

No. 80  
STATE OF MICHIGAN  
**Journal of the Senate**

93rd Legislature  
REGULAR SESSION OF 2006

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Senate Chamber, Lansing, Thursday, September 7, 2006.

10:00 a.m.

The Senate was called to order by the President pro tempore, Senator Patricia L. Birkholz.

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—excused  
Hardiman—present  
Jacobs—present  
Jelinek—present  
Johnson—present  
Kuipers—present  
Leland—present  
McManus—present  
Olshove—present

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

Senator Michael Switalski of the 10th District offered the following invocation:

Good morning, Lord. Well, Lord, You've got me again. I have to admire Your sense of humor. I came in all ready to complain about the morning and the rain and the fog. I wrote my prayer out, and then I walked over for session. It's beautiful out, the sun is shining, and it's all blue sky. Since You already know what I wrote, I guess Your joke is that You are going to make me read this when it's not really the situation out there.

So, Lord, this morning isn't some of Your best work, but then again, I am not a farmer. They're probably very happy with the rain; so are the schoolchildren who, I'm told, are on a two-hour fog delay. I guess on balance, thank You for this foggy, rainy morning. And now You've got me; it's a beautiful morning. I know You understand balance.

We owe You another bittersweet thank You for the start of school. We will miss having the little darlings around all day, but it is great for them to get back to their school chums and their education. We pray that the DPS and the AFT will find a way to resolve their differences so that the school year can begin smoothly for all kids. Help them find a balance, and help us in the Legislature pursue policies that support equity, compromise, and Your divine balance. That might be a tough one, Lord. But when we come to You, we never ask for the easy stuff. We can handle the easy stuff ourselves. We need You on the hard ones. So I have one last hard one for You.

Guide this Senate through the election season. Keep us faithful to the truth and to each other. Remind us that You watch our conduct. Help us remember that once elections are over, we have to work together with one another, for the people of Michigan. Give us the strength to say "no" to cynical politics and "yes" to statesmanship and integrity. Focus our arguments on policy and not personality.

That's about it, Lord. I never said it would be easy. But come to think of it, I do have one easy one. Can You cut the Tigers a little slack? It's been a long time in the wilderness, and it would be most appreciated. Amen.

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

### Motions and Communications

Senators McManus and Brown entered the Senate Chamber.

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

**Senate Bill No. 246**

The motion prevailed.

Senator Cropsey moved that Senator Garcia be temporarily excused from today's session.

The motion prevailed.

Senator Cropsey moved that Senator Hammerstrom be excused from today's session.

The motion prevailed.

Senator Cropsey moved that the Committee on Banking and Financial Institutions be discharged from further consideration of the following bill:

**House Bill No. 5661, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

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

Senator Cropsey moved that the bill be referred to the Committee on Transportation.

The motion prevailed.

The Secretary announced that the Majority Leader has made the appointment of the following standing committee: **Local, Urban and State Affairs** - Senator Cropsey (VC) temporarily replacing Senator Birkholz.

The standing committee appointment was approved, a majority of the members serving voting therefor.

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

The Secretary announced that the following official bills were printed on Wednesday, September 6, and are available at the legislative website:

<b>Senate Bill Nos.</b>	<b>1395</b>	<b>1396</b>	<b>1397</b>	<b>1398</b>	<b>1399</b>	<b>1400</b>	<b>1401</b>	<b>1402</b>	<b>1403</b>	<b>1404</b>	<b>1405</b>	<b>1406</b>	<b>1407</b>	<b>1408</b>
	<b>1409</b>													
<b>House Bill Nos.</b>	<b>6392</b>	<b>6393</b>	<b>6394</b>	<b>6395</b>	<b>6396</b>	<b>6397</b>	<b>6398</b>	<b>6399</b>	<b>6400</b>	<b>6401</b>	<b>6402</b>	<b>6403</b>	<b>6404</b>	<b>6405</b>
	<b>6406</b>	<b>6407</b>	<b>6408</b>	<b>6409</b>	<b>6410</b>	<b>6411</b>	<b>6412</b>	<b>6413</b>	<b>6414</b>	<b>6415</b>				

### Messages from the Governor

Senators Garcia and Thomas entered the Senate Chamber.

