

No. 83
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Thursday, September 14, 2006.

10:00 a.m.

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

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

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

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

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

Senator Gerald Van Woerkom of the 34th District offered the following invocation:

Heavenly Father, it is a joy to come to You this morning. We praise Your name because we recognize that You are Lord of lords, and King of kings. We're grateful to You for the blessings that we've received from You. We pray that You'll continue to care for us and bless us in this day. We pray for health and for strength. We pray for wisdom in the decisions that we make in this day. We pray that You will continue to bless this great state of Michigan and all the people who are living therein.

Lord, we pray for people who every day are in harms' way. We think particularly of the armed forces and we pray that You'll be near those people and keep them safe. We pray, too, for people right here in our own communities—our police force, our firemen, and our security people. We pray that You'll be near them and give them wisdom and discretion in the work that they have to do.

Lord, help us in all that we undertake. In Your most holy name. Amen.

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

Motions and Communications

Senators Garcia, Patterson and Emerson entered the Senate Chamber.

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

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

Senator Hammerstrom moved that consideration of the following bill be postponed for today:
Senate Bill No. 246
The motion prevailed.

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

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

House Bill No. 6253

Senate Bill No. 1375

Senate Bill No. 1371

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

Senator Hammerstrom moved that the rules be suspended and that the following concurrent resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

Senate Concurrent Resolution No. 54

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

The following communications were received:
Department of State

Administrative Rules
Notices of Filing

June 28, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:06 p.m. this date, administrative rule (06-06-06) for the Department of

Labor and Economic Growth, Public Service Commission “*Informational Reparation Docket Cases Before the Commission.*” These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

June 30, 2006

In accordance with the provisions of MCL 24.248, this is to advise you that the Department of Labor and Economic Growth, Office of Policy and Legislative Affairs filed at 3:35 p.m. this date, administrative rule (06-06-07E) for the Department of Education, entitled “*Special Education Hearings.*” These rules take effect upon filing with the Secretary of State and shall be effective until December 30, 2006.

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

The communications were referred to the Secretary for record.

The following communications were received:
 Office of the Auditor General

September 12, 2006

Enclosed is a copy of the following audit report:
 Performance audit of the Bureau of Investments, Department of Treasury.

September 12, 2006

Enclosed is a copy of the following audit report:
 Performance audit of State Universities’ Reporting of Selected Higher Education Institutional Data Inventory Data for fiscal year 2004-05.

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

The communications were referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from April 1, 2006 through June 30, 2006, and are available in the Secretary’s office during business hours for public inspection:

Committee

Agriculture, Forestry and Tourism
 Appropriations
 Banking and Financial Institutions
 Commerce and Labor
 Economic Development, Small Business and Regulatory Reform
 Education
 Families and Human Services
 Finance
 Gaming and Casino Oversight
 Government Operations
 Health Policy
 Judiciary
 Local, Urban and State Affairs
 Natural Resources and Environmental Affairs
 Senior Citizens and Veterans Affairs
 Technology and Energy
 Transportation

Chairperson

Senator Gerald Van Woerkom
 Senator Shirley Johnson
 Senator Michael Bishop
 Senator Jason Allen
 Senator Alan Sanborn
 Senator Wayne Kuipers
 Senator Bill Hardiman
 Senator Nancy Cassis
 Senator Jason Allen
 Senator Ken Sikkema
 Senator Beverly Hammerstrom
 Senator Alan Cropsey
 Senator Laura Toy
 Senator Patricia Birkholz
 Senator Laura Toy
 Senator Bruce Patterson
 Senator Jud Gilbert

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 13:

House Bill Nos.	4983	5172	5435	5761	5985	6011	6017	6128	6129	6130	6131	6132	6133	6239
	6291	6292	6293	6294	6295	6310	6322	6325						

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

Senate Bill Nos.	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426
House Bill Nos.	6450	6451	6452	6453	6454	6455	6456	6457	6458	6459	6460	6461	6462	6463
	6464	6465	6466	6467										

Messages from the Governor

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

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

The motion prevailed.

The following message from the Governor was received and read:

September 12, 2006

I am writing to inform you of my withdrawal of the following reappointment filed with your office on June 27, 2006 pursuant to Section 46 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1046:

Board of Health and Safety Compliance and Appeals

Mr. Sam T. Hart of 8605 East Denver Road, Mt. Pleasant, Michigan 48858, county of Isabella, reappointed to represent labor and construction, for a term expiring March 18, 2008.

Sincerely,
 Jennifer M. Granholm
 Governor

The message was referred to the Committee on Government Operations.

Messages from the House

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

Senate Bill No. 435

Senate Bill No. 640

The motion prevailed.

Senate Bill No. 848, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3426.

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

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

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

The Senate agreed to the full title.

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

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

The motion prevailed.

Senator Jacobs' statement is as follows:

I want to mention also that today I have very special guests as well. There are several staff members of the Michigan Domestic Violence Prevention and Treatment Board, including Executive Director Debi Cain. This board was created by the Legislature in 1978 with a statutory charge to lead statewide efforts in domestic violence as well as to provide expertise and consultation to the Legislature.

For those of you who have not yet had the opportunity to call upon the board and their expert staff, I encourage you to do so. Please join Representative Emmons and I in welcoming them today, as well as Senator Johnson.

Senator Johnson's statement is as follows:

Lieutenant Governor, you and I and Senator Jacobs and the rest of this body have some very special guests here today. We have a group of women from the domestic violence centers. They are here for their conference. All of us in a bipartisan fashion have recognized all of their efforts over the years. We've worked cohesively on attempting to get as many laws provided that will help them in all that they do in helping those who suffer from domestic violence. And, no, I'm not wearing this collar because of that.

