

No. 79
STATE OF MICHIGAN
Journal of the Senate

93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Wednesday, September 6, 2006.

10:00 a.m.

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

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

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

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

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

Pastor Joseph Vondolski of Vanderbilt Community Church of Vanderbilt offered the following invocation:

Father, I thank You for these men and women who You have called into this place to lead Your people. I am just kind of overwhelmed of the size of everything and just feel insignificant, but we know You teach us in Your Word that the king's heart is in the hand of the Lord and You turn it whether so You will.

I just ask this morning that You would give all of the individuals here a heart to serve You, to worship You, and that righteousness would be the driving force behind why we do what we do. I pray that You would bless this place, that You would give biblical wisdom to all these Senators here today and the days to come.

We thank You for Your goodness and Your grace. It's in Christ's name I pray. Amen.

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

Motions and Communications

Senator Schauer moved that Senators Barcia, Leland and Clark-Coleman be temporarily excused from today's session. The motion prevailed.

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

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

Senate Bill No. 246

The motion prevailed.

Senator Hammerstrom moved that Senators Goschka, Sanborn and Kuipers be temporarily excused from today's session. The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of Third Reading of Bills be referred to the Committee on Finance:

Senate Bill No. 1268, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of General Orders be referred to the Committee on Banking and Financial Institutions:

House Bill No. 5292, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3503, 7911, 7918, 7921, 7925, 7931, 7941, 7945, 8111, 8124, and 8134 (MCL 500.3503, 500.7911, 500.7918, 500.7921, 500.7925, 500.7931, 500.7941, 500.7945, 500.8111, 500.8124, and 500.8134), section 3503 as added by 2000 PA 252, sections 7911 and 7921 as amended by 1993 PA 200, section 7918 as amended by 2001 PA 182, sections 7925, 7931, and 7945 as amended by 1980 PA 41, section 7941 as amended by 1990 PA 137, section 8111 as amended by 1992 PA 182, section 8124 as added by 1989 PA 302, and section 8134 as amended by 1998 PA 279, and by adding sections 8124a and 8133a.

The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of General Orders be referred to the Committee on Local, Urban and State Affairs:

Senate Bill No. 1129, entitled

A bill to amend 1899 PA 44, entitled "An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies," (MCL 24.1 to 24.37) by adding section 39.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, September 5:
House Bill Nos. 5853 5908 5909 5965

Messages from the Governor

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

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

The motion prevailed.

The following message from the Governor was received and read:

September 5, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 88I of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2088I:

Strategic Economic Investment and Commercialization Board

Mr. Diether H. Haenicke, Ph.D., of 2022 Quail Cove Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding Judith I. Bailey, Ph.D., representing Western Michigan University, for a term commencing September 5, 2006 and expiring December 31, 2006.

Sincerely,
Jennifer M. Granholm
Governor

The appointment was referred to the Committee on Government Operations.

Senators Kuipers and Clark-Coleman entered the Senate Chamber.

Messages from the House

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

Senate Bill No. 435
Senate Bill No. 640

House Bill No. 4072

The motion prevailed.

Senate Bill No. 453, entitled

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

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

Senator Hammerstrom moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

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

Senators Sanborn and Goschka entered the Senate Chamber.

Senate Bill No. 693, entitled

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

The House of Representatives has concurred in the Senate substitute (S-6) to the House substitute (H-3).

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

Senate Bill No. 1364, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 4b (MCL 408.384b), as added by 1997 PA 1.

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.

Senator Hammerstrom moved that the bill be given immediate effect.

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of

General Orders

Senator 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 Bishop 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:

Senate Bill No. 1289, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by repealing section 216 (MCL 330.1216).

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. 1017, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 75, 85, and 91 (MCL 38.1375, 38.1385, and 38.1391), section 75 as amended by 1989 PA 194, section 85 as amended by 2002 PA 94, and section 91 as amended by 2004 PA 117.

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.

During the Committee of the Whole, Senator Leland entered the Senate Chamber.

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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

Senate Bill No. 1289

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

Senator Barcia entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 1289, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by repealing section 216 (MCL 330.1216).

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. 637

Yeas—25

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

Nays—12

Brater	Clarke	Olshove	Scott
Cherry	Emerson	Prusi	Switalski
Clark-Coleman	Jacobs	Schauer	Whitmer

Excused—1

Thomas

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protest

Senator Brater, under her constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1289 and moved that the statement she made during the discussion of the bill be printed as her reasons for voting “no.”

The motion prevailed.

Senator Brater's statement is as follows:

Mr. President I am going to vote "no" on this legislation and the reason is that it completely misses the point. We are standing here acting like we are doing something to improve delivery of mental health services in Wayne County when, in fact, we are not. What we need to do is lift all votes for delivery of all mental health services in the state of Michigan. Wayne County is suffering like all of our other counties and the pathetic support that we are giving for community mental health services in this state, ever since we closed 15 out of 21 of our hospitals that used to house people with mental illness in this state. They were expected to go out in the community and get services. The dollars that were spent on mental health consumers in the hospitals never followed into the communities and that includes Wayne County.

The result is that more and more people, instead of getting mental health services, are becoming criminalized, ending up homeless, ending up in the criminal justice system. When we did a survey a few years ago, I believe it was 17 percent of the people in the Wayne County Jail were people with mental illness who were eligible for mental health services.

If you look at the National Alliance for the Mentally Ill for the grading of the states in 2006, Michigan as a whole got a grade of C+ for mental health services. We ranked 17th per capita mental health spending, even though we are 25th in per capita incomes. There are a number of criteria that they looked at, including infrastructure information, access services, and recovery supports.

We are not doing very well in any of those areas, so this entire bill is election-season politics. It's a smoke screen and it's a distraction from looking at how to improve the mental health system. I am very disappointed that it is before us today and it should not be rushed through.

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

The motion prevailed.

Senator Leland's statement is as follows:

Mr. President and members, I am going to support this legislation and I'll give you a couple of reasons why I am going to support this. The Wayne County mental health authority or board gets over \$500 million a year to provide mental health services in Wayne County. It is a very dysfunctional system. Many of the constituent calls I have gotten over the years are about the board, the lack of services, and contracts that are being given out to the wrong people for the wrong reasons.

The chairperson of Appropriations mentioned that there was a provider that got a bunch of money, didn't specify the amount, but it was \$21 million in contracts from the board, and that gentleman is currently under indictment and will probably end up in jail. Many of the contracts that are given out in Wayne County have to do with friends and family and people just are not getting the services.

Like I said, I get a lot of calls to my office because I am familiar with the services in Wayne County because they know that I am a social worker. In my previous life, I did a lot of placement in the community. I still have contacts in Wayne County in terms of providing mental health services to my constituents. I get a lot of calls and people are very dissatisfied with the way things are being delivered and the services that are being provided.

So I think if this goes a little way in improving the board, it is a good idea, and for those reasons, I am going to support this legislation.

Senator Hammerstrom's first statement is as follows:

This is a repealer bill that does take out that section in the Mental Health Code that deals with the governance issue for the Wayne County Community Mental Health Board. As you know, we have been trying to encourage them to move forward on their own to an authority status. There was a subcommittee that met and they are now meeting as a committee of the whole. They are trying to consider what they want to do and how they want to address the issue. Part of the problem keeps coming up, though, that this is a matter of governance and that they need to have the matter of governance determined before they can move forward.

Now, they can't determine what the governance is. We have to determine that. We have to change the statute and they are saying, "We are not going to act until the state acts." Well, I want them to continue those discussions, and I think by passing this bill today, we give them the ability to say we are willing to address the governance. It's out there and we are going to move forward on this; continue your talks and it's not an issue.

Now, I want to talk for a minute about why we have that particular form of governance that we do. Back in 1964 and in 1965, when the county was considering going to a mental health committee, they were going to establish a mental health system within the county. They actually made the recommendation that the board be six members appointed by the mayor and six members appointed by the county executive.

Now, when they did that, however, they also put in place another resolution that said, and I am going to quote, "that in the event that the joint city of Detroit-county of Wayne Community Mental Health Services Board shall for any reason become inoperative, the chairman of this board of supervisors shall name the members of said existing board." So what they did is they said, "Okay, we are going to go with the split. If it becomes inoperative, we go back to the responsibility coming from the board of supervisors."

Now, we never put that into statute until we did the revisions in 1995, and the reason we did that at that time is because it was working in Wayne County. I still believe the ability to work in that type of format is possible and that maybe this is not the real issue down there, but they seem to think that this is a huge issue. I think the Governor has addressed the fact that we should have addressed governance in this body. So that is why I am putting this before you.

What happens is once we remove that, they will be treated exactly like every other county in regard to who appoints the members to the county board of mental health. You know, the county executive has said, "I want to be treated just like Oakland County." Well, not only is he going to be treated like Oakland County, he will be treated like every other county.

So there has been some indication that there is some movement that some of the members want this type of governance, and I want to show good faith in the fact that we are willing to discuss the issue up here and to let them continue to discuss the issues of how they can structure their agency or their authority to provide the best services for the people in Wayne County.

So I would urge you to move this forward to get the issue of governance off the table to let them know that we have the intention to do something with this, and let them continue the deliberations that need to be done.

So I ask for your support on this issue.

Senator Hammerstrom's second statement is as follow:

I happen to agree with the previous speaker that this is a distraction and that is why I am asking us to move it and to move it today, so that it no longer becomes a distraction. But I would like to kind of go back and address some remarks that were made because I think that we are getting two separate issues confused here.

We did pass a bill that would take, beginning in December, \$3.5 million a month from the Detroit mental health system. I don't want that to happen. I want them to be able to move forward with the issue of becoming an authority before that, so we don't have to take that money away from them. It has always been my intent that they do that and we don't do it by statute. I could put a bill up right now that would force them to do it. I want the discussions to continue with the members who are doing it.

There has been a resolution on the chairwoman's desk since June to move to an authority. The problem is they are getting caught up. That's the issue that they have to address, and they have to address the issue of becoming an authority. They have the ability to do that. We can by statute force them to do it, and we are not going to do it. We want them to move on their own.

The issue of governance they cannot address. They cannot address it because it is going to take a statute to address it. It is getting them caught up in this whole discussion, and they don't want to move until we move to show that we are willing to move on the issue of governance and chance it.

You know, back when the Governor vetoed the bill last time, she said that it failed to address that six-six impasse. This addresses the six-six impasse and allows their discussion on authority, which is a different discussion than governance altogether, to take place. You know, I am asking that we take this forward so that those discussions can take place, so that they can make their decisions and vote on this and they do not have to lose the money.

You know, by taking that six-six impasse which they are saying is a problem, I don't necessary agree that it is always a problem, but it seems to be right now. If you remember, the resolution that was adopted said if at any time this system becomes inoperative, we want to go back to the old way. Well, basically, what we are doing here is we are addressing this six-six. We are allowing them to continue their discussions because they are not going to move on those discussions until we do. It allows them to continue those discussions, and it goes back to the original intent the people of Wayne County government wanted at the time.

So I am urging you to move this bill, to move it today, and let them continue to have the discussions and the talks down there on how they intend to become an authority.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 71

Senate Concurrent Resolution No. 53

The motion prevailed.

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

Senate Resolution No. 161

The resolution consent calendar was adopted.

Senators Toy, Bishop, Birkholz, Allen, Kuipers, Garcia, Gilbert, McManus, Hammerstrom, Hardiman, Cropsey, Goschka and Van Woerkom offered the following resolution:

Senate Resolution No. 161.

A resolution declaring 2007 as the Year of the Child in Michigan.

Whereas, Tax dollars are scarce and should be reserved for important public policy efforts which demonstrate results; and

Whereas, State government has expressed a desire to manage its resources based on principles of prioritizing spending and eliminating programs and services that are least valuable to the citizens; and

Whereas, Children and families with high service and resource needs depend upon a myriad of different public and private organizations to be successful; and

Whereas, The developmental period of childhood is a vital window of opportunity to foster growth and build resiliency which has a lifetime impact; and

Whereas, Families are the primary source of nurturing, permanency, and support for children and need the support of communities to be successful in raising children to be productive members of their community; and

Whereas, Local community-based collaborative planning to align local services is an efficient and cost-effective tool which maximizes the value of dollars invested; and

Whereas, Early assessment and intervention are proven to further enhance savings by preventing more costly services from being utilized; now, therefore, be it

Resolved by the Senate, That 2007 be declared the Year of the Child in Michigan. We encourage all children's agencies and organizations to hold focus workshops and conferences to strengthen the development and implementation of services to Michigan's children and their families; and be it further

Resolved, That a copy of this resolution be transmitted to Governor Granholm, members of the Legislature, all state department heads whose responsibilities include Michigan's children, local Department of Human Services directors, local Department of Community Health directors, local family court judges, all intermediate school superintendents, and the Michigan Association of Counties.

Senators Clarke, Jelinek, Prusi and Switalski were named co-sponsors of the resolution.

Introduction and Referral of Bills

House Bill No. 5853, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2005 PA 166.

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

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

House Bill No. 5908, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 23b, 23d, 23e, and 46 of chapter X (MCL 710.23b, 710.23d, 710.23e, and 710.46), section 23b as added and section 46 as amended by 1994 PA 222, section 23d as amended by 2004 PA 487, and section 23e as amended by 2000 PA 55.

The House of Representatives has passed the bill.

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

House Bill No. 5909, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 5c.

The House of Representatives has passed the bill.

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

House Bill No. 5965, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 951, 952, and 957 (MCL 168.951, 168.952, and 168.957), section 951 as amended by 1993 PA 45 and section 952 as amended by 1993 PA 137, and by adding section 952b.

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 Government Operations.

Statements

Senators Scott and Barcia 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:

Colleagues, there truly is a reason why I stand here each day asking you to join me in my fight against the high cost of insurance. If you want to read or hear about it from another source, you only need to pick up a newspaper or a magazine. The headline from the August 30th *Detroit News* read: "Detroit's Poverty Rate is No. 2 in the United States." The headline from the September 4th *CNN Money* read: "Costliest Car-Ownership Cities: It costs over \$4,500 more to own and operate a vehicle in Detroit than in Sioux Falls, according to a new survey."

In a week's time, I'm reading about how 32 percent of households in the largest city in this state earn less than the poverty threshold. And, on top of that, they are the same people who are paying the highest insurance in the country. What is wrong with this picture?

According to the *CNN Money* article, a recent survey reveals that insurance is the "biggest single reason that maintaining a car in the Motor City is so expensive." On average, ratepayers pay \$5,072 annually for liability, collision, and comprehensive coverage.

I want to ask each of you: If you had to pay on average over \$5,000 for automobile insurance, would you then stand with me in my crusade for fair and affordable insurance rates? Regardless of what your answer might be, you need to do what is right and stand with me for every Detroiters who is forced to pay these ridiculous insurance rates. We cannot in good conscience continue to ignore this issue any longer.

I speak every day about the need to address this issue. It's in black and white in our newspapers and magazines. What more do you need? The time is now to act.

Senator Barcia's statement is as follows:

It is with a heavy heart that I rise today to honor another American hero, Staff Sergeant Eugene Alex. A former Reese and Bay City native, Staff Sergeant Alex passed away on Saturday, September 2, 2006, as a result of wounds suffered on his 32nd birthday, August 30, 2006, while on duty in Baghdad, Iraq.

Staff Sergeant Alex was a cavalry scout serving with the 4th Squadron, 14th Cavalry Regiment, 172nd Stryker Brigade Combat Team based in Fairbanks, Alaska. He had just returned to Iraq after recovering from previous wounds suffered while on duty in the country.

Staff Sergeant Alex leaves behind his wife Melissa and three children ages 6, 8, and 11.

Our thoughts and prayers go out to his family, and although no words can abate their grief, we do hope our eternal gratitude and admiration of his service and sacrifice will provide them some comfort as they struggle with this devastating loss.

A moment of silence was observed in memory of Staff Sergeant Eugene Alex.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4861, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 224, 224d, and 231 (MCL 750.224, 750.224d, and 750.231), section 224 as amended by 1991 PA 33, section 224d as amended by 1992 PA 4, and section 231 as amended by 2002 PA 536.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 454, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174 (MCL 750.174), as amended by 1998 PA 312.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 455, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4086, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 1983 PA 64.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2004 PA 58.

With the recommendation that the bill pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 5719, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 217g and 217h.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5193, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5 (MCL 28.725), as amended by 2005 PA 132.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Schauer

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5194, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2006 PA 168.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Schauer

Nays: None

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

The Committee on Judiciary reported

House Bill No. 6135, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17f of chapter XVII (MCL 777.17f), as added by 2002 PA 28.

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.

Alan L. Cropsey
Chairperson

To Report Out:

Yeas: Senators Cropsey, Bishop, Sanborn, Patterson and Schauer

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 Judiciary submitted the following:

Meeting held on Tuesday, September 5, 2006, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Cropsey (C), Bishop, Sanborn, Patterson, Schauer, Whitmer and Brater

Scheduled Meetings

Agriculture, Forestry and Tourism - Thursday, September 7, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittee -

Department of Human Services/House Department of Human Services Appropriations Subcommittee -
Thursday, September 7, 8:30 a.m., Room 426, Capitol Building (373-2768)

Banking and Financial Institutions - Thursday, September 7, 1:00 p.m., Room 100, Farnum Building (373-2417)

Local, Urban and State Affairs - Thursday, September 7, 1:00 p.m., Room 110, Farnum Building (373-1707)

Natural Resources and Environmental Affairs - Tuesday, September 12, 3:00 p.m., Room 110, Farnum Building (373-3447)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 10:52 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, September 7, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate