

No. 66
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Thursday, June 29, 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—excused
McManus—present
Olshove—present

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

Senator Michael A. Prusi of the 38th District offered the following invocation:

Faith is a precious thing. We all hold our faith in different ways, all equally precious. We join together in joyous congregation or quietly meditate in solitude and silence. We ask for God's blessing, offer thanks for tender mercies, and seek guidance as our life's path winds before us.

Faith is a powerful thing. People of faith have changed the world. Gandhi, Mother Teresa, and Martin Luther King shine brightly. Let our faith always lead us to seek changes that better our part of the world.

Faith is a personal thing. No one living has seen the face of God. Yet, in all of us, a spark of belief glows and in times of trouble lights our way. May that spark help us to lift up those whose needs are great, for in helping the least of us, we truly live our faith.

Amen.

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

Motions and Communications

Senators Bishop and Johnson entered the Senate Chamber.

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

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

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

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

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

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

10:14 a.m.

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

During the recess, Senator Scott introduced Edward Deeb, President and CEO of Michigan Food and Beverage Association; and Nick Papadas, Vice President of Development for Boys and Girls Clubs of Southeastern Michigan, in commemoration of the 24th annual Metro Detroit Youth Day, and presented Mr. Deeb with Senate Resolution No. 135. Messrs. Papadas and Deeb responded briefly.

During the recess, Senators Thomas, Barcia and Garcia entered the Senate Chamber.

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

Senate Bill No. 246

The motion prevailed.

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

House Bill No. 5952, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by repealing section 124 (MCL 207.1124).

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

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

House Bill No. 5952

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

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

Director of the Department of Labor and Economic Growth

Mr. Robert W. Swanson, Jr., of 1744 Chester Road, Lansing, Michigan 48912, county of Ingham, for a term commencing May 30, 2006 and expiring at the pleasure of the Governor.

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

Senator Hammerstrom moved that the following bills, now on the order of General Orders, be referred to the Committee on Technology and Energy:

House Bill No. 5751, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

House Bill No. 5755, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 2, 3, 4a, 5, 6, and 7 (MCL 290.642, 290.643, 290.644a, 290.645, 290.646, and 290.647), sections 2 and 7 as amended by 1993 PA 236, sections 3 and 5 as amended by 2002 PA 13, section 4a as amended by 2002 PA 425, and section 6 as amended by 2004 PA 278.

The motion prevailed.

Senator Hammerstrom moved that a respectful message be sent to the House of Representatives requesting the return of the following bill for the purpose of giving the bill immediate effect:

House Bill No. 6213

The motion prevailed.

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

Senate Resolution No. 146

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

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

House Bill No. 4375

Senate Bill No. 1288

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

The following communication was received and read:
Office of the Senate Majority Leader

June 28, 2006

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Economic Development, Small Business and Regulatory Reform Committee hold a hearing on the appointment of Robert Swanson as Director of the Department of Labor and Economic Growth, and make a written recommendation to the Government Operations Committee on this appointment.

Sincerely,
Senator Ken Sikkema
Chairman, Senate Government Operations Committee

The communication was referred to the Secretary for record.

The following communication was received:
Office of the State Budget

June 14, 2006

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2004-2005, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2004-2005 is 59.40%, which is \$2.7 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Mary A. Lannoye
State Budget Director

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

June 27, 2006

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Corrections for the period October 1, 2003 through September 30, 2005.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, June 28:
House Bill Nos. 4264 6041 6247 6257 6258 6259

The Secretary announced that the following official bills were printed on Wednesday, June 28, and are available at the legislative website:

Senate Bill Nos. 1332 1333 1334 1335
House Bill Nos. 6270 6271 6272

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
- The motion prevailed.

Director of the Department of Labor and Economic Growth

Mr. Robert W. Swanson, Jr., of 1744 Chester Road, Lansing, Michigan 48912, county of Ingham, for a term commencing May 30, 2006 and expiring at the pleasure of the Governor.

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

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

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

Roll Call No. 568

Yeas—36

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

Nays—0

Excused—2

Leland	Thomas
--------	--------

Not Voting—0

Senators Jacobs, Sanborn, Garcia and Cropsey 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 rise to support the nomination of Robert Swanson as the Director of the Michigan Department of Labor and Economic Growth. We just heard from Mr. Swanson in committee. This is a man who comes to this job uniquely qualified as an administrator, as somebody who has been involved in economic development for years, and as somebody who understands local government and how local government needs to work in partnership with the state.

Mr. Swanson served as deputy to David Hollister since February of 2003 in DLEG. In that position, Mr. Swanson coordinated and directed various agencies within DLEG, including MIOSHA, the Office of Financial and Insurance Services, the Public Service Commission, the Tax Tribunal, Career Development, the Bureau of Commercial Services, and various administrative programs. He was also involved with the development of the state's urban policy agenda, the Land Use Leadership Council, workforce development, and economic development initiatives.