Welcome to the Michigan Senate Chamber and I wish my colleagues would welcome them as well.

Senator Stamas entered the Senate Chamber.

Senate Bill No. 849, 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 414b.

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

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

The recommendation was not concurred in, 2/3 of the members serving not 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. 877, entitled

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; to provide certain powers and duties for certain state agencies; and to provide for immunity from liability under certain circumstances.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; and to provide certain powers and duties for certain state agencies.

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

Senate Bill No. 912, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 27a and 53b (MCL 211.27a and 211.53b), section 27a as amended by 2005 PA 23 and section 53b as amended by 2006 PA 13, and by adding section 7jj; and to repeal acts and parts of acts.

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. 913, entitled

A bill to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

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

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

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

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

Senator Barcia entered the Senate Chamber.

Senate Bill No. 914, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

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. 917, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 512.

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. 1016, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601, 2605, 2607, 2617, 2619, 2627, 2633, 2635, and 2637 (MCL 339.2601, 339.2605, 339.2607, 339.2617, 339.2619, 339.2627, 339.2633, 339.2635, and 339.2637), as amended by 1999 PA 170, and by adding section 2610; and to repeal acts and parts of acts.

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.

Conference Reports

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

House Bill No. 5454

House Bill No. 5455

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

House Bill No. 5454, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51105, 51106, 51108, and 51116 (MCL 324.51105, 324.51106, 324.51108, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, and 51116 as added by 1995 PA 57.

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

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

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

House Bill No. 5454, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51105, 51106, 51108, 51113, and 51116 (MCL 324.51105, 324.51106, 324.51108, 324.51113, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, 51113, and 51116 as added by 1995 PA 57.

Recommends:

First: That the House and Senate agree to the substitute of the Senate as passed by the Senate and to the following amendment:

1. Amend page 6, line 7, after “**ACQUIRED**” by striking out “**AFTER DECEMBER 31, 2004**” and inserting “**WITHIN THE LAST 10 YEARS**”.

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 51105, 51106, 51108, and 51116 (MCL 324.51105, 324.51106, 324.51108, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, and 51116 as added by 1995 PA 57.

Kevin Elsenheimer
Tom Casperson
Joel Sheltrown
Conferees for the House

Gerald Van Woerkom
Ron Jelinek
Liz Brater
Conferees for the Senate

The question being on the adoption of the conference report,

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

Roll Call No. 676

Yeas—32

Allen	Cropsey	Jacobs	Schauer
Barcia	Emerson	Jelinek	Scott
Basham	Garcia	Johnson	Sikkema
Birkholz	George	Kuipers	Stamas
Brater	Gilbert	Leland	Switalski

Brown
Clark-Coleman
Clarke

Goschka
Hammerstrom
Hardiman

McManus
Olshove
Prusi

Toy
Van Woerkom
Whitmer

Nays—5

Bishop
Cassis

Cherry

Patterson

Sanborn

Excused—1

Thomas

Not Voting—0

In The Chair: President

House Bill No. 5455, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51101, 51103, 51112, and 51113 (MCL 324.51101, 324.51103, 324.51112, and 324.51113), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

The Conference Report was read as follows:

FIRST CONFERENCE REPORT

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

House Bill No. 5455, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51101, 51103, and 51104 (MCL 324.51101, 324.51103, and 324.51104), as added by 1995 PA 57; and to repeal acts and parts of acts.

Recommends:

First: That the House agree to the Substitute of the Senate as passed by the Senate.

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 51101, 51103, 51112, and 51113 (MCL 324.51101, 324.51103, 324.51112, and 324.51113), as added by 1995 PA 57; and to repeal acts and parts of acts.

Bill Huizenga
Tom Casperson
Joel Sheltroun
Conferees for the House

Gerald Van Woerkom
Ron Jelinek
Liz Brater
Conferees for the Senate

The question being on the adoption of the conference report,

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

Roll Call No. 677**Yeas—37**

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

Nays—0**Excused—1**

Thomas

Not Voting—0

In The Chair: President

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 have a very special guest with me today, in fact, two guests. They are in the corner of the west Gallery, Mrs. Mary Hall and Ms. Doris Smith. I want to tell you a little bit about Mrs. Hall and why she is so special. She was my first grade teacher, and I was one of the luckiest children alive in the Flint Public Schools because I got to have her not for one year, but for four years. It's not because I flunked first grade three times. It's because after first grade, Mrs. Hall took on a class that was combined. It had second, third, and fourth graders. The Flint Public Schools was on the cutting edge of innovation. Mrs. Hall was on the cutting edge and she had second, third, and fourth graders. I was lucky enough to stay in her class for second grade and then we repeated that. So I had her through fourth grade. I'll tell you, she was one of the greatest people in my life.

She, of course, was a great teacher, but not only did she teach us, she took care of us. If you had a loose tooth and she found out about it, look out. You wouldn't keep it for very long. I think Mrs. Hall snatched most of my loose teeth. She taught for 44 years in the Flint Public Schools. She taught at Belleville first and then she came to Flint and taught at Washington School, Pierce Elementary—which is my alma mater—Walker School, and then she ran a charter school in Flint—Questar—for 21 years. She taught from 1958 through 2002.

Now, in addition to all the subjects that you'd have in grade school, the highlight of the day in Mrs. Hall's class was when all of her students would sit cross-legged on the floor for when she would read to us. She wasn't just reading *See Dick and Jane Run*, she was reading the *Adventures of Jimmie Microbe* and *Winnie the Pooh* and *Charlotte's Web*. For each character, she would have a different voice and a different characterization, and you wouldn't be able to hear a pin drop in that classroom. Those kids, my classmates, were riveted to Mrs. Hall while she would read, but the highlight was she was reading to us Tolkien, *The Hobbit* and *The Lord of the Rings* trilogy when we were in grade school. We couldn't get enough of it. Of course, her legacy is in the thousands of Flint Public Schools children whom she has taught, in whom she inspired that creative spark. She allowed us to imagine in our minds the stories that she was reading and envisioning a fantasy world with strange characters. If you can do that, you can envision a better world and a better future.

So, that's Mrs. Hall's legacy to me and to my fellow students. She gave us that creative spark, that ability to imagine a better future for all of us.

Please join me in welcoming my first through fourth grade teacher, Mrs. Mary Hall, and her friend Doris Smith.

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

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

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

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

Senate Bill No. 1399, entitled

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

Senate Bill No. 1375, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

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 amendments, the following bill:

House Bill No. 6016, entitled

A bill to amend 1964 PA 142, entitled "An act to authorize the state department of education to provide minimum requirements for nonincorporated privately operated institutions which purport to offer degrees, diplomas or certificates based on education beyond high school, or education for transfer to institutions of higher learning," (MCL 390.771 to 390.772) by adding section 1a.

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

1. Amend page 1, line 2, after "**SECTION**" by striking out "**177A**" and inserting "**184A**".
2. Amend page 1, line 2, after "**MCL**" by striking out "**450.177A**" and inserting "**450.184A**".

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

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

House Bill No. 6014, entitled

A bill to amend 1931 PA 327, entitled "An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations," by amending sections 171 and 176 (MCL 450.171 and 450.176) and by adding section 184a.

Substitute (S-1).

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

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

Senate Bill No. 1257, entitled

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

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. 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.

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. 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.

Substitute (S-1).

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

1. Amend page 7, line 18, after "**DISCOVERY.**" by inserting "**IF THE OWNER FAILS TO PROVIDE SUPPLEMENTARY INFORMATION AS REQUIRED UNDER THIS SUBDIVISION, THE COURT MAY ASSESS AN APPROPRIATE SANCTION IN ACCORDANCE WITH THE MICHIGAN COURT RULES FOR FAILING TO COMPLY WITH DISCOVERY ORDERS, INCLUDING, BUT NOT LIMITED TO, BARRING THE CLAIM. IN ADDITION, THE COURT ALSO SHALL CONSIDER ANY FAILURE TO PROVIDE TIMELY SUPPLEMENTAL INFORMATION WHEN IT DETERMINES THE MAXIMUM REIMBURSABLE ATTORNEY FEES UNDER SECTION 16.**".

2. Amend page 10, line 4, after "**HAVE**" by striking out "**RESIDED IN**" and inserting "**OWNED**".

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 6031, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 8 (MCL 207.218), as amended by 2004 PA 472.

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. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16181 and 16186 (MCL 333.16181 and 333.16186), section 16181 as amended by 2004 PA 200 and section 16186 as amended by 2004 PA 3.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1371, entitled

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182).

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.

Resolutions

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

Senate Resolution No. 71

The motion prevailed.

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

Senate Concurrent Resolution No. 56

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

Senator Scott offered the following concurrent resolution:

Senate Concurrent Resolution No. 56.

A concurrent resolution of tribute to honor the memory of Jackie Vaughn III, former member of the Senate and the House of Representatives.

His lord said unto him, Well done, good and faithful servant . . .

Matthew 25:23

Whereas, It is with deep respect for his long and dedicated life in public service that we honor the memory of Jackie Vaughn III of Detroit. Over the course of his 36 years of commitment as a lawmaker, this gentleman was a tireless voice for young people, civil rights, and justice in our state. We extend our condolences to the many people throughout Michigan who were touched by his life and work; and

Whereas, A veteran of service with the United States Navy, Jackie Vaughn earned his bachelor's degree from Hillsdale College and his master's degree at Oberlin College and studied in England at Oxford University. He came of age in the midst of our nation's civil rights struggles, and this fact and his belief in education influenced his entire public life and legislative career; and

Whereas, Jackie Vaughn came to Lansing in 1967 following his election to the first of his six terms in the House of Representatives. He was a consistent advocate for education and breaking down barriers in society. In 1979, he brought his talents and energies to the Michigan Senate, where he served until 2002; and

Whereas, Highlights of Senator Vaughn's long and distinguished tenure included his leadership in lowering the voting age to 18 and in the establishment of the holiday to mark the life of Dr. Martin Luther King, Jr. Senator Vaughn, one of the state's longest-serving lawmakers, was also known for his singular attention to the people of his district and his long devotion to the Hartford Memorial Baptist Church and a host of civic, school, and community groups; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we offer this expression of our highest tribute to honor the memory of Jackie Vaughn III, former member of the Senate and the House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to Senator Vaughn's family as evidence of the esteem that will long be held for his memory throughout Michigan.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted by a unanimous standing vote of the Senate.

Senator Hammerstrom moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the concurrent resolution.

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

Senators Scott, Cropsey and Clark-Coleman 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 just wanted to make a few remarks regarding Senator Jackie Vaughn. I just want to thank God for his life and for what he did for all of the citizens of the state of Michigan, especially those in Detroit. It didn't matter whether or not it was his district or not. When anyone asked him for a resolution or to be at a church or some affair, he was always there. He didn't send his staff; he came himself. He always had some index cards where his staff had everything laid out exactly how he was to get to the place and what time he was to speak. He went according to those cards.

When I came to the Senate, I remember him looking at my walls one day and he said, "I don't see a picture of myself up there." So I had to have a picture taken with him. My wall does adorn his picture now. There was a group of black women, the Association of Colored Women, the longest-serving black organization that came to Lansing one day and Jackie came and joined us. It was just a happy day for him. We took that picture that day, and that is the picture that I have on my wall. He was just a tireless advocate for the people in the state of Michigan.

I was talking to a friend of ours from Virginia last night, letting her know. She said she was going to find this poem that she wrote for Jackie. She said it was entitled "Jackie the Man." She said that she hopes to locate that poem sometime tomorrow because she would like for someone to read that poem at his funeral.

Jackie was just a kind of individual whom everyone would want to be their legislator. He was always there speaking up for the people. If you ever went out to dinner with him, he would always say, "I'll hold my salad until my food comes because I eat mine together. When I was in England, I learned that you eat your salad along with your food." It was just a delight to be in his presence because he always had a lot of history to impart to you.

Again, I just want to say, "Thank you, Senator Jackie Vaughn, for all that you did. May God have a special place for you."

Senator Cropsey's statement is as follows:

I served with Jackie Vaughn here in the Senate back when I was elected in 1982, so it was 1983, 1984, 1985, and 1986. My dad and I both served with Senator Vaughn. I really did have a kind of special relationship with Jackie Vaughn. I was one of the youngest Senators from the outstate area. Jackie was one of the statesmen from Detroit. It seemed like with Detroit you had three gentlemen from Detroit who had served here forever and a day, at least to a thirty-year-old Senator coming in. It seemed like they had been here for a long time. Jackie and I did strike up a friendship. Oftentimes, when we'd have times where we were waiting for the House to complete their work and the Senate was milling around, I'd go over and I'd sit by Jackie and sometimes he'd come over and sit by me or sit between my dad and myself and just talk. He did have a wealth of history on what had gone around not only in the Senate, but also what had gone around in Detroit.

What I really appreciated about Jackie when thinking back on him, I remember his smile. I don't think he ever had a bad day that I can ever remember. He was always pleasant and kind. I don't ever remember him ever saying in any conversation a bad word about another Senator he was serving with. I just really appreciated his kindness and civility and his genuine warmth. He is truly one of the finest individuals I think I have ever met. We miss Jackie.

Senator Clark-Coleman's statement is as follows:

I had to get up and make a few remarks because Jackie and I, we share the same district. I serve in the district of Jackie Vaughn and represent it. I met Jackie back in the '60s. At that time, I was an activist. I've really calmed down a lot since then. Jackie was a part of a group that I was a member of, the young adult division of the NAACP. At that time, Jackie was 35, according to Jackie. Jackie remained 35 during most of the time that I've known him.

Jackie was known as the moderator. When we were young and wanted to go out there on civil rights marches and lie down on the floor and demand our rights, Jackie was the one who kind of moderated us to keep us from getting too far out there on the limb. But also as I grew up and Jackie would be the one—it was a standing joke in the Detroit community that if there was any event planned that Jackie was there, you were going to get a tribute. So we always joked that Jackie had a tribute mill because he was going to present a tribute for any occasion. When I received my Bachelor of Arts degree, I didn't even know that Jackie even knew that I had received it. I got a tribute, not just a standard one, but a whole written tribute. When I got my master's degree, I got a tribute. Every single thing I did in my life, I think I got a tribute from Jackie Vaughn.

I think that it is ironic that we are presenting him with a tribute resolution, so I'm sure that he's up there in heaven right now and he's looking down saying, "I earned this resolution because of all of the tributes that I have given out over all the years."

So Jackie is one in a million. We will all try during our lifetime to measure up to the accomplishments of Jackie Vaughn. I certainly send prayers and blessings to his family, but I know that he's in the right place at the right time.

The President of the Senate made a statement and requested that it be printed in the Journal.

The President's statement is as follows:

As I served with Jackie Vaughn for sixteen years here in the Senate, all the previous speakers have spoken truthfully. They have described him as an individual and as a Senator in this body. I can truly say that there were several qualities that Jackie had that really stood out. First of all, he was a gentleman. He was clear and felt comfortable engaging in the legislative process in debate, but in every instance, he conducted himself as a gentleman and he did that, I believe, because he always saw the brighter side of humanity. I also believe that that was one of the reasons that he developed such a reputation for tributes because he was always viewing life and individuals as joyous occasions and reasons to celebrate.

He was a fiercely loyal individual. I know that on many occasions, Jackie Vaughn stood up on the floor of the Senate to defend his Mayor Coleman Young when he felt that the Mayor was being unfairly criticized. Similarly, he was a staunch defender of his city. He would not let any instance or situation go where he felt his constituents or his city was suffering by action of the Senate. Jackie Vaughn was always the first to stand up and defend it.

But the thing that I always remember about Jackie Vaughn, in particular, was his passion for education. Clearly, he was one who dedicated a great deal of his personal life to study, but he understood what doors education opened for him. He was always one to advocate for those opportunities for future generations as well. He served, I think, a number of years as chair of the Senate's colleges and universities committee and was responsible for shepherding some important legislation through this body over the years as it pertained to education.

I do recall, as Senate Democratic Leader, that Jackie, during his last couple of years, had to not attend Senate session because of his health. I always appreciated, as leader then, the body's respect for his service by allowing him to finish out his term. It is a sad occasion to see a great man and a great public servant end his tenure in this body that way, but I think the willingness of people to treat him humanly was a reflection of the respect that he accorded everyone in this body during his tenure here. It's a sad moment to be informed of his passing, and it's good to see that the body has provided him with the tribute that he deserves.

Senate Concurrent Resolution No. 54.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

The question being on the adoption of the concurrent resolution,

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

Senate Concurrent Resolution No. 53.

A concurrent resolution to honor the memory of John W. Fitzgerald, former member of the Michigan Senate and justice of the Michigan Supreme Court.

(For text of resolution, see Senate Journal No. 71, p. 1899.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 1360, entitled

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

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

House Bill No. 6016

House Bill No. 6014

House Bill No. 6253

Senate Bill No. 1375

Senate Bill No. 1371

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. 5348

House Bill No. 5349

Senate Bill No. 1328

Senate Bill No. 1361

House Bill No. 6016

House Bill No. 6014

House Bill No. 6253

Senate Bill No. 1375

Senate Bill No. 1371

The motion prevailed.

The following bill was read a third time:

House Bill No. 5348, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3901 (MCL 500.3901), as added by 1992 PA 84, and by adding section 3902; 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. 678**Yeas—37**

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

Nays—0**Excused—1**

Thomas

Not Voting—0

In The Chair: President

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5349, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1204c, 3915, 3927, 3935, and 3942 (MCL 500.1204c, 500.3915, 500.3927, 500.3935, and 500.3942), section 1204c as amended by 2006 PA 109 and sections 3915, 3927, 3935, and 3942 as added by 1992 PA 84, and by adding sections 1204f, 3906, 3910, 3910a, 3910b, 3925, 3926, 3926a, and 3941a.

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. 679

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: President

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

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

Senator Hammerstrom offered to amend the title to read as follows:

A bill to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims

against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending sections 1204a, 1204c, 3915, 3927, 3935, and 3942 (MCL 500.1204a, 500.1204c, 500.3915, 500.3927, 500.3935, and 500.3942), section 1204a as amended by 1987 PA 64, section 1204c as amended by 2006 PA 109, and sections 3915, 3927, 3935, and 3942 as added by 1992 PA 84, and by adding sections 1204f, 3906, 3910, 3910a, 3910b, 3925, 3926, 3926a, and 3941a.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

Senate Bill No. 1328, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333 (MCL 333.7333), as amended by 2001 PA 231.

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. 680

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1361, entitled

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

The question being on the passage of the bill,

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

Roll Call No. 681

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6016, entitled

A bill to amend 1964 PA 142, entitled “An act to authorize the state department of education to provide minimum requirements for nonincorporated privately operated institutions which purport to offer degrees, diplomas or certificates based on education beyond high school, or education for transfer to institutions of higher learning,” (MCL 390.771 to 390.772) by adding section 1a.

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. 682

Yeas—33

Allen	Emerson	Jelinek	Sanborn
Barcia	Garcia	Johnson	Schauer
Birkholz	George	Kuipers	Sikkema
Bishop	Gilbert	Leland	Stamas
Brown	Goschka	McManus	Switalski
Cassis	Hammerstrom	Olshove	Toy

Cherry
Clarke
Cropsey

Hardiman
Jacobs

Patterson
Prusi

Van Woerkom
Whitmer

Nays—4

Basham

Brater

Clark-Coleman

Scott

Excused—1

Thomas

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 6014, entitled

A bill to amend 1931 PA 327, entitled “An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations,” by amending sections 171 and 176 (MCL 450.171 and 450.176) and by adding section 184a.

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. 683

Yeas—32

Allen
Barcia
Birkholz
Bishop
Brown
Cassis
Cherry
Cropsey

Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman
Jacobs

Jelinek
Johnson
Kuipers
Leland
McManus
Olshove
Patterson
Prusi

Sanborn
Schauer
Sikkema
Stamas
Switalski
Toy
Van Woerkom
Whitmer

Nays—5

Basham
Brater

Clark-Coleman

Clarke

Scott

Excused—1

Thomas

Not Voting—0

In The Chair: President

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

The following bill was read a third time:

House Bill No. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174, 16181, 16186, 17011, and 17511 (MCL 333.16174, 333.16181, 333.16186, 333.17011, and 333.17511), section 16174 as amended by 2006 PA 26, section 16181 as amended by 2004 PA 200, section 16186 as amended by 2004 PA 3, and section 17011 as amended by 1993 PA 79.

The question being on the passage of the bill,

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

Roll Call No. 684**Yeas—37**

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

Nays—0**Excused—1**

Thomas

Not Voting—0

In The Chair: President

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

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

“An act to 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. 1375, entitled

A bill to amend 1971 PA 140, entitled “Glenn Steil state revenue sharing act of 1971,” by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

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. 685

Yeas—31

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

Nays—6

Clarke	Gilbert	Olshove	Patterson
George	Leland		

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Goschka moved that he be named a co-sponsor of the bill.

The motion prevailed.

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

The motion prevailed.

Senator Clarke's statement is as follows:

I will oppose this bill because my amendment was not approved that would have allowed the city of Detroit to receive up to \$52.8 million only if there were surplus funds. I did support the omnibus budget because I felt that it was a prudent one. I do honor that agreement that this Legislature made on that, but I was requesting that the additional funds come from surplus money and that would have held all local units of government harmless from any cuts to revenue sharing.

You know, it is true that the money, the \$52 million the city would have gotten if my amendment was approved, would have been spent by city government for the direct benefit of Detroit city residents. In the past, I would argue that this is only fair since there was an express provision in the law stating that the city would receive a fixed amount of money. You know, I believe that the city of Detroit should receive this full amount of revenue sharing as stated in our statute not just for the benefit of Detroiters, but to benefit this state. Many people have said that the state of Michigan right now is suffering economically when other states aren't. I believe that is true. I also believe that global competition had a lot to do with our economic woes, but, you know, whether it is a human being or an organization or state government, the heart of any entity must be strong in order for that organism, that organization, or that government to thrive.

The center of this state has been and still is the city of Detroit. Yes, we lost a lot of people, and yes, many of the streets that now line the city of Detroit are blighted and many businesses are gone. But if you ask someone out of state or out of the country what city do they know in Michigan, none of them will say any of the cities that are in your districts, none of them. The one city that people know is associated with Michigan has been and still is the city of Detroit. So, yes, the money I was requesting would go to help the streets to become safer places, to clean up the neighborhoods, but it wasn't just to help the city; it was to help the state.

What Detroit has right now, it has the roads, it has the sewers, it has the land, it has the water, it has the river, and yes, it has some of the most resilient people I've ever met. This city is still the heart of our state. What I do ask in the future is to help Detroit to help Michigan because if we want a state to be truly resilient to the competitive forces in our global economy, we need the city of Detroit to be as strong as possible. That's why I do urge that this Legislature look and work with me for a way to provide the resources back to the city that the residents of the state of Michigan deserve, so that we can be strong and prosperous again. A strong Detroit means a prosperous Michigan.

Because my amendment was not approved, I regretfully will not support this budget bill.

The following bill was read a third time:

Senate Bill No. 1371, entitled

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182).

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. 686

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senators Goschka and Sikkema moved that they be named co-sponsors of the bill.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Hardiman's statement is as follows:

I rise today to honor the life of a valiant and courageous young soldier, Sergeant Al'Kaila Floyd of Grand Rapids. Sergeant Floyd was critically wounded in Iraq and was called to be with the Lord in a German hospital on July 13, 2006.

Sergeant Floyd was on his second tour of duty in Iraq. He was clearly passionate about serving his country. What sets Sergeant Floyd apart from others was the many respectable attributes that were a testimony to how he lived his life. He was very mild-mannered. I'm told that he was a true gentleman, one who always held the door for women. He was someone you could always count on to be there if you needed him. He treated everyone with respect.

On behalf of the citizens of the state of Michigan and my colleagues in the Michigan Senate, I would like to take this opportunity to read and present this tribute signed by myself, Representatives Kooiman, Hildenbrand and Sak, and Governor Jennifer M. Granholm, in the memory of Sergeant Floyd.

"LET IT BE KNOWN, That it is with great honor that we recognize the life of Sergeant Al'Kaila Tonee Floyd and his service in the United States Army. Indeed his many sacrifices are deserving of our highest consideration and praise as we call attention to his devoted and loyal service to our country, the freedom it represents, and his loving family left in the wake.

We are reminded of and humbled by our memories of Al'Kaila and his graciousness. Sergeant Floyd will certainly be remembered for his big heart, great smile and unwavering passion for and devotion to his family. In his passing, Al'Kaila left behind three siblings, his twin brother Al'Jaila, and two sisters, Luzinka Morgan and Tokeea Hampshire, who will remember him as the concerned brother, always looking out for them. Al'Kaila's grandmother, Charlene Tatum, will eternally remember her grandson for many things, most of all, his selflessness. He also leaves behind his grandfather, Anthony Toliver; father, Alen D. Floyd; as well as several nieces, nephews, aunts, uncles and cousins.

Over the years, Al'Kaila was able to touch many lives. In high school, Al'Kaila excelled in the Junior ROTC program at Ottawa Hills High School. He also excelled in his studies and in wrestling. Immediately after high school, Al'Kaila joined the United States Army where he worked his way up to Sergeant and Combat Engineer. He was in his second tour of duty in Iraq and had re-enlisted to continue his service. His awards and decorations included the Purple Heart, Bronze Star, Army Commendation Medal, Iraq Campaign Medal, Global War on Terrorism and Service Medals, the Combat Action Badge and the Sapper Tab.

Al'Kaila was a caring brother; a loving grandson; and a devoted friend. Sergeant Floyd encompassed all of the qualities of a true patriot. In his 23 years, Al'Kaila made a significant impact on many lives both here in the United States and in Iraq where he endlessly gave of himself. Today our country continues to embrace the values and traditions that have made America great, and we do so because of the commendable efforts of our service men and women abroad, like Al'Kaila. May his many efforts in his life echo through eternity as we continue to live in a country made safe by the courage of men and women in the United States military.

IN SPECIAL TRIBUTE, Therefore, this document is signed and dedicated to celebrate the life of Sergeant Al'Kaila Floyd and his service in United States Army. May his family and friends allow us to share in their sorrow and their joy as we commend with pride Al'Kaila's lasting memory. May his family know of our deepest respect for his spirit and contributions on behalf of all Michiganders."

Mr. President, I request a moment of silence in memory of Sergeant Floyd and respect for his family and their incredible sacrifice. They are located in the north Gallery.

A moment of silence was observed in memory of Army Sergeant Al'Kaila Floyd.

Senator Scott's statement is as follows:

This is an e-mail that I received from a young man. He says, "Dear Senator Martha G. Scott: Congrats again on winning your primary race and I look forward to your strong victory in November. I know we can look forward to many great things during your last term in the Senate. I don't know if you are aware, but Channel 4, WDIV-Detroit reported on a study conducted by Runzheimer International, an employee mobility service and consultant firm, that ranked Detroit as the most expensive place to own a car, over \$12,000 a year, on average. The study included the cost of maintenance and insurance premiums. Apparently, Detroit has been ranked number one for several years. Hopefully, this report may renew and strengthen public interest in lowering auto insurance rates and investing in local road construction." So that is from one of my constituents.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senator Van Woerkom introduced

Senate Bill No. 1430, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 7, and 684 (MCL 380.3, 380.7, and 380.684), section 3 as amended by 2004 PA 303 and section 684 as amended by 1996 PA 277.

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

Senator Hammerstrom introduced

Senate Bill No. 1431, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509v (MCL 168.509v), as added by 1994 PA 441.

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

Senator Hammerstrom introduced

Senate Bill No. 1432, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

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

Senator McManus introduced

Senate Bill No. 1433, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 759, 759b, 761, and 764b (MCL 168.759, 168.759b, 168.761, and 168.764b), section 759 as amended by 1995 PA 261, section 761 as amended by 2005 PA 71, and section 764b as amended by 1996 PA 207.

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

Senator Hammerstrom introduced

Senate Bill No. 1434, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 661a.

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

Senator Hammerstrom introduced

Senate Bill No. 1435, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 33, and 735 (MCL 168.31, 168.33, and 168.735), section 31 as amended by 2005 PA 71, section 33 as amended by 2002 PA 91, and section 735 as amended by 2004 PA 92, and by adding section 735a.

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

Senator Hammerstrom introduced

Senate Bill No. 1436, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 744 and 931 (MCL 168.744 and 168.931), section 744 as amended by 1995 PA 261 and section 931 as amended by 1996 PA 583, and by adding section 736b.

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

Senator McManus introduced

Senate Bill No. 1437, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 38.

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

Senator McManus introduced

Senate Bill No. 1438, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 22a (MCL 168.22a), as added by 1995 PA 261.

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

Senator Hammerstrom introduced

Senate Bill No. 1439, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 31 (MCL 168.31), as amended by 2005 PA 71, and by adding section 864a.

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

Senator Hammerstrom introduced

Senate Bill No. 1440, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 874 (MCL 168.874), as amended by 1995 PA 261.

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

Senator Hammerstrom introduced

Senate Bill No. 1441, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 31a.

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

Senator McManus introduced

Senate Bill No. 1442, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 48.

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

Senator McManus introduced

Senate Bill No. 1443, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250.

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

Senator Hammerstrom introduced

Senate Bill No. 1444, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 36 (MCL 169.236), as amended by 1996 PA 590.

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

Senator Hammerstrom introduced

Senate Bill No. 1445, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 15a.

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

Senator McManus introduced

Senate Bill No. 1446, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 24 (MCL 169.224), as amended by 1999 PA 237.

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

Senator McManus introduced

Senate Bill No. 1447, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 4, 42, 54, and 57 (MCL 169.204, 169.242, 169.254, and 169.257), section 4 as amended by 1989 PA 95, sections 42 and 57 as amended by 2001 PA 250, and section 54 as amended by 1995 PA 264.

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

Senators Allen, Gilbert, Sanborn, Goschka, Birkholz, Van Woerkom and Jelinek introduced

Senate Bill No. 1448, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3104a.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Goschka and George introduced

Senate Bill No. 1449, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 491 (MCL 18.1491).

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

Senators Goschka and Birkholz introduced

Senate Bill No. 1450, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 744 (MCL 168.744), as amended by 1995 PA 261.

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

House Bill No. 4983, entitled

A bill to regulate and to require certain reports to be filed by persons who receive contributions for purposes of defending elected officials from criminal, civil, and administrative actions; to regulate contributions made for purposes of defending elected officials from criminal, civil, and administrative actions; to prescribe certain powers and duties of the secretary of state; and to prescribe penalties and civil sanctions.

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 Government Operations.

House Bill No. 5172, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 6 (MCL 169.206), as amended by 2003 PA 69, and by adding section 48a.

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 Government Operations.

House Bill No. 5435, entitled

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

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

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

House Bill No. 5761, entitled

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

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

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

House Bill No. 5985, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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 Government Operations.

House Bill No. 6011, entitled

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 8 (MCL 4.418), as amended by 1994 PA 412.

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 Government Operations.

House Bill No. 6017, entitled

A bill to amend 1973 PA 196, entitled "An act to prescribe standards of conduct for public officers and employees; to create a state board of ethics and prescribe its powers and duties; and to prescribe remedies and penalties," by amending section 2 (MCL 15.342), as amended by 1984 PA 53.

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 Government Operations.

House Bill No. 6128, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 6, 11, 24, 26, 29, 35, and 43 (MCL 169.205, 169.206, 169.211, 169.224, 169.226, 169.229, 169.235, and 169.243), sections 5 and 24 as amended by 1999 PA 237, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, sections 26 and 29 as amended by 2001 PA 250, and section 35 as amended by 2000 PA 75, and by adding section 51a.

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 Government Operations.

House Bill No. 6129, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 17, 24, 32, 33, 34, and 35 (MCL 169.215, 169.217, 169.224, 169.232, 169.233, 169.234, and 169.235), section 15 as amended by 2001 PA 250, section 17 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, section 35 as amended by 2000 PA 75, and by adding section 15a.

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 Government Operations.

House Bill No. 6130, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 33 (MCL 169.233), as amended by 1999 PA 238.

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 Government Operations.

House Bill No. 6131, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 51 (MCL 169.251), as amended by 1989 PA 95.

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 Government Operations.

House Bill No. 6132, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 43a.

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 Government Operations.

House Bill No. 6133, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250, and by adding section 48.

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 Government Operations.

House Bill No. 6239, entitled

A bill to amend 1943 PA 174, entitled "An act to establish a fiscal year for and the time of filing annual reports based thereon of counties, county road commissions and other county agencies; and to declare the effect of this act," by amending section 1 (MCL 45.201), as amended by 1994 PA 347.

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

House Bill No. 6291, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2682.

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

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

House Bill No. 6292, entitled

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

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

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

House Bill No. 6293, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2683.

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

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

House Bill No. 6294, entitled

A bill to make, supplement, and adjust appropriations for the departments of community health and treasury for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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 Health Policy.

House Bill No. 6295, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88a (MCL 125.2088a), as added by 2005 PA 225.

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

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

House Bill No. 6310, entitled

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

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

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

House Bill No. 6322, entitled

A bill to amend 1979 PA 214, entitled "An act to provide for the disposition and sale of certain stolen or abandoned property recovered or discovered within a village or township; and to provide for the disposition of the proceeds of sale and certain other property," by amending the title and section 1 (MCL 434.181), the title as amended by 1984 PA 258.

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

House Bill No. 6325, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," by amending section 1 (MCL 46.351), as amended by 2003 PA 187.

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

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Committee Reports

The Committee on Finance reported

House Bill No. 6089, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as added by 2004 PA 172.

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 and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 6090, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as added by 2004 PA 173.

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 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, September 13, 2006, at 12:55 p.m., Room 110, Farnum Building

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

Excused: Senator Thomas

The Committee on Natural Resources and Environmental Affairs reported
Senate Bill No. 1408, entitled

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

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
Senate Bill No. 1409, entitled

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

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. 5408, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43510, 43511, 43513, and 43516 (MCL 324.43510, 324.43511, 324.43513, and 324.43516), sections 43510 and 43516 as amended by 2004 PA 129, section 43511 as added by 1995 PA 57, and section 43513 as amended by 1998 PA 129.

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, 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. 6162, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30306b.

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, 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. 6164, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30307 (MCL 324.30307), as amended by 2004 PA 325.

With the recommendation that the bill 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 was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 6165, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30313b.

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, 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.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, September 12, 2006, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Families and Human Services reported

Senate Bill No. 1253, entitled

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

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.

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Sanborn, Jacobs and Clark-Coleman

Nays: None

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

The Committee on Families and Human Services reported

Senate Bill No. 1254, entitled

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

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Sanborn, Jacobs and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

Senate Bill No. 1410, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2 and 3 (MCL 722.622 and 722.623), section 2 as amended by 2004 PA 563 and section 3 as amended by 2006 PA 264.

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Sanborn, Jacobs and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

Senate Bill No. 1411, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 5e (MCL 722.115 and 722.115e), section 5 as amended by 2006 PA 51 and section 5e as added by 2005 PA 133, and by adding sections 5h and 5i.

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Sanborn, Jacobs and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

Senate Bill No. 1412, entitled

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

With the recommendation that the bill pass.

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

Bill Hardiman
Chairperson

To Report Out:

Yeas: Senators Hardiman, Sanborn, Jacobs and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Tuesday, September 12, 2006, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Hardiman (C), Sanborn, Jacobs and Clark-Coleman

Excused: Senator Hammerstrom

The Committee on Health Policy reported

House Bill No. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16181 and 16186 (MCL 333.16181 and 333.16186), section 16181 as amended by 2004 PA 200 and section 16186 as amended by 2004 PA 3.

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.

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

Senate Bill No. 1425, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174, 17011, and 17511 (MCL 333.16174, 333.17011, and 333.17511), section 16174 as amended by 2006 PA 26 and section 17011 as amended by 1993 PA 79.

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.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, September 13, 2006, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

The Committee on Appropriations reported

Senate Concurrent Resolution No. 54.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(For text of resolution, see Senate Journal No. 78, p. 2007.)

With the recommendation that the concurrent resolution be adopted.

Shirley Johnson
Chairperson

To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported

Senate Bill No. 1371, entitled

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182).

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.

Shirley Johnson
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 1375, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

With the recommendation that the bill pass.

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

Shirley Johnson

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 13, 2006, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Garcia, Cropsey, Jelinek, McManus, Hardiman, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

Excused: Senator George

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Withdrawing Lands from Commercial Forests (HB 5454) submitted the following:

Meeting held on Wednesday, September 13, 2006, at 8:35 a.m., Room 428, Capitol Building

Present: Senators Van Woerkom, Jelinek and Brater

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Commercial Forest Act Eligibility (HB 5455) submitted the following:

Meeting held on Wednesday, September 13, 2006, at 8:40 a.m., Room 428, Capitol Building

Present: Senators Van Woerkom, Jelinek and Brater

COMMITTEE ATTENDANCE REPORT

The Committee on Technology and Energy submitted the following:

Meeting held on Wednesday, September 13, 2006, at 3:00 p.m., Room 210, Farnum Building

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

Excused: Senator Thomas

Scheduled Meetings

Commerce and Labor - Tuesday, September 19, 3:00 p.m., Room 100, Farnum Building (373-2413)

Economic Growth Joint Select Committee (SCR 45) - Tuesday, September 19, 8:30 a.m., Room 519, South Tower, House Office Building (373-0070)

Finance - Wednesday, September 20, 12:00 noon, Room 110, Farnum Building (373-1758)

State Drug Treatment Court Advisory Committee - Tuesday, September 26, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Technology and Energy - Wednesday, September 20, 3:00 p.m., Room 210, Farnum Building (373-7350)

Transportation - Tuesday, November 14, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:10 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, September 19, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

