

No. 107
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Wednesday, October 17, 2007.

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

Garcia—present
George—present
Gilbert—present
Gleason—present
Hardiman—present
Hunter—present
Jacobs—present
Jansen—present
Jelinek—present
Kahn—present
Kuipers—present
McManus—present
Olshove—present

Pappageorge—present
Patterson—present
Prusi—present
Richardville—present
Sanborn—present
Schauer—present
Scott—present
Stamas—present
Switalski—present
Thomas—excused
Van Woerkom—present
Whitmer—present

Reverend Julius C. Hope of New Grace Missionary Baptist Church of Highland Park offered the following invocation:

O Lord, our Lord, how excellent is Thy name in all the earth. We praise, we glorify, we magnify, we honor, we adore, and we love Your holy name because we know at Your name every knee shall bow and every tongue shall confess that You are the Lord of lords and King of kings.

We come on a special mission today because America is in trouble; Michigan is in trouble. We pray, O God, for Your divine guidance at the relation of these who represent the people. As we come today, may they never forget to understand that we are to govern according to Your will. But we know that all power is in Your hands. We pray a special blessing on all of these Senators, all of these Representatives, and workers here in this Capitol. Help them to step forth and fill in the gap. We know that we are somehow living in awful times, economically and otherwise, spiritually, et cetera, but we know that if we just trust in You and never doubt, this, too, shall pass.

O God, we pray now that You would come now and breathe on these Your leaders. Help them to know that Your promise that You would somehow guide and direct them. Help them to submit to Your will. Help us to move forth to help make Michigan the great state that it once was and we hope will return. Help us to not get worried in welldoing. Help us to keep the faith and help us to hold on and run on and see what the end is going to be.

We pray, O God, that You would move in Your mysterious way right now. Let Your Holy Spirit take control and may we move the good work forward, and as we move it forward, the people will be better because of us. In Thy name, we pray and claim the victory because we know that You've got the power. And all of God's children said, Amen.

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

Motions and Communications

Senator Garcia entered the Senate Chamber.

Senator Cropsey moved that Senator Jansen be temporarily excused from today's session.
The motion prevailed.

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

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

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

State Transportation Commission

Mr. Jerrold M. Jung, an Independent, of 111 Willits Street, #402, Birmingham, Michigan 48009, county of Oakland, succeeding Vincent J. Brennan, who has resigned, for a term commencing September 4, 2007 and expiring December 21, 2009.

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 16:
House Bill Nos. 4763 5021

By unanimous consent the Senate proceeded to the order of
Resolutions

Senator Cropsey moved that rule 3.204 be suspended to permit immediate consideration of the following resolution:
Senate Resolution No. 120

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

Senators Bishop and George offered the following resolution:

Senate Resolution No. 120.

A resolution offered as a memorial for Jerry Lawler.

Whereas, The members of this legislative body and virtually everyone who has worked with Jerry Lawler over the past nearly 40 years were saddened to learn of his passing. A man of unsurpassed integrity, energy, and enthusiasm for public service, Jerry Lawler exerted an impact on those who knew him every bit as impressive and unforgettable as the brilliant Capitol dome on a frosty Michigan night; and

Whereas, An Iowa farm boy who never strayed from the values of hard work and unselfishness, Jerry Lawler was a graduate of Drake University and a veteran of the United States Army. Prior to his arrival in Lansing in 1968, he had worked at the Iowa Legislative Service Bureau. With the Michigan Legislative Service Bureau, he set the highest standards of excellence in a nonpartisan role in his responsibilities in research and as an associate bureau director for many years. His unshakable belief in our system of government was clear in his work for hundreds of legislators; and

Whereas, In the late 1980s, as the move took root to restore Michigan's threatened Capitol from its years of overuse, the leadership of this state—the House, Senate, and Governor—turned to Jerry to manage the monumental task of restoring this Victorian-era gem for present and future generations. His masterful handling of this responsibility earned national acclaim for our state's most important public building. This undertaking, massive in scope and endless in details, could only have been achieved as successfully as it was with someone of Mr. Lawler's trustworthiness, talent, and sensitivity to history at the helm; and

Whereas, As head of the Legislative Council Capitol Facilities Agency and as executive director of the Michigan Capitol Committee, Jerry Lawler managed this building as if it were his alone, even as he took pride in sharing it with its 10 million other owners. In addition to overseeing the maintenance of what is essentially a 19th century edifice meeting 21st century demands, he was the point man handling countless demonstrations, ensuring that tensions and confrontations did not escalate while allowing controversial groups to have their say. "Freedom of speech" was no abstract concept to him; and

Whereas, Jerry Lawler never sought the spotlight; the focus of all he did was other people—legislators, policymakers, and visitors from all corners of our state and the world. In this, his public life mirrored his private life, for Jerry Lawler devoted himself to others in everything he did. This legacy, like the grand old building he worked so hard to restore, shall long endure; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of Jerry Lawler, "Mr. Capitol"; and be it further

Resolved, That copies of this resolution be transmitted to Jerry's wife Connie and their family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

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

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

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

Senators Schauer, Bishop and George asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Schauer's statement is as follows:

I thank our leader for bringing this resolution honoring the life of Jerry Lawler before us. I just want to also add our condolences to Connie and to Jerry's family.

I had the pleasure of serving as a member of the Capitol Committee in my first term in the Senate and saw Jerry in action. Certainly, I saw him in other ways. I remember when he arranged the special dome tour. I don't know if you all have had a chance to take part in that; it's on the inside of the dome, by the way. People always ask me that.

But Jerry was really the heart and soul of this building—a protector, a guardian of certainly the building that was completed in 1879, and the work that goes on here as well. He exemplified integrity and passion. He fought hard to maintain not just the integrity of the building that we protect, this and the grounds, but also the free speech and access that is such a part of this.

So I would just like to add on behalf of our members that we hold this building as a living, breathing tribute to Jerry Lawler and one that will serve as a lasting legacy of his life.

Senator Bishop's statement is as follows:

As members will recall in mid-September, we had the very sad passing of Jerry Lawler, who was a friend of this chamber, a friend of this Capitol, and a dedicated man we spent some time discussing here on the floor to pay tribute

to. At the time, we indicated that we would revisit this issue and would present a resolution to the family. I want to be the first to rise and let the family know and the friends in the east Gallery know how we felt about Jerry Lawler. He was really an extension of our family here in the Senate. Our members always considered him to be a part of our family.

He was a dedicated man, a great man, who gave so much of his life and dedicated so much of his life to the restoration of this Capitol—to the service of this Capitol—for all of those great things which this Capitol represents. Our lasting devotion goes to him and his family for all that they did on behalf this great state and this great Capitol for the many great things that he represented.

His wife Connie and their family are here today, including their three children, Kim Duey, Beth Sanborn, and Michael Sanborn—all here to help us pay tribute to this great man. We have prepared a resolution on the calendar today which represents our enduring respect and admiration for a truly great man. We are very proud and pleased to have the family with us today to help us pay tribute to Jerry Lawler.

Senator George's statement is as follows:

I would like to read the memorial resolution:

“Whereas, The members of this legislative body and virtually everyone who has worked with Jerry Lawler over the past nearly 40 years were saddened to learn of his passing. A man of unsurpassed integrity, energy, and enthusiasm for public service, Jerry Lawler exerted an impact on those who knew him every bit as impressive and unforgettable as the brilliant Capitol dome on a frosty Michigan night; and

Whereas, An Iowa farm boy who never strayed from the values of hard work and unselfishness, Jerry Lawler was a graduate of Drake University and a veteran of the United States Army. Prior to his arrival in Lansing in 1968, he had worked at the Iowa Legislative Service Bureau. With the Michigan Legislative Service Bureau, he set the highest standards of excellence in a nonpartisan role in his responsibilities in research and as an associate bureau director for many years. His unshakable belief in our system of government was clear in his work for hundreds of legislators; and

Whereas, In the late 1980s, as the move took root to restore Michigan's threatened Capitol from its years of overuse, the leadership of this state—the House, Senate, and Governor—turned to Jerry to manage the monumental task of restoring this Victorian-era gem for present and future generations. His masterful handling of this responsibility earned national acclaim for our state's most important public building. This undertaking, massive in scope and endless in details, could only have been achieved as successfully as it was with someone of Mr. Lawler's trustworthiness, talent, and sensitivity to history at the helm; and

Whereas, As head of the Legislative Council Capitol Facilities Agency and as executive director of the Michigan Capitol Committee, Jerry managed this building as if it were his alone, even as he took pride in sharing it with its 10 million other owners. In addition to overseeing the maintenance of what is essentially a 19th century edifice meeting 21st century demands, he was the point man handling countless demonstrations, ensuring that tensions and confrontations did not escalate while allowing controversial groups to have their say. ‘Freedom of speech’ was no abstract concept to him; and

Whereas, Jerry Lawler never sought the spotlight; the focus of all he did was other people—legislators, policymakers, and visitors from all corners of our state and the world. In this, his public life mirrored his private life, for Jerry Lawler devoted himself to others in everything he did. This legacy, like the grand old building he worked so hard to restore, shall long endure; now, therefore, be it

Resolved by the Senate, That we offer this expression of our highest tribute to honor the memory of Jerry Lawler, ‘Mr. Capitol’; and be it further

Resolved, That copies of this resolution be transmitted to Jerry's wife Connie and their family as evidence of our lasting esteem for his memory.”

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:17 a.m.

11:52 a.m.

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

During the recess, Senators Jansen, Brater and Barcia entered the Senate Chamber.

By unanimous consent the Senate returned to the order of
Messages from the House

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

Senate Bill No. 53

House Bill No. 4120

The motion prevailed.

Senate Bill No. 347, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 437 and 440 (MCL 206.437 and 206.440), section 437 as added by 2005 PA 249 and section 440 as amended by 2005 PA 160, and by adding section 435.

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

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

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

By unanimous consent the Senate returned to the order of
Messages from the Governor

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

Senate Bill No. 436

The motion prevailed.

The following messages from the Governor were received and read:

October 16, 2007

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointment to office under Section 5 of 1966 PA 1, MCL 125.1355:

Barrier Free Design Board

Mr. Daryl D. Domke of 2100 Wyndham Hill Drive N.E., #102, Grand Rapids, Michigan 49505, county of Kent, succeeding Lucia M. Rios, who has resigned, representing wheelchair users, for a term commencing October 16, 2007 and expiring October 31, 2009.

Mr. Roger L. Donaldson of 4787 Tartan Lane, Holt, Michigan 48842, county of Ingham, succeeding Frederick L. Hall, whose term has expired, representing architects, for a term commencing October 16, 2007 and expiring October 31, 2008.

Mr. Donald A. Link of 310 East Elm Avenue, Monroe, Michigan 48162, county of Monroe, reappointed to represent professional engineers, for a term expiring October 31, 2009.

October 16, 2007

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 Sections 302 and 2402 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2402:

Residential Builders' and Maintenance and Alteration Contractors' Board

Mr. Gary K. August of 1808 Cragin Drive, Bloomfield Hills, Michigan 48302, county of Oakland, succeeding Mark J. Zausmer, who has resigned, representing the general public, for a term commencing October 16, 2007 and expiring March 31, 2008.

Sincerely,
 Jennifer M. Granholm
 Governor

The appointments were referred to the Committee on Government Operations and Reform.

The following message from the Governor was received:

Date: October 16, 2007

Time: 8:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 595 (Public Act No. 114), being

An act to amend 2000 PA 92, entitled “An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts,” by amending sections 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106.

(Filed with the Secretary of State on October 16, 2007, at 9:48 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

State Transportation Commission

Mr. Jerrold M. Jung, an Independent, of 111 Willits Street, #402, Birmingham, Michigan 48009, county of Oakland, succeeding Vincent J. Brennan, who has resigned, for a term commencing September 4, 2007 and expiring December 21, 2009.

Senator Cropsey 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, a majority of the members serving voting therefor, as follows:

Roll Call No. 418

Yeas—37

Allen	Clark-Coleman	Jacobs	Prusi
Anderson	Clarke	Jansen	Richardville
Barcia	Cropsey	Jelinek	Sanborn
Basham	Garcia	Kahn	Schauer
Birkholz	George	Kuipers	Scott
Bishop	Gilbert	McManus	Stamas
Brater	Gleason	Olshove	Switalski
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Sanborn

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Cropsey moved that the Committee on Appropriations be discharged from further consideration of the following bill:

House Bill No. 5217, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

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 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. 5217

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

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 Assistant President pro tempore, Senator Sanborn, designated Senator Switalski as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 716, entitled

A bill to amend 2004 PA 47, entitled "Medical records access act," by amending section 3 (MCL 333.26263).

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:

House Bill No. 4591, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1538 and 1539 (MCL 380.1538 and 380.1539), section 1538 as added by 1988 PA 339 and section 1539 as amended by 2004 PA 76, and by adding sections 1531h and 1538a.

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 a substitute therefor, the following joint resolution:

Senate Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article I, sections 1 and 6 of article II, sections 2 and 3 of article IV, section 2 of article VIII, and section 6 of article IX and by repealing section 10 of article II, sections 4, 5, and 6 of article IV, and section 7 of article VII, to repeal constitutional provisions that have been declared unconstitutional.

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the joint resolution 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. 5217, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

House Bill No. 5217

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

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

Senate Bill No. 747

Senate Bill No. 628

Senate Bill No. 629

House Bill No. 5217

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 747, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1138.

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. 419

Yeas—37

Allen	Clark-Coleman	Jacobs	Prusi
Anderson	Clarke	Jansen	Richardville
Barcia	Cropsey	Jelinek	Sanborn
Basham	Garcia	Kahn	Schauer
Birkholz	George	Kuipers	Scott
Bishop	Gilbert	McManus	Stamas
Brater	Gleason	Olshove	Switalski
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry			

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 628, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12542 (MCL 333.12542).

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. 420

Yeas—34

Allen	Clark-Coleman	Jansen	Prusi
Barcia	Clarke	Jelinek	Richardville
Basham	Cropsey	Kahn	Sanborn
Birkholz	George	Kuipers	Scott
Bishop	Gilbert	McManus	Stamas
Brater	Gleason	Olshove	Switalski
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

Nays—3

Anderson	Garcia	Schauer
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Excused—1

Thomas

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 629, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80105 (MCL 324.80105), as added by 1995 PA 58, and by adding section 80155a.

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. 421

Yeas—35

Allen	Cherry	Jacobs	Richardville
Anderson	Clark-Coleman	Jelinek	Sanborn
Barcia	Clarke	Kahn	Schauer
Basham	Cropsey	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski

Brater
Brown
Cassis

Gleason
Hardiman
Hunter

Pappageorge
Patterson
Prusi

Van Woerkom
Whitmer

Nays—2

Garcia

Jansen

Excused—1

Thomas

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5217, entitled

A bill to amend 1971 PA 140, entitled “Glenn Steil state revenue sharing act of 1971,” by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

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. 422

Yeas—37

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Gleason
Hardiman
Hunter

Jacobs
Jansen
Jelinek
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson

Prusi
Richardville
Sanborn
Schauer
Scott
Stamas
Switalski
Van Woerkom
Whitmer

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Sanborn

Senator Cropsey 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 provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties;”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

Resolutions

House Concurrent Resolution No. 46.

A concurrent resolution to revise the total project cost of the Health Program Expansion and Information Commons project at Jackson Community College.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senator Clarke was named co-sponsor of the concurrent resolution.

Introduction and Referral of Bills

Senators Switalski and Jacobs introduced

Senate Bill No. 834, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278a (MCL 380.1278a), as added by 2006 PA 124.

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

Senator Gilbert introduced

Senate Bill No. 835, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 24 (MCL 211.24), as amended by 2002 PA 620.

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

House Bill No. 4763, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5453 (MCL 333.5453), as amended by 2002 PA 644.

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

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

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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

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

Statements

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 rise to share yet another quote for my distinguished colleagues this morning. And I quote, “It is not unusual for the residents of Detroit to shell out \$4,000 a year for auto insurance, but the problem goes beyond Detroit and other major

cities. Statewide an alarming 17 percent of drivers are on the road without insurance, up from 11 percent in 1989. All this points to a real crisis because uninsured drivers put everyone at risk.”

You and I know from my sharing of calls, letters, and e-mails that it's not unusual for Detroit residents to pay up to \$4,000 every six months for insurance. If you are surprised at these statistics and if you are alarmed to hear of this crisis, then you have not been paying attention to me for the nearly four years I've stood in this spot and warned you of this crisis.

I can only hope that if my hundreds of floor statements and hundreds of e-mail complaints and thousands of Michigan residents standing in front of this building don't convince you, then heed to Sunday's *Detroit Free Press* demand, the quote I read you earlier. Fix car insurance rates.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4234, entitled

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” (MCL 801.51 to 801.64) by adding sections 9a and 9b.

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, Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

House Bill No. 4725, entitled

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” by amending sections 1, 2, 3, 4, 5, 8, 9, and 10 (MCL 801.51, 801.52, 801.53, 801.54, 801.55, 801.58, 801.59, and 801.60), sections 8 and 9 as amended by 1988 PA 399, and by adding section 1a.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

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, October 16, 2007, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Whitmer, Clarke and Prusi

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, October 16, 2007, at 1:00 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

Scheduled Meetings

Agriculture - Thursday, October 18, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittee -**

Higher Education - Thursday, October 18, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Energy Policy and Public Utilities - Thursday, October 18, 1:00 p.m., Room 210, Farnum Building (373-7350)

Finance - Thursday, October 18, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

Natural Resources and Environmental Affairs and House Great Lakes and Environment, Joint - Wednesday, October 24, 8:00 a.m., Room 519, South Tower, House Office Building (373-3447)

Senate Fiscal Agency Board of Governors - Wednesday, October 24, 9:15 a.m., Room S-1901, Capitol Building (373-5300)

Transportation - Tuesday, October 23, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsy moved that the Senate adjourn.
The motion prevailed, the time being 12:22 p.m.

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Thursday, October 18, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