I applaud the Governor on her choice and I hope that we can all vote to confirm his new position.

Senator Sanborn's statement is as follows:

Earlier this morning, Mr. Swanson testified before the Committee on Economic Development, Small Business and Regulatory Reform as to his advice and consent to be the Director of the Department of Labor and Economic Growth. I appreciate the fact that Mr. Swanson came on short notice and ably addressed questions asked by both sides of the aisle. While I may not agree with all of his answers, I believe it was clear to everyone that Robert Swanson is thoroughly knowledgeable about the current programs being overseen at DLEG, which should make a smooth transition for this most important department.

What we learned from the hearing this morning is that in 33 years of public service with the state and the city of Lansing, Robert Swanson has consistently shown that he is a good administrator and a fine manager of both projects and personnel at the state and local level. These attributes will certainly be important in his new role since he is about to take on a project for the department that is far larger than anything else he has been responsible for in the past.

I think and I hope that Robert Swanson is ready for this challenge and this responsibility, which is why I am supporting his appointment to the position of Director of the Department of Labor and Economic Growth. As he takes on this new role, I would ask him to remember that we need to be aggressive in positioning Michigan for economic growth and more for jobs now and jobs in the future.

I ask for your support for the advice and consent of Robert Swanson.

Senator Garcia's statement is as follows:

I rise to lend my support for this appointment. It has been my pleasure to work with Mr. Swanson for the last three years on the Labor and Economic Growth budget. He has always answered my questions clearly, candidly, and quickly. It has been a pleasure to work with him and I, too, wish to again lend my support for his appointment to this position.

Senator Cropsey's statement is as follows:

For the past six years, Pam Haynes has been serving the majority caucus, but today is her last session day. She is leaving us to become a part of the Social Security Administration, doing legal work for them. She will be greatly missed here in the Senate.

During her time here, Pam has done staff work and been legal counsel for the Transportation Committee, the Banking and Financial Institutions Committee, the Senate Appropriations Subcommittee on Transportation, the Subcommittee on the Judiciary and Corrections, and the Capital Outlay Subcommittee. And closest to my heart, for the past year, she has been legal counsel to the Senate Judiciary Committee. I have come to depend on Pam and her legal abilities, her keen insight into issues as diverse as teacher background checks, divorce proceedings, and criminal sentencing. And, most of all, I've come to depend on her for her ability to take complex issues and diverse viewpoints and craft language that accurately accommodates those views and help achieve consensus legislation. During all that time, she tries to dumb it down enough so that even I can understand it. As an example, Pam has been instrumental in crafting the legislation addressing methamphetamine abuse, strengthening citizen rights under eminent domain, and protecting all of our children from sexual predators in her work on Jessica's Law and, of course, on the Castle Doctrine legislation.

Pam is conscientious and has an outstanding work ethic. She works well under pressure, and believe you me, in the Judiciary Committee there is a lot of pressure, and she is very dependable. Need an amendment? Ask Pam. What does this mean? Ask Pam. Need some good advice? Ask Pam.

Mr. President, unfortunately, everyone leaves the Senate, and today it's Pam turn, although it's still much too soon for me. I want to publicly thank her for her work on my behalf and on behalf of all of us. I will miss Pam, and I ask that you all join me in wishing her the best in her endeavors in her new position.

Messages from the House

Senate Bill No. 541, entitled

A bill to regulate the transfer of structured settlement rights; to place conditions on the transfer of structured settlement rights; to establish a procedure for approval of transfer of structured settlement rights; and to repeal acts and parts of acts.

The House of Representatives has concurred in the Senate amendment to the House substitute (H-1).
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1074, entitled

A bill to amend 2000 PA 403, entitled "An act to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

The House of Representatives has concurred in the Senate amendment to the House substitute (H-1).
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 1196, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 1993 PA 346.

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

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 569

Yeas—36

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

Nays—0

Excused—1

Not Voting—1

Clarke

In The Chair: President

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

The Senate agreed to the full title.

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

Senate Bill No. 875, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 1997 PA 196.

Substitute (H-1).

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

Senator Hardiman offered the following amendments to the substitute:

1. Amend page 3, line 12, after "**BODY**" by striking out "**MAY**" and inserting "**BY RESOLUTION MAY AUTHORIZE ITS INVESTMENT OFFICER TO**".

2. Amend page 3, line 21, after "**AGREEMENT**" by inserting "**AND THE REQUIREMENT THAT THE AGREEMENT SHALL NOT COMMENCE UNTIL AT LEAST 60 DAYS AFTER THE PUBLIC CORPORATIONS ENTERING THE AGREEMENT GIVE WRITTEN NOTICE TO AN EXISTING LOCAL GOVERNMENT INVESTMENT POOL WHICH IS ORGANIZED PURSUANT TO THE LOCAL GOVERNMENT INVESTMENT POOL ACT, 1985 PA 121, MCL 129.141 TO 129.150, IN THOSE COUNTIES WHERE SUCH A POOL IS OPERATING AND ACCEPTING DEPOSITS ON OR BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT ADDING THIS SUBSECTION**".

The amendments to the substitute were adopted.

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

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

Roll Call No. 570**Yeas—36**

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

Nays—0**Excused—1**

Leland

Not Voting—1

Sikkema

In The Chair: President

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

Senate Bill No. 1260, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21502, 21503, 21506a, and 21552 (MCL 324.21502, 324.21503, 324.21506a, and 324.21552), section 21502 as amended and sections 21506a and 21552 as added by 2004 PA 390 and section 21503 as amended by 1996 PA 181.

Substitute (H-1).

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

Roll Call No. 571

Yeas—37

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

Nays—0

Excused—1

Leland

Not Voting—0

In The Chair: President

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

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

Senate Bill No. 919, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 8 (MCL 125.2686 and 125.2688), section 6 as amended by 2006 PA 116 and section 8 as amended by 2003 PA 266, and by adding section 8e.

Substitute (H-2).

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

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

Roll Call No. 572**Yeas—31**

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

Nays—5

Brater	Emerson	Scott	Thomas
Clark-Coleman			

Excused—2

Kuipers	Leland
---------	--------

Not Voting—0

In The Chair: President

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

The Senate agreed to the title as amended.

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

Senate Bill No. 1046, entitled

A bill to create a rebuttable presumption regarding the use of self-defense or the defense of others.

Substitute (H-1).

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

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

Roll Call No. 573**Yeas—30**

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

Nays—5

Brater	Clarke	Emerson	Scott
Clark-Coleman			

Excused—2

Kuipers	Leland
---------	--------

Not Voting—1

Thomas

In The Chair: President

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

Senator Kuipers entered the Senate Chamber.

House Bill No. 5456, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

Substitute (H-5).

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

Roll Call No. 574**Yeas—36**

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott
Birkholz	Emerson	Johnson	Sikkema
Bishop	Garcia	Kuipers	Stamas
Brater	George	McManus	Switalski

Brown
Cassis
Cherry

Gilbert
Goschka
Hammerstrom

Olshove
Patterson
Prusi

Toy
Van Woerkom
Whitmer

Nays—0

Excused—1

Leland

Not Voting—1

Thomas

In The Chair: President

The Senate agreed to the title as amended.

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

“An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The Senate agreed to the full title.

Senator Schauer moved that Senator Thomas be temporarily excused from the balance of today’s session.

The motion prevailed.

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

The motion prevailed.

Senator Cropsey’s statement is as follows:

Today, I have yet another announcement regarding a staff member leaving the Senate. Brenda Ross has been on my staff for the last two and a half years, and she is leaving to work in government relations for Blue Cross Blue Shield. As I told her, I said she’s going over to the dark side.

In 2004, I counted myself fortunate to get Brenda from the staff of Representative Scott Hummel. I had no idea how fortunate I would be in having her join my staff. Words cannot express my appreciation for her work, but let me try. She started off as committee clerk for the Judiciary Committee. I just want to say that now that Pam Haynes is leaving and Brenda is leaving, Senator Patterson said that he had a hard time coming to Judiciary. Now he doesn’t think he has any reason at all to come to Judiciary with those two staff people leaving. That is just as an aside though.

But then, besides clerking Judiciary, she has done constituent work and special projects. Brenda has been very conscientious. I know that if an issue or project lands on her desk, it would get done and it would be done right and in a timely fashion. What you may not have noticed is that inevitably Judiciary Committee meetings get done between 2:00 and 3:00 in the afternoon. She has everything in proper form and submitted to the Secretary of the Senate’s office by 4:00 p.m. I always know that the committee is in good hands when she clerks it.

What most of you may not know is that her oldest son Shane was a mid-Michigan high school basketball standout and just received a scholarship to play college basketball. She attends every game and I fully expect to see her in the stands in the future watching her son play in the NBA. Brenda is always smiling. She has an infectious laugh. She brightens every room she’s in and every meeting she attends. I’ll miss her more than she knows and wish her well with Blue Cross, knowing that my future health care needs are in good hands there.

Brenda, I just wanted to say thank you for all the work you’ve done.

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 Allen as Chairperson.

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

House Bill No. 5952, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by repealing section 124 (MCL 207.1124).

The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 840, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501, 8502, 8503, 8505, 8506, 8507, 8509, 8510, 8513, and 8517 (MCL 324.8501, 324.8502, 324.8503, 324.8505, 324.8506, 324.8507, 324.8509, 324.8510, 324.8513, and 324.8517), section 8501 as amended and section 8517 as added by 1998 PA 276 and sections 8502, 8503, 8505, 8506, 8507, 8509, 8510, and 8513 as added by 1995 PA 60, and by adding sections 8501a, 8519, 8520, 8521, and 8522; and to repeal acts and parts of acts.

Substitute (S-5).

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

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

House Bill No. 4375, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1171. The following is the amendment recommended by the Committee of the Whole:

1. Amend page 2, following line 18, following subsection (5), by inserting:

"(6) **THIS SECTION SHALL BE KNOWN AS THE "CHASE EDWARDS LAW".**".

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

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

Senate Bill No. 1288, entitled

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

Substitute (S-1).

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

1. Amend page 7, line 20, after "projects" by striking out "with" and inserting "to research the effectiveness of".

2. Amend page 8, following line 15, by inserting:

"(3) The department shall establish criteria and procedures for approving all pilot or demonstration projects described in subsection (1)(c) that are funded by the department."

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:

Senate Bill No. 891, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures

for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending the title and sections 1, 3, 13, and 28 (MCL 205.1, 205.3, 205.13, and 205.28), the title and section 1 as amended by 2002 PA 657, section 3 as amended by 2003 PA 92, section 13 as amended by 1996 PA 479, and section 28 as amended by 2003 PA 114; and to repeal acts and parts of acts.

Substitute (S-2).

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

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

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

Senate Bill No. 840
House Bill No. 4375
Senate Bill No. 1288
House Bill No. 5952

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:

Senate Bill No. 583
Senate Bill No. 584
Senate Bill No. 701
House Bill No. 6047
House Bill No. 6202
House Bill No. 6175
House Bill No. 4807
House Bill No. 5967
House Bill No. 4870
House Bill No. 4891
House Bill No. 5836
Senate Bill No. 840
House Bill No. 4375
Senate Bill No. 1288
House Bill No. 5952

The motion prevailed.

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

Senators Garcia and Thomas entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 583, entitled

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

The 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. 575

Yeas—37

Allen
Barcia

Clarke
Cropsey

Jacobs
Jelinek

Schauer
Scott

Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry
Clark-Coleman

Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Johnson
Kuipers
McManus
Olshove
Patterson
Prusi
Sanborn

Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—0

Excused—1

Leland

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. 584, entitled

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

The 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. 576

Yeas—37

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

Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—0

Excused—1

Leland

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. 701, entitled

A bill to amend 1968 PA 319, entitled “An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority,” by amending section 8 (MCL 28.258), as amended by 2002 PA 718.

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. 577**Yeas—37**

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

Nays—0**Excused—1**

Leland

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. 6047, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 21553, 21554, 21555, 21556, and 21557.

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. 578

Yeas—37

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

Nays—0

Excused—1

Leland

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6202, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 21558, 21559, 21560, 21561, 21562, and 21563.

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. 579

Yeas—37

Allen	Clarke	Jacobs	Schauer
Barcia	Cropsey	Jelinek	Scott
Basham	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas
Bishop	George	McManus	Switalski

Brater
Brown
Cassis
Cherry
Clark-Coleman

Gilbert
Goschka
Hammerstrom
Hardiman

Olshove
Patterson
Prusi
Sanborn

Thomas
Toy
Van Woerkom
Whitmer

Nays—0

Excused—1

Leland

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 6175, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled “Motor vehicle sales finance act,” by amending section 17 (MCL 492.117).

The question being on the passage of the bill,

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

Roll Call No. 580

Yeas—37

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

Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom
Hardiman

Jacobs
Jelinek
Johnson
Kuipers
McManus
Olshove
Patterson
Prusi
Sanborn

Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom
Whitmer

Nays—0

Excused—1

Leland

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 defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; transferring certain powers and duties with respect to finance companies to the commissioner of the financial institutions bureau; and prescribing penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4807, entitled

A bill to amend 1956 PA 62, entitled “An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,” by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

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. 581

Yeas—37

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

Nays—0

Excused—1

Leland

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. 5967, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 36 and 40a (MCL 791.236 and 791.240a), section 36 as amended by 2006 PA 168 and section 40a as amended by 1993 PA 346.

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. 582**Yeas—37**

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

Nays—0**Excused—1**

Leland

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 codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by

private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4870, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1104 and 3614 (MCL 700.1104 and 700.3614), section 1104 as amended by 2005 PA 204 and section 3614 as amended by 2004 PA 343, and by adding sections 3206, 3207, 3208, and 3209.

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. 583

Yeas—37

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

Nays—0

Excused—1

Leland

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 Cropsey offered to amend the title to read as follows:

A bill to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending sections 1104, 3614, and 3701 (MCL 700.1104, 700.3614, and 700.3701), section 1104 as amended by 2005 PA 204 and section 3614 as amended by 2004 PA 343, and by adding sections 3206, 3207, 3208, and 3209.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4891, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1801 and 1810 (MCL 339.1801 and 339.1810), section 1810 as amended by 1990 PA 15.

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. 584

Yeas—37

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

Nays—0

Excused—1

Leland

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 of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5836, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2652, 2653, 2655, 2658, 2663, 2851, 2855, and 10108 (MCL 333.2652, 333.2653, 333.2655, 333.2658, 333.2663, 333.2851, 333.2855, and 333.10108), section 2851 as added by 1996 PA 284, section 2855 as amended by 1982 PA 3, and section 10108 as amended by 1986 PA 186; 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. 585**Yeas—37**

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

Nays—0**Excused—1**

Leland

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. 840, entitled

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

The 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. 586**Yeas—37**

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

Nays—0**Excused—1**

Leland

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. 4375, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1171.

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. 587**Yeas—37**

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

Nays—0

Excused—1

Leland

Not Voting—0

In The Chair: President

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

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

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

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1288, entitled

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

The question being on the passage of the bill,

Senator Prusi offered the following amendment:

1. Amend page 9, following line 18, by inserting:

“Sec. 25. The department shall oversee and evaluate the activities of the Michigan works agencies and shall require Michigan works agencies to report information to the department to facilitate the oversight. All the reported information shall be available to the public.”

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

The question being on the passage of the bill,

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

Roll Call No. 588**Yeas—37**

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

Nays—0

Excused—1

Leland

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. 5952, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by repealing section 124 (MCL 207.1124).

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. 589

Yeas—37

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

Nays—0

Excused—1

Leland

Not Voting—0

In The Chair: President

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment

of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 71

The motion prevailed.

Senate Resolution No. 146.

A resolution encouraging the State Board of Education to incorporate suicide prevention and education as part of the state of Michigan’s public school curriculum.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Kuipers and Garcia were named co-sponsors of the resolution.

Senate Concurrent Resolution No. 46.

A concurrent resolution to increase the total project cost of the Instructional Addition/Renovation project at Alpena Community College.

(For text of resolution, see Senate Journal No. 55, p. 1220.)

The House of Representatives has adopted the concurrent resolution and named Reps. Brandenburg, Brown, Byrum, Caul, Farhat, Gillard, Gleason, Huizenga, Kolb, Lemmons, Jr., Meyer, Murphy, Sak and Shaffer as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 47.

A concurrent resolution to revise the total project cost and to revise the scope of the Department of Transportation Cadillac Transportation Service Center project.

(For text of resolution, see Senate Journal No. 55, p. 1221.)

The House of Representatives has adopted the concurrent resolution and named Reps. Brandenburg, Brown, Byrum, Caul, Farhat, Gleason, Huizenga, Kolb, Meyer, Murphy, Palsrok, Sak and Shaffer as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 48.

A concurrent resolution to increase the total project cost and to revise the scope of the Information Technology Center/Renovation project at Southwestern Michigan College.

(For text of resolution, see Senate Journal No. 55, p. 1221.)

The House of Representatives has adopted the concurrent resolution and named Reps. Brown, Byrum, Caul, Farhat, Huizenga, Kolb, Lemmons, Jr., Meyer, Murphy, Plakas, Proos, Sak, Schuitmaker and Shaffer as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 49.

A concurrent resolution approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Gogebic County relative to the Community College District of Gogebic County Special Maintenance projects.

(For text of resolution, see Senate Journal No. 56, p. 1254.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 50.

A concurrent resolution approving a lease among the State of Michigan, the State Building Authority, and Lake Superior State University relative to the Lake Superior State University Special Maintenance projects.

(For text of resolution, see Senate Journal No. 56, p. 1255.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Senate Concurrent Resolution No. 52.

A concurrent resolution to increase the total project cost of the Information Technology Center and Center for Health Professions Renovation project at Jackson Community College.

(For text of resolution, see Senate Journal No. 59, p. 1336.)

The House of Representatives has adopted the concurrent resolution and named Reps. Ball, Baxter, Booher, Brown, Byrum, Caswell, Clack, Hopgood, Kolb, Kathleen Law, Meyer, Mortimer, Sak, Stakoe, Stewart and Taub as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

Introduction and Referral of Bills

Senator Garcia introduced

Senate Bill No. 1348, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8511 and 8513 (MCL 600.8511 and 600.8513), section 8511 as amended by 1999 PA 75 and section 8513 as added by 1984 PA 278.

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

Senators Patterson, Basham, Cropsey, Birkholz, Barcia, Allen and Hardiman introduced

Senate Bill No. 1349, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 407.

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

Senators Cropsey and Sikkema introduced

Senate Bill No. 1350, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

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

Senators Cropsey and Sikkema introduced

Senate Bill No. 1351, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 552 (MCL 168.552), as amended by 2005 PA 71.

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

Senators Cropsey and Sikkema introduced

Senate Bill No. 1352, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 590f (MCL 168.590f), as amended by 2002 PA 163.

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

Senators Toy, Van Woerkom, Birkholz, Allen, Brown, Gilbert, Kuipers, Goschka, Johnson, Hammerstrom, Patterson and Garcia introduced

Senate Bill No. 1353, entitled

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

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

Senators Van Woerkom, Birkholz, Allen, Brown, Gilbert, Kuipers, Goschka, Johnson, Hammerstrom, Toy, Patterson and Garcia introduced

Senate Bill No. 1354, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2683. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Brown, Van Woerkom, Birkholz, Allen, Gilbert, Kuipers, Goschka, Johnson, Hammerstrom, Toy, Patterson and Garcia introduced

Senate Bill No. 1355, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2681. The bill was read a first and second time by title and referred to the Committee on Health Policy.

House Bill No. 4264, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 475. 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 Education.

House Bill No. 6041, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 262a.

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

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

House Bill No. 6247, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," (MCL 37.2101 to 37.2804) by adding section 404a. 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 Education.

House Bill No. 6257, entitled

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

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

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

House Bill No. 6258, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263a.

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

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

House Bill No. 6259, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263b.

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

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

Statements

Senators Scott, Cropsey, Cherry, Barcia and Brater asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

I just want to leave this with my colleagues that while we are on break that they would truly think about giving affordable insurance an opportunity in this Senate so that we can help people around this state. There is a bill that is in committee that would develop a task force that the Governor, the Majority Leader, the Minority Leader, and all of us would be able to have a say in who sits on that committee so that we can study insurance around this state. And, believe me, it is a serious problem and I hope that we would understand just how important it is for all people to have affordable insurance.

Senator Cropsey's statement is as follows:

For the last week or so, I've talked about different things that a lot of the prisoner advocacy groups would want to have you believe, such as focus on the crime of the criminal and not on the history of the criminality; focus on the criminal, not on the victim; believe that the board of parole will actually save money when it doesn't.

The fourth assumption that they would have you believe is that you must assume what the prisoner says is always true and is the whole truth and nothing but the truth. Believe their stories. Believe them when they say they were coerced into a crime or that they made one mistake or that they were abused. Assume that what they say is unbiased and complete.

Let me give you an example from an Ann Arbor-based advocacy group, Michigan Battered Women's Clemency Project. Linda Hamilton was convicted of premeditated murder. She is an appropriate subject as it was 30 years ago this Monday that she had her husband murdered. According to the news reports generated by the Project, Linda Hamilton "conspired with two others to have her husband murdered. Hamilton claims that her husband repeatedly abused her and that he sexually assaulted her four-year-old daughter." The Project then talks about the wonderful things she is doing behind bars. They focus solely on the murderer and on her experiences, but now you need to know the rest of the story.

The truth is her husband was in the military. She left him in Washington State and moved back to Michigan. She initiated divorce proceedings. If any abuse occurred, it had ended long before. She then discovered that her husband had a life insurance policy that listed her as the beneficiary, and she began plotting to kill him. She lured him back to Michigan by promising they could make a lot of money through dealing drugs and that she had arranged a major deal. Incredibly, her first attempt to have him murdered failed, and she had to start over, in part, by secretly taking out another insurance policy on him to pay the cost of hiring someone to shoot him. After almost three months of plotting and scheming, her hired hit man finally shot her husband according to her plan. The trigger man got a car and \$15,000 from the life insurance policy; the other conspirator was mysteriously murdered.

Ms. Hamilton may have been abused, but she never mentioned being abused during her arrest and trial. It wasn't until years later that she told people she had been abused. Maybe she was, as her sister has recently claimed. But the murder of her husband wasn't self-defense; it was cold-blooded cashing him in for insurance money. She wants us to believe that alleged and unreported abuse is sufficient grounds to murder a man who lived over 1,000 miles away. In effect, she supports the death penalty for a victim whom she alleges abused her. This is a path that we as a society cannot begin to travel.

Let me be very clear. I don't condone domestic violence. I condemn domestic violence and that includes murdering one's spouse. She was found guilty of the ultimate domestic violence—unjustified murder—but the Project won't tell you all of this.

Every story has two sides. Prisoner advocates would have you hear only the offender's side, ignoring the plight and suffering of victims. If you don't believe the prisoner, why should you support their release? And so the assumption is pushed that prisoners only tell you the truth to counter-balance the input and pain of victims. That's why their prisoner profiles based on the apparent unspoken assumption of assuming the prisoner is always telling the truth should not be taken at face value because the bottom line of prisoner advocates is they want you to choose criminals over victims. Did you get that? They want you to choose the criminal over the victim.

For years, I have listened to prisoner advocates and have inevitably been astounded by the truth as contrasted to their figures and profiles. Since so many legislators have come to me or my office and asked about these figures and profiles, I wanted you to be aware of these unspoken assumptions and start to question them.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

Senator Cherry's statement is as follows:

Yesterday, one of our colleagues was critical of the Michigan Department of Community Health's recent announcement of recommendations from its state planning grant for the uninsured project. The state planning grant advisory council's report released on June 20th supports Michigan Governor Jennifer Granholm's Michigan First Healthcare Plan and contains several recommendations to increase access to health insurance coverage for Michigan's uninsured residents.

With these crucial recommendations, the advisory council recognizes that the status quo from the last decade for the problems that Michigan faces with its uninsured population is unacceptable. Concepts like Governor Granholm's Michigan First Healthcare Plan will provide affordable and accessible health insurance coverage for hundreds of thousands of Michigan residents and decrease health care costs for everyone and improve health of the population because it has been shown over and over again that if people have access to health care, their health improves.

The Michigan State Planning Project for the Uninsured Advisory Council, which includes representatives from large and small businesses, local chambers of commerce, unions, insurers, health care plan providers, and consumers, supports the goal of all Michigan residents having access to affordable, quality health insurance.

The recommendations are an important first step towards addressing the status of our state's uninsured population. The Department of Community Health was able, after almost a year of work, to bring together a diverse group with different perspectives on this critical issue and build consensus around a very realistic direction for Michigan to improve its overall health care coverage.

I hope my colleagues understand that the Michigan Department of Community Health was required to conduct surveys of Michigan's uninsured population, as one of the conditions of the federal grant. The federal government is using this important information to build a national database that concretely addresses this problem. While the findings may appear to be commonplace to the honorable Senator, they represent a statewide consensus opinion on the problems Michigan faces with its uninsured population.

Senator Barcia's statement is as follows:

I just want to say that while I supported the most recent version of Senate Bill No. 840, I agree with the sponsor of this bill that it is necessary at this point to move the process along and to continue negotiations on this issue. However, I just wanted to take this opportunity to make a brief observation about the environmental concerns that have been expressed by some over Senate Bill No. 840.

There is little doubt that fertilizer can pose some hazards to our water supply if not properly regulated. In fact, that is why I chose to co-sponsor this bill because it did set strict standards for fertilizer application. However, let's be clear. The risk from fertilizer contaminating our Great Lakes and other waterways pales in comparison to the most pressing source of Great Lakes pollution, which is the discharge of raw sewage and industrial waste from municipal discharges known as combined sewage overflows.

In my area alone, over one billion gallons of raw sewage is dumped into Lake Huron and the Saginaw Bay annually. This is the main source of nutrients for algae and other bacterial growth in the Great Lakes. It is my hope that, at some point, we will all recognize that our waterways are in serious jeopardy if we don't start addressing this most consistent and immediate danger.

Senator Brater's statement is as follows:

I regret that the debate over Senate Bill No. 840 is being renewed during Statements, but just to keep the record clear here, we need to separate the issues of point and non-point source pollution. Combined sewer overflow from wastewater treatment plants is a serious environmental problem that we need to address, but even if we completely address that problem, it wouldn't abate the problem we have from phosphorus running off non-point sources in this state. Phosphorus is the major source of nutrients for algae blooms that are infesting the Great Lakes this summer and the inland lakes, as well as invasive species such as Eurasian milfoil. We must get this phosphorus under control.

I agree with the previous speaker that we need to work over the summer to get a statewide solution to that problem.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 971, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35103 and 74102a (MCL 324.35103 and 324.74102a), section 35103 as amended by 1996 PA 290 and section 74102a as added by 2004 PA 392, and by adding section 74102b.

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

The House of Representatives has passed the bill as substituted (H-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 590**Yeas—37**

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

Nays—0**Excused—1**

Leland

Not Voting—0

In The Chair: Sanborn

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

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

The motion prevailed.

Senator Birkholz's statement is as follows:

With the adoption and concurring in the House substitute for Senate Bill No. 971 and the adoption of Senate Bill Nos. 971 and 972, we will have completed a huge step forward in preserving our natural resources this week. There is currently no statutory oversight at all over state park lands, wilderness areas, natural areas, or wild areas. With a simple stroke of the pen, the DNR can declare these lands surplus lands and they can be put up for sale. All other property conveyances in this state must have legislative approval. With these two bills, we will have set in place a tiered process of review that ensures that any DNR proposal to sell a state park, wilderness area, or other natural resources will receive extensive legislative scrutiny.

These are very arguably our state's most valuable resources, and once sold, they will be gone forever and our Michigan citizens will have lost access to these natural resources and to these recreational opportunities. At a time when gas prices are unbelievably high, many of our constituents will be able to still access our state parks for recreation and vacation time but not be able to go any further. So we must preserve these lands. Our Constitution demands that we protect our natural resources, and we are exercising that commitment today.

I compliment my fine colleague from the 16th District and thank him for his work with me on this issue. I thank all the legislators who are going to support these bills. Vote "yes."

Senate Bill No. 972, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2131 (MCL 324.2131), as amended by 2001 PA 174.

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.

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

House Bill No. 6213, entitled

A bill to amend 1964 PA 154, entitled “An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act,” by amending section 14 (MCL 408.394), as amended by 1998 PA 37.

Senator Hammerstrom moved that the bill be given immediate effect.

The question being on the motion to give the bill immediate effect,

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

The motion prevailed.

Senate Bill No. 1296, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1146 (MCL 380.1146).

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

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

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

Senator Hammerstrom moved that the rule be suspended.

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

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

Senator Thomas offered the following amendment to the substitute:

- 1. Amend page 2, line 20, by striking out all of enacting section 1.

The amendment to the substitute was adopted.

Senator Thomas offered the following amendment to the substitute:

- 1. Amend page 2, line 5, after “**GENDER**” by striking out the comma and “**IF PRACTICABLE**”.

The amendment to the substitute was adopted.

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

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

Roll Call No. 591

Yeas—32

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

Nays—5

Brater	Patterson	Toy	Whitmer
Jacobs			

Excused—1

Leland

Not Voting—0

In The Chair: Sanborn

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

Senate Bill No. 727, entitled

A bill to create certain centers in the Michigan economic development corporation; and to impose certain duties and responsibilities on those centers and on certain state employees and public employees.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts.

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

Senator Hammerstrom moved that the rule be suspended.

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

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

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

Roll Call No. 592**Yeas—37**

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

Nays—0**Excused—1**

Leland

Not Voting—0

In The Chair: Sanborn

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

Senator Hammerstrom moved that when the Senate adjourns today, it stand adjourned until Wednesday, July 12; when it adjourns on Wednesday, July 12, it stand adjourned until Tuesday, July 18; when it adjourns on Tuesday, July 18, it stand adjourned until Wednesday, July 19; when it adjourns on Wednesday, July 19, it stand adjourned until Tuesday, July 25; when it adjourns on Tuesday, July 25, it stand adjourned until Wednesday, July 26; when it adjourns on Wednesday, July 26, it stand adjourned until Wednesday, August 2; when it adjourns on Wednesday, August 2, it stand adjourned until Wednesday, August 9; when it adjourns on Wednesday, August 9, it stand adjourned until Wednesday, August 16; when it adjourns on Wednesday, August 16, it stand adjourned until Wednesday, August 23; and when it adjourns on Wednesday, August 23, it stand adjourned until Wednesday, August 30.

The motion prevailed.

Senator Hammerstrom moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 12:32 p.m.

12:45 p.m.

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

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

Senate Bill No. 1198, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 1117.

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.

Committee Reports

The Committee on Education reported

Senate Resolution No. 146.

A resolution encouraging the State Board of Education to incorporate suicide prevention and education as part of the state of Michigan's public school curriculum.

(For text of resolution, see Senate Journal No. 55, p. 1219.)

With the recommendation that the resolution be adopted.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom and Leland

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Education reported

House Bill No. 4375, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1171.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis, Van Woerkom, Clark-Coleman and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

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 177a.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis and Van Woerkom

Nays: Senator Clark-Coleman

The bill was referred to the Committee of the Whole.

The Committee on Education reported

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.

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis and Van Woerkom

Nays: Senators Clark-Coleman and Leland

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:

Meeting held on Tuesday, June 27, 2006, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Kuipers (C), Cassis, Van Woerkom, Clark-Coleman and Leland

The Committee on Commerce and Labor reported

Senate Bill No. 1288, entitled

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

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Cassis, McManus, Schauer and Olshove

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 Commerce and Labor submitted the following:

Meeting held on Tuesday, June 27, 2006, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Cassis, McManus, Schauer and Olshove

The Committee on Education reported

Senate Bill No. 1017, entitled

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

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

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cassis and Van Woerkom

Nays: None

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

The Committee on Finance reported

Senate Bill No. 382, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, June 28, 2006, at 12:07 p.m., Room 110, Farnum Building

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

The Committee on Appropriations reported

Senate Bill No. 48, entitled

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its

agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending section 7 (MCL 830.417), as amended by 1994 PA 252.

With the recommendation that the substitute (S-4) 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, George, 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.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 28, 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, George, Prusi, Barcia, Scott, Cherry, Clarke and Switalski

COMMITTEE ATTENDANCE REPORT

The Joint Subcommittee on Capital Outlay submitted the following:

Meeting held on Thursday, June 29, 2006, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators George, Cropsey, Hardiman, Prusi, Clarke and Cherry

Excused: Senators Johnson (C) and Goschka

Senator Hammerstrom moved that the Senate adjourn.

The motion prevailed, the time being 12:48 p.m.

In pursuance of the order previously made, the Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, July 12, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate