

No. 105
STATE OF MICHIGAN
Journal of the Senate
92nd Legislature
REGULAR SESSION OF 2004

Senate Chamber, Lansing, Thursday, December 2, 2004.

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 not present.

Allen—present
Barcia—present
Basham—present
Bernero—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—excused
Patterson—present
Prusi—present
Sanborn—present
Schauer—present
Scott—present
Sikkema—present
Stamas—present
Switalski—present
Thomas—present
Toy—present
Van Woerkom—present

Minister Mary Grace Hamilton-Lucas of Sacred Heart of Jesus Christ Church of Detroit offered the following invocation:

We invoke a power that is greater than us, that created us, and gives us everything we need. We, as a people of the state of Michigan, implore You through prayer that You will remember those who are less fortunate, those who are in need of medical benefits, those who are in need of proper academics so as to perform so this state can grow and not demise. We thank God for each one of you, and we also thank you and your constituents that they have allowed you the privilege of serving them in this state, in this illustrious body. We encourage You to perform well, not to forget any of those who elected you, and to remember that your honesty and your integrity are a part of who you are and help our state to be the great state that we are.

We thank You again, and we ask God's blessing on all of us. And the body says, "Amen."

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

Recess

Senator Schauer moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

10:19 a.m.

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

During the recess, Senators Brown, Patterson, Goschka, Allen, Cassis, Jelinek, McManus, Gilbert, Brater, Johnson, Sikkema, Kuipers, Van Woerkom, George, Bishop, Sanborn, Stamas, Cropsey, Hammerstrom, Garcia and Toy entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

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

Senate Bill No. 929

Senate Bill No. 931

Senate Bill No. 930

Senate Bill No. 1485

House Bill No. 6338

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

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

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, December 1:

House Bill Nos. 4787 4788 5140 6032 6215

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, December 2:

House Bill No. 6285

The Secretary announced that the following official bills were printed on Wednesday, December 1, and are available at the legislative Web site:

House Bill Nos. 6357 6358

Messages from the Governor

The following messages from the Governor were received and read:

November 30, 2004

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Sections 302 and 2002 of the Occupational Code, 1980 PA 299, MCL 339.302 and 339.2002:

Board of Architects

Mr. Steven C. Flum of 1335 Bagley, Detroit, Michigan 48226, county of Wayne, succeeding Kenneth Czapski, whose term has expired, representing architects, for a term commencing November 30, 2004 and expiring March 31, 2008.

Ms. Elisabeth E. Knibbe of 2640 Stommel Road, Ypsilanti, Michigan 48198, county of Washtenaw, succeeding Kathleen Reehil, who has resigned, representing architects, for a term commencing November 30, 2004 and expiring March 31, 2005.

December 1, 2004

I respectfully submit to the Senate, pursuant to Section 6 Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Executive Order 2002-6, MCL 256.571:

Governor's Traffic Safety Advisory Commission

Mr. David E. Stamm, II of 7126 McCandlish Road, Grand Blanc, Michigan 48439, county of Genesee, succeeding Gary Gibbons, who has resigned, representing local units of government, for a term commencing December 1, 2004 and expiring May 27, 2005.

Mr. Allen L. Byam of 17930 D Drive South, Marshall, Michigan 49068, county of Calhoun, reappointed to represent local units of government, for a term expiring May 27, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Messages from the House

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

House Bill No. 4206

Senate Bill No. 797

The motion prevailed.

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

Senate Bill No. 753

The motion prevailed.

Senate Bill No. 1453, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8a and 9 (MCL 125.2688a and 125.2689), section 8a as amended by 2002 PA 587.

Substitute (H-1).

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

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

Roll Call No. 830

Yeas—37

Allen
Barcia
Basham

Clark-Coleman
Clarke
Cropsey

Hardiman
Jacobs
Jelinek

Sanborn
Schauer
Scott

Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom

Johnson
Kuipers
Leland
McManus
Patterson
Prusi

Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Olshove

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

By unanimous consent the Senate returned to consideration of the following bill:

Senate Bill No. 753, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5474a; and to repeal acts and parts of acts.
Substitute (H-2).

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

Roll Call No. 831

Yeas—37

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Emerson
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Olshove

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.

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 pro tempore, Senator Birkholz, designated Senator Bishop 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 without amendment, the following bills:

House Bill No. 5844, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

House Bill No. 6226, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 303d (MCL 600.303d), as added by 1993 PA 190.

House Bill No. 6310, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIII (MCL 712A.19a), as amended by 2000 PA 46.

The bills were placed on the order of Third Reading of Bills.

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

House Bill No. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

Substitute (S-3).

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

1. Amend page 3, line 7, after "Sec. 3." by inserting "(1)".

2. Amend page 3, following line 11, by inserting:

"(2) Qualified manufactured housing property with a fair market value of \$5,000.00 or less is exempt from the state specific tax levied under this act."

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. 478, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2a and 34c (MCL 211.2a and 211.34c), section 2a as amended by 1982 PA 539 and section 34c as amended by 2002 PA 620; and to repeal acts and parts of acts.

Substitute (S-2).

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

1. Amend page 1, line 6, by striking out “2006” and inserting “2007”.
2. Amend page 1, line 8, after “31,” by striking out “2005” and inserting “2006”.
3. Amend page 3, line 4, after “31,” by striking out “2005” and inserting “2006”.

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. 929, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3140, 3240, 6062, and 6066 (MCL 600.3140, 600.3240, 600.6062, and 600.6066), section 3240 as amended by 2000 PA 380; and to repeal acts and parts of acts.

Substitute (S-3).

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

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

Senate Bill No. 931, entitled

A bill to amend 1966 PA 346, entitled “State housing development authority act of 1966,” by amending sections 48i and 49j (MCL 125.1448i and 125.1449j), section 48i as added by 1981 PA 173 and section 49j as amended by 1993 PA 221.

Substitute (S-3).

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

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

Senate Bill No. 930, entitled

A bill to amend 1899 PA 188, entitled “Michigan estate tax act,” by amending section 3 (MCL 205.203), as amended by 1993 PA 54.

Substitute (S-3).

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

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

Senate Bill No. 1485, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending the title and sections 10 and 11 (MCL 41.810 and 41.811), the title as amended by 1990 PA 102 and section 11 as amended by 1989 PA 81.

Substitute (S-2).

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

1. Amend page 3, line 11, after “235,000” by inserting a comma and “if the levy of a special assessment under this act is approved by a majority of the qualified electors in the special assessment district”.

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. 6338, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending the title and sections 10 and 11 (MCL 41.810 and 41.811), the title as amended by 1990 PA 102 and section 11 as amended by 1989 PA 81.

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. 6029, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending sections 9 and 11 (MCL 446.209 and 446.211), as amended by 1998 PA 233.

Substitute (S-1).

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

1. Amend page 2, line 15, after "of" by inserting "**unencumbered personal**".
2. Amend page 2, line 18, after the second "**for**" by inserting "**unencumbered personal**".
3. Amend page 3, line 8, after "**pawned**" by inserting "**unencumbered personal**".
4. Amend page 3, line 10, after "**pawned**" by inserting "**unencumbered personal**".

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.

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

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

House Bill No. 6029
Senate Bill No. 929
Senate Bill No. 931
Senate Bill No. 930
Senate Bill No. 1485
Senate Bill No. 478
House Bill No. 4880
House Bill No. 5844

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

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

House Bill No. 5656
Senate Bill No. 823
House Bill No. 6101
House Bill No. 5415
House Bill No. 5645
House Bill No. 6029
Senate Bill No. 929
Senate Bill No. 931
Senate Bill No. 930

Senate Bill No. 1485
House Bill No. 4880
Senate Bill No. 478
House Bill No. 5844
House Bill No. 4868
 The motion prevailed.

The following bill was read a third time:

House Bill No. 5656, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 237c.

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. 832

Yeas—37

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

Nays—0

Excused—1

Olshove

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.

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

"An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 823, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 807, 808, 810a, and 821 (MCL 600.504, 600.807, 600.808, 600.810a, and 600.821), sections 807, 808, and 821 as amended by 2003 PA 40 and sections 504 and 810a as amended by 2002 PA 715.

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. 833

Yeas—37

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

Nays—0

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6101, entitled

A bill to authorize the state administrative board to convey certain parcels of state owned property in Branch county and Berrien county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

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. 834

Yeas—37

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott
Bernero	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas

Bishop
Brater
Brown
Cassis
Cherry

George
Gilbert
Goschka
Hammerstrom

Leland
McManus
Patterson
Prusi

Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Olshove

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 title of the bill.

The following bill was read a third time:

House Bill No. 5415, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 4 (MCL 207.554), as amended by 1999 PA 140.

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. 835

Yeas—36

Allen
Barcia
Basham
Bernero
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Goschka
Hammerstrom

Hardiman
Jacobs
Jelinek
Johnson
Kuipers
Leland
McManus
Patterson
Prusi

Sanborn
Schauer
Scott
Sikkema
Stamas
Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Olshove

Not Voting—1

Emerson

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 title of the bill.

The following bill was read a third time:

House Bill No. 5645, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 91 (MCL 53.91).

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. 836**Yeas—36**

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

Nays—0**Excused—1**

Olshove

Not Voting—1

Emerson

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 title of the bill.

The following bill was read a third time:

House Bill No. 6029, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies,” by amending sections 1, 9, 11, and 13 (MCL 446.201, 446.209, 446.211, and 446.213), section 1 as amended by 2002 PA 469 and sections 9 and 11 as amended by 1998 PA 233.

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. 837

Yeas—30

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

Nays—6

Clark-Coleman	Emerson	Scott	Thomas
Clarke	Leland		

Excused—1

Olshove

Not Voting—1

Schauer

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 title of the bill.

The following bill was read a third time:

Senate Bill No. 929, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3140, 3240, 6062, and 6066 (MCL 600.3140, 600.3240, 600.6062, and 600.6066), section 3240 as amended by 2000 PA 380; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 838**Yeas—37**

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

Nays—0**Excused—1**

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 931, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 48i and 49j (MCL 125.1448i and 125.1449j), section 48i as added by 1981 PA 173 and section 49j as amended by 1993 PA 221.

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. 839**Yeas—37**

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

Nays—0

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 930, entitled

A bill to amend 1899 PA 188, entitled “Michigan estate tax act,” by amending section 3 (MCL 205.203), as amended by 1993 PA 54.

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. 840**Yeas—37**

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

Nays—0**Excused—1**

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1485, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and

police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending the title and section 10 (MCL 41.810), the title as amended by 1990 PA 102.

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. 841

Yeas—37

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

Nays—0

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 842

Yeas—17

Allen	Garcia	Johnson	Sikkema
Birkholz	George	Kuipers	Stamas
Bishop	Hammerstrom	McManus	Toy

Brown
Cassis

Jelinek

Patterson

Van Woerkom

Nays—17

Barcia
Basham
Bernero
Cherry
Clark-Coleman

Clarke
Cropsey
Emerson
Gilbert

Goschka
Jacobs
Leland
Prusi

Sanborn
Schauer
Scott
Switalski

Excused—1

Olshove

Not Voting—3

Brater

Hardiman

Thomas

In The Chair: Birkholz

Senator Hammerstrom moved to reconsider the vote by which the bill was defeated.
The question being on the motion to reconsider,
Senator Hammerstrom moved that further consideration of the bill be postponed temporarily.
The motion prevailed.

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

The motion prevailed.

Senator Garcia's statement is as follows:

Just before we take up a vote on this bill, I just wanted to point out that I have been working on this issue for about five and a half years when it was first brought to my attention in the small community of Portland, Michigan, out of Ionia County. I since have found that there are numerous communities around the state that are affected by the mobile home parks that come into their community and demand or need services from the local community. People often wonder, "Why are these homes any different? Why are they only paying \$3 a month as opposed to what I pay, \$1,000 to \$2,000 in property taxes?" In fact, if you go across the border to Toledo and look at the papers, you will see advertisements for people to move to Michigan and not have to pay any property tax. So in that context, in that vein, I had hoped to forge a policy whereby we could change the tax structure which would bring it into the 21st century. But you don't change a system like that that's been in place for 45 years overnight because it would be unfair to the residents who move into these communities under one system, and all of a sudden, you change the rules on them overnight.

So, again, with that in mind, we developed a system by which we would delay the implementation of a change to 2007 to give people plenty of notice. We also phased it in over a number of years and then tried to make it fair. Unfortunately, we are not going to vote on that bill, which is a different bill altogether. We are voting on something that's far weaker. In fact, many of the local units of government oppose this bill, House Bill No. 4880, because they say it doesn't do the right thing, and it is a weak attempt.

My response is I think we need to move forward on something. Forty-five years is long enough, and we need to take baby steps before we can take giant steps. So I am going to be voting for this bill, even though I would prefer a different version. I think this is a much weaker version of the right policy that needs to take effect, but unfortunately, politics has triumphed over policy, and this is what we have. This is what we do. This is where we are at. I'm disappointed, but I'm still going to vote for this bill regardless because I think we do need to do something and that is what we are about to do. So I urge members to support this bill reluctantly.

By unanimous consent the Senate proceeded to the order of
Introduction and Referral of Bills

Senator Thomas introduced
Senate Bill No. 1489, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 682c. The bill was read a first and second time by title and referred to the Committee on Transportation.

House Bill No. 4787, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by amending the title, as amended by 1984 PA 215, and by adding chapter 3A.

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 Natural Resources and Environmental Affairs.

House Bill No. 4788, entitled

A bill to establish the Michigan housing and community development fund in the department of treasury; to provide for the administration of the fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit the use of the money in that fund; and to prescribe the powers and duties of certain state officials.

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 Natural Resources and Environmental Affairs.

House Bill No. 5140, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2004 PA 396.

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

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

House Bill No. 6032, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

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 Senior Citizens and Veterans Affairs.

House Bill No. 6215, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4 and 5 (MCL 380.4 and 380.5), as amended by 2003 PA 299.

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.

House Bill No. 6285, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1312 (MCL 600.1312), as amended by 2004 PA 12.

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

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

Senator Hardiman stated that he had intended to vote "yea" on the passage of the following bill:

House Bill No. 4880

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 11:43 a.m.

11:52 a.m.

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

By unanimous consent the Senate returned to consideration of the following bill:

House Bill No. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

(This bill was defeated earlier today and the motion to reconsider the vote postponed. See p. 2309.)

The question being on the motion to reconsider the vote by which the bill was defeated,
The motion prevailed.

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. 843**Yeas—24**

Allen	Cropsey	Jacobs	Sikkema
Birkholz	Garcia	Jelinek	Stamas
Bishop	George	Johnson	Switalski
Brater	Goschka	Kuipers	Thomas
Brown	Hammerstrom	McManus	Toy
Cassis	Hardiman	Patterson	Van Woerkom

Nays—13

Barcia	Clark-Coleman	Gilbert	Sanborn
Basham	Clarke	Leland	Schauer
Bernero	Emerson	Prusi	Scott
Cherry			

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

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 title of the bill.

The following bill was read a third time:

Senate Bill No. 478, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

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. 844

Yeas—36

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

Nays—1

Sanborn

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5844, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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. 845

Yeas—37

Allen	Clark-Coleman	Hardiman	Sanborn
Barcia	Clarke	Jacobs	Schauer
Basham	Cropsey	Jelinek	Scott
Bernero	Emerson	Johnson	Sikkema
Birkholz	Garcia	Kuipers	Stamas

Bishop
Brater
Brown
Cassis
Cherry

George
Gilbert
Goschka
Hammerstrom

Leland
McManus
Patterson
Prusi

Switalski
Thomas
Toy
Van Woerkom

Nays—0

Excused—1

Olshove

Not Voting—0

In The Chair: Birkholz

Senator Hammerstrom moved that the bill be given immediate effect.

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

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

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

House Bill No. 4868

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Switalski’s statement is as follows:

As you know, our colleague Senator Dennis Olshove is home recuperating from illness. Therefore, I rise in his place to pay special tribute to U.S. Marine Corporal Gentian Marku, age 22, of Warren, Michigan, who was killed in action in Falluja, Iraq, on Thanksgiving Day.

Gentian was a recent immigrant to this country from his native Albania. When Gentian was 14, his future looked grim. Albania was in turmoil. The government collapsed amid scandals and bankruptcy. During the civil strife, military arsenals were looted by mobs. During the chaos, Gentian himself was skipping school often. When he did go, he got suspended for throwing an eraser at his teacher. Then his father won the U.S. State Department’s Diversity Visa Lottery, a program that randomly selects foreign applicants for visas. The Marku family got the chance to immigrate to Warren, Michigan.

The move changed Gentian’s life. “Everything changed when I got to the United States,” he recalled. “I started studying. I got my first job ever as a busboy at Big Boy’s. I stayed out of trouble.” The story of the Marku family is a story that has been written millions of times in America. It is the story of immigrants coming to this country and working hard to build a new life. Gentian Marku’s parents spoke little English and worked two and three jobs to give him and his young sister a chance for a good life.

Instead of pelting his teachers with erasers, Gentian spent extra hours with them in the Warren Woods/Tower ESL, that's the English as a Second Language program, learning to speak English. Luckily that was before many such programs were cut as a result of tight budgets. He handled the family bills and took care of things around the house, becoming a responsible adult while still a teenager.

I saw former Senator Art Miller this morning who knew Gentian and had seen him working as a busboy. He said to the owner of the restaurant, "Where did you get this kid? He does the work of three people. He is tremendous." Well, that is what Gentian was; he was a hard-working person.

He transformed himself into a high achieving, popular young man. He dreamed of being a Warren cop someday, so he joined the Explorers, a program for youngsters interested in careers as policemen. After graduation, he enlisted in the Marines, rising to the level of corporal. With his hard-won English skills, he served as the translator for the commander of the 26th Marine Expeditionary Unit during an official visit with Albanian civilian and military leaders.

He returned to his village. All of his relatives came to see him at his grandfather's house. They were impressed by the boy who had left the village six years earlier and had returned a man. "Six years ago," his Uncle Ndue announced, "a kid left Albania, and today a man stands before me who is part of the greatest military force in the world. I am happy he decided to join the Marines. It shows me he is very proud of the country where he now lives."

Gentian was killed on Thanksgiving Day in Falluja. Friends called it ironic because he was always so thankful for the opportunities life offered when he came to America. Those opportunities come at a price. For us all to be free, a few pay a heavy price. Gentian's death was the price he paid so we all can enjoy a life of freedom and opportunity. As we work today to create a society that is better, fairer, and more just, I pray that we do it with a tenth of the bravery, commitment, and dedication to duty that characterized the life of Gentian Marku.

His family will return his body to the old country for burial with his ancestors. He will return there a U.S. citizen and a hero. America only had Gentian Marku for eight years. He enjoyed many opportunities from this country. America got much more in return from him. We, therefore, offer this tribute to the life of Gentian Marku and offer our heartfelt condolences to his family in this difficult time.

A moment of silence was observed in memory of Marine Corporal Gentian Marku.

Senator Scott's statement is as follows:

I just want to continue to remind my colleagues that there are those who are being disenfranchised when it comes to auto and home insurance. Those persons who are being disenfranchised are the same ones who pay more for everything. They pay more for their food and for their housing because so much of it is substandard. So, again, I just ask you to remember we need to deal with this. I know now it is at the end of this year, but hopefully, come January. I hope that during this season that we think of the least of these. So I hope you remember these people. We all need parity in this world. We are all God's children, so we should all be treated the same. I know that we all believe that there is a higher power. Well, let's put it into practice.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5194, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9307 (MCL 324.9307), as amended by 2002 PA 107.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5870, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 301, 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43901, 43902, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740,

64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 78503, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.301, 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43901, 324.43902, 324.43903, 324.44104, 324.44105, 324.44501, 324.44511, 324.44518, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.78503, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 43901, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43902 as amended by 2002 PA 55, sections 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78105, 78111, 78503, 79114, 80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101, 83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437, 439, and 711 and by adding part 20; and to repeal acts and parts of acts.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 6235, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901 and 16908 (MCL 324.16901 and 324.16908), as amended by 2002 PA 496.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 6243, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 632.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 6295, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 222 (MCL 560.222) and by adding section 222a.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Joint Resolution Z, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding sections 40, 41, and 42 to article IX, to provide for the establishment of the Michigan conservation and recreation legacy fund, the Michigan game and fish protection trust fund, and the Michigan nongame fish and wildlife trust fund.

With the recommendation that the substitute (S-2) be adopted and that the joint resolution then be adopted.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Van Woerkom, Brater and Basham

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, November 30, 2004, at 3:00 p.m., Room 110, Farnum Building

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 929, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3140, 3240, 6062, and 6066 (MCL 600.3140, 600.3240, 600.6062, and 600.6066), section 3240 as amended by 2000 PA 380; and to repeal acts and parts of acts.

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.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 931, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 48i and 49j (MCL 125.1448i and 125.1449j), section 48i as added by 1981 PA 173 and section 49j as amended by 1993 PA 221.

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.

Laura M. Toy
Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

Nays: None

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 930, entitled

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending section 3 (MCL 205.203), as amended by 1993 PA 54.

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.

Laura M. Toy

Chairperson

To Report Out:

Yeas: Senators Toy, Birkholz, Goschka, Basham and Bernero

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 Local, Urban and State Affairs submitted the following:

Meeting held on Wednesday, December 1, 2004, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Toy (C), Birkholz, Goschka, Basham and Bernero

The Committee on Families and Human Services reported

House Bill No. 4969, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as added by 1998 PA 361.

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

House Bill No. 5116, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5474b.

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

House Bill No. 5372, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 31 (MCL 552.631), as amended by 2002 PA 567.

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

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

Bill Hardiman

Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: None

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

The Committee on Families and Human Services reported

House Bill No. 5373, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165), as amended by 1999 PA 152.

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

To Report Out:

Yeas: Senators Hardiman, Hammerstrom and Sanborn

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

House Bill No. 4096, entitled

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 (MCL 722.922, 722.923, 722.924, 722.925, 722.926, 722.927, 722.928, 722.929, 722.930, and 722.931); and to repeal acts and parts of acts.

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

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

Bill Hardiman

Chairperson

To Report Out:

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

Nays: None

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

The Committee on Families and Human Services reported

House Bill No. 4586, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, 7c, and 7j (MCL 722.622, 722.627, 722.627c, and 722.627j), section 2 as amended by 2002 PA 693, section 7 as amended by 2002 PA 661, section 7c as added by 1998 PA 428, and section 7j as added by 2002 PA 716.

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

House Bill No. 5417, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by repealing section 14i (MCL 400.14i).

With the recommendation that the bill pass.

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

Bill Hardiman

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:
 Meeting held on Tuesday, November 30, 2004, at 3:00 p.m., Room 210, Farnum Building
 Present: Senators Hardiman (C), Hammerstrom, Sanborn, Jacobs and Clark-Coleman

The Committee on Commerce and Labor reported

House Bill No. 6338, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending the title and sections 10 and 11 (MCL 41.810 and 41.811), the title as amended by 1990 PA 102 and section 11 as amended by 1989 PA 81.

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.

Jason E. Allen
 Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers and McManus

Nays: None

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

The Committee on Commerce and Labor reported

Senate Bill No. 1485, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending the title and sections 10 and 11 (MCL 41.810 and 41.811), the title as amended by 1990 PA 102 and section 11 as amended by 1989 PA 81.

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.

Jason E. Allen
 Chairperson

To Report Out:

Yeas: Senators Allen, Kuipers and McManus

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:
 Meeting held on Thursday, December 2, 2004, at 9:00 a.m., Room 210, Farnum Building
 Present: Senators Allen (C), Kuipers, McManus and Schauer
 Excused: Senator Olshove

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Purchased Land Payments in Lieu of Taxes (SB 1105) submitted the following:
Meeting held on Wednesday, December 1, 2004, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators McManus (C), Johnson and Prusi

Scheduled Meetings**Appropriations -****Subcommittees -**

K-12, School Aid, Department of Education, Joint - Tuesday, December 7, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Families and Human Services - Tuesday, December 7, 8:30 a.m., Room 405, Capitol Building (373-1801)

Technology and Energy - Wednesday, December 8, 3:00 p.m., Room 210, Farnum Building (373-7350)

Senator Hammerstrom moved that the Senate adjourn.
The motion prevailed, the time being 12:11 p.m.

The President pro tempore, Senator Birkholz, declared the Senate adjourned until Tuesday, December 7, 2004, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

