that it be given immediate effect.

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

**Senate Bill No. 837, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 20 (MCL 431.320), as amended by 2006 PA 42.

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

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1080, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

**Senate Bill No. 1082, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for community colleges for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

**Senate Bill No. 1083, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

**Senate Bill No. 1084, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

**Senate Bill No. 1085, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

**Senate Bill No. 1086, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

**Senate Bill No. 1087, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

**Senate Bill No. 1088, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2007; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2007; and to provide for the expenditures of the appropriations.

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

**Senate Bill No. 1089, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

**Senate Bill No. 1090, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

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

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

**Senate Bill No. 1092, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

**Senate Bill No. 1093, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department

of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

#### **Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

#### **Senate Bill No. 1095, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 20, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32k, 32l, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632k, 388.1632l, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1705, 388.1705c, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 31a, 31d, 32c, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, and 54a as added by 2005 PA 155, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, sections 25a and 161a as added by 1998 PA 553, section 32k as added by 2004 PA 351, and section 121 as amended by 1995 PA 130, and by adding sections 11m, 11n, 22c, 22e, 24a, 24c, 29, 31c, 32, 32b, 32m, 34, 34a, 35, 64, 65, 66, 98a, 99c, and 104; and to repeal acts and parts of acts.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2005 PA 155 and section 17b as amended by 2005 PA 150.

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

#### **Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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



The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Senator Clarke entered the Senate Chamber.

**Senate Bill No. 1112, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 85a (MCL 125.485a), as added by 2003 PA 307.

Substitute (H-1).

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

Senator Birkholz offered the following substitute to the House substitute:

Substitute (S-2).

The substitute to the substitute was adopted.

The question being on concurring in the House substitute, as substituted,

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

**Roll Call No. 427**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Clark-Coleman                      Garcia

**Not Voting—0**

In The Chair: Sanborn

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.

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

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Prusi as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

**House Bill No. 6034, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2006 PA 117.

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 Garcia entered the Senate Chamber.

Senator Hammerstrom 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:

**House Bill No. 6034**

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

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

**House Bill No. 5841**

**House Bill No. 5798**

**House Bill No. 5822**

**House Bill No. 5845**

**House Bill No. 4072**

**House Bill No. 4271**

**House Bill No. 4468**

**Senate Bill No. 1215**

**Senate Bill No. 640**

**Senate Bill No. 641**

**Senate Bill No. 642**

**Senate Bill No. 1269**

**Senate Bill No. 95**

**Senate Bill No. 1282**

**Senate Bill No. 1255**

**House Bill No. 6034**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5841, entitled**

A bill to create the methamphetamine reporting act; to prescribe the powers and duties of certain state and local departments and agencies; to require certain reports by certain persons; and to prohibit the disclosure of certain information under certain circumstances.

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—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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

The following bill was read a third time:

**House Bill No. 5798, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12103 (MCL 333.12103), as amended by 1985 PA 17.

The question being on the passage of the bill,

Senator Birkholz offered the following amendment:

1. Amend page 4, line 6, after "EXIST." by inserting "**THE PROPERTY OWNER MAY ESTABLISH THAT THE PROPERTY IS DECONTAMINATED BY SUBMITTING A WRITTEN ASSESSMENT OF THE PROPERTY BEFORE DECONTAMINATION AND A WRITTEN ASSESSMENT OF THE PROPERTY AFTER DECONTAMINATION, ENUMERATING THE STEPS TAKEN TO RENDER THE PROPERTY DECONTAMINATED, AND A CERTIFICATION THAT THE PROPERTY HAS BEEN DECONTAMINATED AND THAT THE RISK OF LIKELY CONTAMINATION NO LONGER EXISTS TO THE ENFORCING AGENCY. THE PROPERTY OR DWELLING SHALL REMAIN VACATED UNTIL THE ENFORCING AGENCY HAS REVIEWED AND CONCURRED IN THE CERTIFICATION.**"

The amendment was adopted, a majority of the members serving voting therefor.

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—37**

Allen	Cropsey	Jelinek	Schauer
Barcia	Emerson	Johnson	Scott

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

**Nays—0**

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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:

**House Bill No. 5822, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 7340.

The question being on the passage of the bill,

Senator Birkholz offered the following amendment:

1. Amend page 2, following line 19, by inserting:

**“(F) A MANUFACTURER OR DISTRIBUTOR WHO DONATES PRODUCT SAMPLES TO A NONPROFIT CHARITABLE ORGANIZATION THAT HAS TAX-EXEMPT STATUS PURSUANT TO SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, A LICENSED PRACTITIONER, OR A GOVERNMENTAL ENTITY.”.**

The amendment was adopted, a majority of the members serving voting therefor.

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—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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:

**House Bill No. 5845, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 20112b.

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—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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. 4072, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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—31**

Allen	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Johnson	Schauer
Birkholz	Garcia	Kuipers	Sikkema
Bishop	George	Leland	Stamas
Brater	Gilbert	McManus	Switalski

Brown  
Cassis  
Cherry

Goschka  
Hammerstrom  
Hardiman

Olshove  
Patterson  
Prusi

Toy  
Van Woerkom

**Nays—6**

Basham  
Emerson

Jacobs  
Scott

Thomas

Whitmer

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4271, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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—31**

Allen  
Barcia  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom  
Hardiman

Jelinek  
Johnson  
Kuipers  
McManus  
Olshove  
Patterson  
Prusi  
Sanborn

Schauer  
Sikkema  
Stamas  
Switalski  
Thomas  
Toy  
Van Woerkom

**Nays—6**

Basham  
Emerson

Jacobs  
Leland

Scott

Whitmer

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**House Bill No. 4468, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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—31**

Allen  
Barcia  
Birkholz  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clarke  
Cropsey  
Emerson  
Garcia  
George  
Gilbert  
Goschka  
Hammerstrom

Hardiman  
Jelinek  
Johnson  
Kuipers  
McManus  
Olshove  
Patterson  
Prusi

Sanborn  
Schauer  
Sikkema  
Stamas  
Switalski  
Toy  
Van Woerkom

**Nays—6**

Basham  
Jacobs

Leland  
Scott

Thomas

Whitmer



**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1215, entitled**

A bill to amend 1976 PA 295, entitled “State transportation preservation act of 1976,” by amending section 15a (MCL 474.65a), as added by 2002 PA 747.

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. 435****Yeas—25**

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

**Nays—12**

Basham	Emerson	Prusi	Switalski
Brater	Jacobs	Schauer	Thomas
Cherry	Leland	Scott	Whitmer

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 640, entitled**

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

The 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. 436****Yeas—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 641, entitled**

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

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. 437****Yeas—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 642, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.

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. 438****Yeas—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1269, entitled**

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

The 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. 439****Yeas—37**

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

**Nays—0****Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 95, entitled**

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

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. 440**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1282, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2003 PA 311.

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. 441**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1255, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 105b.

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. 442****Yeas—35**

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

**Nays—2**

Basham

Emerson

**Excused—1**

Clark-Coleman

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator George’s statement is as follows:

I did want to speak briefly in favor of final passage of this bill. I want to point out that it is timely that we take it up today, as I know that some of you are preparing to travel to Mackinac Island to join the Detroit Chamber’s conference.

I have read that much of the conference is devoted to the problem of high health care costs in Michigan. In fact, the editorial in yesterday’s *Detroit News* said that controlling health care costs is the key to Michigan’s economic recovery. Health care costs in Michigan are high for one reason and that is because people in our state are unhealthy. That is why health insurance is so expensive here. So if you go to Mackinac Island and, let’s say, you attend a panel presentation on health care, you might hear from representatives from the Hospital Association or from some of the physician groups or nurse groups or our great research universities. They will tell you that they have the answer to the state’s health care woes, and it will mostly involve giving them more money.

They will tell you that if only hospitals are paid more, if only we trained more physicians, if we only allowed the expansion of the scope of practice of allied health practitioners, or if only we separated the Big 3 from the higher education budget, they say that will fix Michigan’s health care problems. They will say that providing more health care services is the answer and it is not. Our goal should not be to have every hospital in Michigan filled with a paying customer. That is not the key to fixing Michigan’s health care problems.

Our goal is set for us in the state Constitution, Article 4, Section 51, and it says that we are to make laws protecting and promoting the public’s health. The key to Michigan’s future is to have a healthier population and thereby spend less on health care services. You spend less by lessening the demands and you lessen the demands by creating a healthier population which needs less health care.

I would just make an analogy for a moment to education. What would you do if you sent your son or daughter off to a great school, and you paid for tuition and fees, their room and board, their books and supplies, and then you saw their report card and found that they were failing in every class? What if you found out that they never attended classes and didn’t do their homework, that they never even opened their books? What would your response be? Would you say, “Well, I must not be paying enough in tuition? Maybe I need to get them some newer books or a tutor.” No, I don’t think so. The answer would be that the child needs to show up for class and study.

That is what we need to work on with health care. That is what we need to do with Medicaid, and that’s the point of Senate Bill No. 1255. It says to the administration, Governor, if you want to expand Medicaid and cover more people, that is great. But you also need to ask for permission to reform Medicaid so that individuals and our contracted health plans will have incentives to keep people healthy.

This bill is an attempt to give the department the tools it needs, new tools, to change the behavior of Michigan citizens so that we can help them be healthy, not just paying for their services.

I appreciate your support.

The following bill was read a third time:

**House Bill No. 6034, entitled**

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2006 PA 117.

The question being on the passage of the bill,

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

**Roll Call No. 443**

**Yeas—37**

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

**Nays—0**

**Excused—1**

**Not Voting—0**

In The Chair: Sanborn

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 promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 71**

The motion prevailed.

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

**Senate Resolution No. 145**

The resolution consent calendar was adopted.

Senator Schauer offered the following resolution:

**Senate Resolution No. 145.**

A resolution designating June 6, 2006, as Ryan Newman Day in Michigan.

Whereas, NASCAR racing star Ryan Newman drives the #12 Dodge Charger and is a four-time winner at Michigan International Speedway, having posted two victories each in the NASCAR NEXTEL Cup Series and the NASCAR Busch Series; and

Whereas, Ryan Newman was born in 1977 and began his racing career at an early age. He graduated from high school with honors and was a recipient of the Rich Vogler Memorial Scholarship, a scholarship fund set up to encourage members of the racing community to pursue higher education. Ryan Newman earned his bachelor's degree in vehicle structure engineering from Purdue University in 2001; and

Whereas, In 1993, he won the All-American Midget Series championship, and in 1999, he was named the USAC Silver Bullet Series National Champion, becoming the first driver in series history to earn a victory in all three divisions—Sprint, Midget, and Silver Crown—in one season. In 2000, Ryan Newman joined forces with motorsports legend Roger Penske and entered the field of stock car racing, amassing wins and acclaim from the start; and

Whereas, Ryan Newman holds the NEXTEL Cup qualifying record at Michigan International Speedway, having posted a top speed of 194.232 mph in June 2005, and continues to thrill fans across Michigan as one of NASCAR's “Young Guns”; and

Whereas, In addition to his commitment to racing, Ryan Newman has shown a commitment to education and to community and charitable causes. In January 2005, Ryan Newman and his wife, Krissie Newman, created the Ryan Newman Foundation to help establish and maintain programs to reduce the overpopulation and euthanization of abandoned and unwanted dogs and cats, increase the adoption of homeless pets, provide humane education to youth and adults, and prevent cruelty to animals, while encouraging collaboration between humane societies, animal rescue groups, and animal control agencies; and

Whereas, The Ryan Newman Foundation is also working to help nonprofit organizations in the preservation and conservation of wildlife and the environment, and is currently working to build an endowment to provide scholarships to students who pursue their college educations while continuing their involvement in auto racing; and

Whereas, Ryan Newman will be the special guest at Michigan International Speedway's Victory Lane Club prior to the 3M Performance 400 at Michigan International Speedway this month; now, therefore, be it

Resolved by the Senate, That we hereby designate June 6, 2006, as Ryan Newman Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Ryan Newman as a token of our high regard for his achievements so far, both on the racetrack and in the charitable domain, and for his contributions to Michigan auto racing that are still to come.



**Senate Concurrent Resolution No. 45.**

A concurrent resolution to create the Joint Select Committee on Economic Growth.

(For text of resolution, see Senate Journal No. 53, p. 1161.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

**Introduction and Referral of Bills**

Senators Garcia, Emerson, Birkholz, Stamas, Goschka, Cropsey, Prusi, Barcia, Thomas, Allen, Toy, McManus, Van Woerkom, Hammerstrom, Jelinek, Basham, Kuipers, Bishop and Cassis introduced

**Senate Bill No. 1288, entitled**

A bill to codify the workforce development system to deliver workforce development programs and services tailored to local needs; to provide for Michigan works areas; to provide for local workforce development boards; to provide for education advisory groups; to provide for consolidated access to employment and retention programs in one-stop service centers; and to prescribe the powers and duties of certain state and local governmental officers and agencies.

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

**House Bill No. 5060, entitled**

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

The House of Representatives has passed the bill.

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

**House Bill No. 5545, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 3 (MCL 207.623).

The House of Representatives has passed the bill.

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

**House Bill No. 5817, entitled**

A bill to amend 1965 PA 40, entitled "An act to authorize and require public agencies to pay allowances for the expense of moving personal property from real property acquired for public purposes," by amending section 2 (MCL 213.352), as amended by 1991 PA 21.

The House of Representatives has passed the bill.

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

**House Bill No. 5818, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 16 (MCL 213.66), as amended by 1996 PA 474.

The House of Representatives has passed the bill.

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

**House Bill No. 5819, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 9 (MCL 213.59), as amended by 1996 PA 474.

The House of Representatives has passed the bill.

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

**House Bill No. 5820, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 8 (MCL 213.58), as amended by 1996 PA 474.

The House of Representatives has passed the bill.

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

**House Bill No. 5821, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

The House of Representatives has passed the bill.

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

**Statements**

Senators Scott and Kuipers 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:

I didn't pull anything off of my insurance website today, but I would just like to remind my colleagues that it is so important that we take up these bills so that people will have affordable insurance. I have a bill in committee now regarding setting up a task force for this summer so that we can pull the necessary people together to really sit down and look at the insurance rates from around this state.

So I would hope that the chair of the committee would certainly take up this bill soon. I would encourage my colleagues to encourage that to happen.

Senator Kuipers' statement is as follows:

I wanted to take this opportunity to congratulate a group of students, actually about 120,000 students, who for the last two weeks and over the upcoming two-three weeks will be graduating from Michigan high schools, both private and public. I wanted to take this opportunity to congratulate one in particular. That is, my son Corey Kuipers, who will be graduating from Holland Christian High School.

I, of course, am a proud father and I wanted to congratulate him along with the other 120,000 students. Certainly, I wish them the very best as they transition into a new phase in their lives.

**Committee Reports**

The Committee on Natural Resources and Environmental Affairs reported

**Senate Bill No. 1159, entitled**

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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.

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

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. 5125, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111, and 324.80112), as added by 1995 PA 58.

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.

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom and Brater

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, May 30, 2006, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Finance reported

**Senate Bill No. 926, entitled**

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

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

Yeas: Senators Cassis, Garcia, McManus, Thomas and Brater

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, May 31, 2006, at 12:10 p.m., Room 110, Farnum Building

Present: Senators Cassis (C), Garcia, McManus, Thomas and Brater

The Committee on Senior Citizens and Veterans Affairs reported

**Senate Bill No. 420, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7b (MCL 722.27b), as amended by 2004 PA 542.

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.

Laura M. Toy  
Chairperson

To Report Out:

Yeas: Senators Toy, Stamas and Gilbert

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 Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, May 31, 2006, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Toy (C), Stamas and Gilbert

Excused: Senators Clark-Coleman and Olshove

The Committee on Health Policy reported

**Senate Bill No. 229, entitled**

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

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson and Jacobs

Nays: Senator George

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

The Committee on Health Policy reported

**Senate Bill No. 230, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson and Jacobs

Nays: Senator George

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

The Committee on Health Policy reported

**House Bill No. 5014, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Whitmer and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 5015, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5901, 5911, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5911, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5906; and to repeal acts and parts of acts.

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Whitmer and Jacobs

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 5962, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 406 (MCL 550.1406).

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Patterson, George, Whitmer 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, May 31, 2006, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hammerstrom (C), Patterson, George, Whitmer and Jacobs

#### Scheduled Meetings

##### **Appropriations -**

##### **Subcommittee -**

**State Police and Military Affairs** - Thursday, June 8, 8:30 a.m., Room 100, Farnum Building (373-5932)

**Judiciary** - Tuesday, June 6, 1:00 p.m., Room 210, Farnum Building (373-3760)

**Local, Urban and State Affairs** - Thursday, June 8, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Michigan Capitol Committee** - Wednesday, June 7, 12:00 noon, Rooms 402 and 403, Capitol Building (373-0289)

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 11:23 a.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Tuesday, June 6, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