Senator Cropsey 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 messages from the Governor were received and read:

September 6, 2006

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

#### **Michigan Plum Advisory Board**

Mr. Gary R. Frederickson of 10201 Foxview Drive, Northport, Michigan 49670, county of Leelanau, reappointed to represent growers from Northern Michigan, for a term expiring July 1, 2009.

Mr. Nels Nyblad of 17965 Hall Road, Casnovia, Michigan 49318, county of Muskegon, reappointed to represent at-large growers, for a term expiring July 1, 2009.

September 6, 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 pursuant to Section 76103 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76103:

**Underwater Salvage and Preserve Committee**

Mr. Gregory D. MacMaster of 3953 Emily Lane, Traverse City, Michigan 49686, county of Grand Traverse, appointed to represent the general public, for a term commencing September 6, 2006 and expiring August 17, 2007.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

**Messages from the House**

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

**Senate Bill No. 435**

**Senate Bill No. 640**

The motion prevailed.

**Senate Bill No. 50, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 545.

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

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

The recommendation was 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. 420, entitled**

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

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

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1234, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 535 (MCL 750.535), as amended by 2002 PA 720.

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

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

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

Senator Cropsey moved that the rule be suspended.

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

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

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

**Roll Call No. 638**

**Yeas—36**

Allen  
Basham

Clarke  
Cropsey

Jelinek  
Johnson

Schauer  
Scott

Birkholz	Emerson	Kuipers	Sikkema
Bishop	Garcia	Leland	Stamas
Brater	George	McManus	Switalski
Brown	Gilbert	Olshove	Thomas
Cassis	Goschka	Patterson	Toy
Cherry	Hardiman	Prusi	Van Woerkom
Clark-Coleman	Jacobs	Sanborn	Whitmer

**Nays—0**

**Excused—2**

Barcia	Hammerstrom
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**Not Voting—0**

In The Chair: Birkholz

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

The motion prevailed.

Senator Scott’s statement is as follows:

I would like to support this bill also. Hopefully, this will help us with some of our insurance rates. Although, Sheriff Evans did a press conference almost two years ago because, as you know, it is Sheriff Evans and his deputies who are the police force now for Highland Park. He indicated at that time—two years ago—that our theft had gone down, but yet our insurance rates have not gone down. So that’s why it is so important that we support this bill and that we deal with insurance.

Hopefully, we will do that so that people can have a better life. They will have a little more money to spend on the things that they need to.

Senator Barcia entered the Senate Chamber.

**House Bill No. 4072, entitled**

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

Substitute (H-2).

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. 639**

**Yeas—29**

Allen	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Johnson	Schauer
Birkholz	Garcia	Kuipers	Sikkema

Bishop  
Brater  
Brown  
Cassis  
Cherry

George  
Gilbert  
Goschka  
Hardiman

McManus  
Olshove  
Patterson  
Prusi

Stamas  
Switalski  
Toy  
Van Woerkom

**Nays—8**

Basham  
Clark-Coleman

Emerson  
Jacobs

Leland  
Scott

Thomas  
Whitmer

**Excused—1**

Hammerstrom

**Not Voting—0**

In The Chair: Birkholz

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Birkholz, designated Senator Brater as Chairperson.

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

**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.

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 5, following line 21, by inserting:

**“(G) A SECURITY EMPLOYEE EMPLOYED BY THE STATE AND GRANTED LIMITED ARREST POWERS UNDER SECTION 6C OF 1935 PA 59, MCL 28.6C.**

**(H) A MOTOR CARRIER OFFICER APPOINTED UNDER SECTION 6D OF 1935 PA 59, MCL 28.6D.”**

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. 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.

Substitute (S-1).

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

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

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 12, after "more" by inserting "**BUT LESS THAN \$50,000**".

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

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

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.

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

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 3, line 7, by striking out "September" and inserting "December".

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:  
**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.

Substitute (S-1).

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

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

Substitute (S-1).

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

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

Substitute (S-3).

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

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

Substitute (S-1).

The following is the amendment to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 3, by striking out "**791.236(16)**" and inserting "**791.236(17)**".

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.

### Resolutions

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

**Senate Resolution No. 71**

**Senate Concurrent Resolution No. 53**

The motion prevailed.

Senators Cherry, Garcia, Hammerstrom, Kuipers, Goschka, Barcia, Basham, Clark-Coleman, Whitmer, Prusi and Olshove offered the following concurrent resolution:

**Senate Concurrent Resolution No. 55.**

A concurrent resolution to urge Michigan's public colleges and universities to make available to each Michigan high school information on the number of students who graduated from that high school who are taking remedial mathematics or English courses.

Whereas, The Lieutenant Governor's Commission on Higher Education and Economic Growth, known as the Cherry Commission, had as its goal the formulation of a plan to double the number of Michigan residents who obtain college degrees or other valuable credentials. One disturbing fact uncovered by the commission is that 42 percent of students entering Michigan colleges and universities must enroll in non-credit remedial mathematics or English courses; and

Whereas, In addition to the monetary costs involved in correcting this educational deficiency, the need to take pre-college courses once in college can only be an obstacle to completing a college degree. College is a challenging experience for those who are ready for college, and the shock of finding that their high school degree has not prepared them for college work may discourage some students from completing their degrees; and

Whereas, If our state is to reach the goals of the Cherry Commission in regard to increasing the number of our residents who obtain college degrees, we must help our high schools refine their curricula so that their students are ready to do college-level work on their first day in college. If our public colleges and universities would provide data to each Michigan high school about the number of students from that high school who are enrolled in remedial mathematics or English courses, our high schools could take a giant step toward making the goals of the Cherry Commission a reality; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge Michigan's public colleges and universities to make available to each Michigan high school information on the number of students who graduated from that high school who are taking remedial mathematics or English courses; and be it further

Resolved, That copies of this resolution be transmitted to the presidents and boards of control of Michigan's public colleges and universities.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Cropsey moved that the rule be suspended.

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



The question being on the adoption of the concurrent resolution, Senator Cropsey moved that the concurrent resolution be referred to the Committee on Education. The motion prevailed. Senators Brater, Cassis, Clarke, Jacobs and Switalski were named co-sponsors of the concurrent resolution.

### Introduction and Referral of Bills

Senator Hardiman introduced  
**Senate Bill No. 1410, entitled**

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

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

Senator Van Woerkom introduced  
**Senate Bill No. 1411, entitled**

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

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

Senator Sanborn introduced  
**Senate Bill No. 1412, entitled**

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

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

### Statements

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

The motion prevailed.

Senator Stamas' statement is as follows:

I rise with sadness today to recognize a young man who lost his life and a family that grieves his loss. I have a tribute that I would like to read for the record so that we can let his family know that they are in our thoughts and prayers.

"LET IT BE KNOWN, That it is with deep sadness that we learned of the passing of Daniel M. Quaine, a dedicated soldier and caring person who enriched many lives. With genuine respect for his legacy of accomplishment, we join with the community in extending our condolences to his family and many friends. He will be sincerely missed and long remembered.

Sergeant Quaine served proudly and honorably in the Michigan National Guard beginning in 2000. After the tragedy of September 11th, he opted to go full-time in the Guard and spent the next six months providing security at Detroit Metro Airport. Following his commitment to the Guard, Sergeant Quaine joined the U.S. Army on March 23, 2003. He spent his first tour of duty on the DMZ in Korea. After a two-week visit home, Sergeant Quaine transferred to Iraq, just outside of Fallujah, where he conducted building-to-building sweeps in search of al Qaeda and insurgents. Sergeant Quaine returned from Iraq in August 2005 to Fort Carson, Colorado, as a member of 2nd Battalion, 12 Infantry Regiment, B Company, 2nd Platoon. It was in Fort Carson, Colorado, where Sergeant Quaine lost his life in an accident during a training exercise.

Sergeant Quaine was raised in Alpena, Michigan, where he graduated from high school before completing boot camp at Fort Benning, Georgia. He was the father of two young children, with a third on the way. His wife, Nina, has returned to Alpena to raise their children.

During his time in the U.S. Army, Sergeant Quaine earned several awards and decorations indicative of his exemplary service to our nation; they include: an Army Commendation Medal, two Army Achievement Medals, a Good

Conduct Medal, a National Defense Service Medal, an Army Service Medal, a Korean Defense Service Medal, an Iraq Campaign Medal, two Overseas Service Medals, and the Combat Infantryman's Badge.

It is with great sorrow that we honor Sergeant Quaine and his family today. Sergeant Daniel M. Quaine was a man who chose to fight for his country and to protect our rights. It is extremely hard to see a young man with so much promise, who set such an example for all of us, to be struck down at such an early age. It is even more upsetting that he leaves behind a young family that will have to cope with such a tragic loss for the years ahead; they deserve so much more than we can ever offer. However, today, we offer our deepest condolences and our most profound thanks for the sacrifices they have endured.

IN SPECIAL TRIBUTE, Therefore, we present this tribute.”

A moment of silence was observed in memory of Army Sergeant Daniel M. Quaine.

Senator Scott's statement is as follows:

I have a story from my website. It says, “I'm a resident of Detroit and I have two cars that are insured and the premiums are more than \$6,000 per year. This is double what the nearest suburb pays. We have the highest insurance rates in the country.” This is by a person in Detroit who lives in an area that is one of the nicest areas in Detroit, but it doesn't matter where you live in Detroit; you still pay the highest rates in the country. I think it is time for us to just stop sitting on this. It is time for us to have some action. We have a few more months to go before the end of this session. I would think it would just be terrible if we as legislators for the whole state of Michigan did not care about the largest city in this state and to know that they pay the highest rates in the country.

You know, I don't want to go to certain areas, but maybe it's time that I do. If Detroit was Livonia, where there is a majority of whites and in Detroit is a majority of black, we would be doing something about it. Remember why I'm standing here is because we took care of one segment of the population and not the other.

I think it is time for us to really do what we are here to do, and that is to take care of the whole state of Michigan. I have a bill now that will allow us to pull a task force together so that we can all talk about what it is that we need to do now to change how we deal with the insurance rates in this state. I would hope that we could at least start on that.

Senator Jacobs' statement is as follows:

On Tuesday, August 29th, while many of us were finishing our vacations or getting our children ready to return to school, Saher Georges was standing at a checkpoint in Ramadi when a suicide car bomber drove through. The car exploded, killing Saher and two Marines who were with him.

Saher, who was 23 years old, served as an interpreter with the U.S. forces in Iraq. This was his second tour of duty. His family describes him as someone who liked to bring joy and happiness to people. He loved to make them laugh.

Georges, a Chaldean—which is a Christian Iraqi—left Iraq 11 years ago to come to the United States with his family. He graduated from Southfield-Lathrup High School and decided to put his fluent Arabic to use as a military interpreter, although, according to a fellow soldier, they never thought of him as an interpreter. He was always considered a Marine. His family said he was proud to go and fight for what he believed in.

Last Tuesday, as we convened in this chamber following our long holiday weekend, Saher Georges was being buried at Holy Sepulchre Cemetery in Southfield. He is survived by his father Salman Georges; his mother Khalida Georges; sister-in-law Dena, who is married to his brother Salam, Jr.; and a nephew Salwan Georges, 16.

We grieve his death, we commend his service, and we honor his memory. Saher Georges is one of at least 2,656 members of the U.S. military who have given their lives in Iraq. The figure includes seven military civilians. To date, 115 Michigan soldiers have made the ultimate sacrifice.

Salam. Shalom. Peace.

A moment of silence was observed in memory of Saher Georges.

### Committee Reports

The Committee on Health Policy reported

#### **House Concurrent Resolution No. 30.**

A concurrent resolution to memorialize the Congress of the United States to eliminate the Medicare caps on accredited graduate medical education positions for the state of Michigan that were imposed as part of the Balanced Budget Amendment of 1997.

(For text of resolution, see Senate Journal No. 58, p. 1315.)

With the recommendation that the concurrent resolution be adopted.

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Health Policy reported

**Senate Resolution No. 152.**

A resolution to memorialize Congress to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015.

(For text of resolution, see Senate Journal No. 63, p. 1419.)

With the recommendation that the resolution be adopted.

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Health Policy reported

**Senate Bill No. 1357, entitled**

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending section 1 (MCL 331.1).

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 5348, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3901 (MCL 500.3901), as added by 1992 PA 84, and by adding section 3902; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 5349, entitled**

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

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

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 5672, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766 (MCL 333.17766), as amended by 2004 PA 329, and by adding section 17780.

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

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 6062, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16511 and 16521 (MCL 333.16511 and 333.16521), as added by 2006 PA 30.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6063, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18811 and 18821 (MCL 333.18811 and 333.18821), section 18811 as amended by 1982 PA 353 and section 18821 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6064, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18705 (MCL 333.18705), as added by 2004 PA 3.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6086, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18411 (MCL 333.18411).

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6138, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17211 and 17221 (MCL 333.17211 and 333.17221), section 17221 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6139, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17411 and 17421 (MCL 333.17411 and 333.17421), section 17421 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6140, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16803 and 16805 (MCL 333.16803 and 333.16805), as added by 2004 PA 97.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6141, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17011 (MCL 333.17011), as amended by 1993 PA 79, and by adding section 17026.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6142, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16411 and 16421 (MCL 333.16411 and 333.16421), section 16411 as amended by 2002 PA 734 and section 16421 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6143, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18211 and 18221 (MCL 333.18211 and 333.18221), section 18221 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6145, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18305 (MCL 333.18305), as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

## To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6146, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18505 (MCL 333.18505), as amended by 2004 PA 61.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6147, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7301a, 16111, 16122, 16139, and 16264 (MCL 333.7301a, 333.16111, 333.16122, 333.16139, and 333.16264), section 7301a as added and section 16111 as amended by 1988 PA 462 and sections 16122 and 16139 as amended by 1993 PA 80; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6148, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17511 (MCL 333.17511) and by adding section 17526.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6149, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18011 and 18021 (MCL 333.18011 and 333.18021), as amended by 2006 PA 161.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6150, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421.

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

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

**House Bill No. 6205, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17711 and 17721 (MCL 333.17711 and 333.17721), section 17721 as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6206, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17305 (MCL 333.17305), as added by 2001 PA 139.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

**House Bill No. 6207, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16903, 16905, and 16907 (MCL 333.16903, 333.16905, and 333.16907), as added by 1995 PA 126.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.



The Committee on Health Policy reported

**House Bill No. 6208, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17820, 17821, and 17903 (MCL 333.17820, 333.17821, and 333.17903), section 17820 as amended by 2005 PA 281, section 17821 as amended by 1993 PA 79, and section 17903 as added by 2006 PA 54.

With the recommendation that the bill pass.

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

Beverly S. Hammerstrom  
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Tuesday, September 5, 2006, at 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 6, 2006, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senator Garcia

#### COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submitted the following:

Meeting held on Wednesday, September 6, 2006, at 3:00 p.m., Room H-252, Capitol Building

Present: Senator Leland

Excused: Senator Hammerstrom

#### COMMITTEE ATTENDANCE REPORT

The Subcommittee on the Department of Human Services submitted the following:

Joint meeting held on Thursday, September 7, 2006, at 8:30 a.m., Room 426, Capitol Building

Present: Senator Hardiman (C), George and Scott

#### Scheduled Meetings

**21st Century Jobs Funds Joint Select Committee (SCR 38)** - Thursday, September 14, 2:30 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Families and Human Services** - Tuesday, September 12, 3:00 p.m., Room 210, Farnum Building (373-1801)

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

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

**Transportation** - Tuesday, September 12, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 11:14 a.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Tuesday, September 12, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate