

No. 86
STATE OF MICHIGAN
Journal of the Senate
93rd Legislature
REGULAR SESSION OF 2006

Senate Chamber, Lansing, Thursday, November 9, 2006.

10:00 a.m.

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

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

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

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

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

Senator Irma Clark-Coleman of the 3rd District offered the following invocation:

There is only one presence and one power in our lives—God, the good, the omnipotent.

Mother, Father God, it is a new day. It is a new year. Lord, let us take advantage of this time. Lord, let us understand that we are all one people in this community, in this state of Michigan. Let us act like we are one community. Let us be of like minds. Let us be here serving, Lord, the people, who want us to act like one people. Let us do it, Lord, and let every decision that we make, let's make it on behalf of all the people in this great state. Let us be of one like mind, God, in terms of what is important for the citizens of the state of Michigan.

We begin this day, Lord, with a chance to start out with a new foot. Put one foot in front of the other and make that, Lord, be in an effort to do what is best. We can do this, Lord. We begin by holding hands and understanding that there is only one presence and one power in our lives and that is God—the good and omnipotent.

I would end by saying the prayer for protection: The light of God surrounds us; the love of God enfolds us; the power of God protects us; the presence of God watches over us; and wherever we are God is and all is well. Amen.

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

Motions and Communications

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

Senate Bill No. 246

Senate Bill No. 1242

The motion prevailed.

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

The motion prevailed.

Senator Hammerstrom moved that the Committee on Health Policy be discharged from further consideration of the following bill:

Senate Bill No. 1467, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

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

Senator Hammerstrom moved that the bill be referred to the Committee on Appropriations.

The motion prevailed.

Senator Hammerstrom moved that the following bill, now on the order of General Orders, be referred to the Committee on Health Policy:

Senate Bill No. 1425, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174, 17011, and 17511 (MCL 333.16174, 333.17011, and 333.17511), section 16174 as amended by 2006 PA 26 and section 17011 as amended by 1993 PA 79.

The motion prevailed.

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

Senate Resolution No. 162

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

Senator Leland entered the Senate Chamber.

Senator Schauer moved that Senator Emerson be temporarily excused from today's session.

The motion prevailed.

Senator Schauer moved that Senator Jacobs be excused from today's session.

The motion prevailed.

The following communications were received:
Department of Human Services

September 20, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Renewal	Bay County DHS	CP210201090
Renewal	Bay Pines Center	CS210200969
Interim	Cheboygan County DHS	CP160201035

These reports were performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

October 3, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>License #</u>
Interim	Woodland Center	CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
Marianne Udow

The communications were referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

September 28, 2006

Enclosed is a copy of the following audit report:

Performance audit of High School Graduation and Dropout Rates, Center for Educational Performance and Information, Department of Management and Budget.

September 28, 2006

Enclosed is a copy of the following audit report:

Financial audit of the Transition in the Office of State Treasurer, Department of Treasury.

September 29, 2006

Enclosed is a copy of the following audit report:

Performance audit of the Migrant, English Language Learners, and Bilingual Programs, Michigan Department of Education.

October 4, 2006

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Justice Training Fund, Michigan Commission on Law Enforcement Standards, Michigan Department of State Police, for the period October 1, 2003 through September 30, 2005.

October 10, 2006

Enclosed is a copy of the following audit report:

Performance audit of Selected Community Colleges' Reporting of Activities Classification Structure Data for the colleges' fiscal year 2004-05.

October 31, 2006

Enclosed is a copy of the following audit report:

Performance audit of Network Application Server Controls, Department of Information Technology.

November 3, 2006

Enclosed is a copy of the following audit report:

Performance audit of the Caro Center, Bureau of Hospitals, Centers, and Forensic Mental Health Services, Department of Community Health.

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

The communications were referred to the Secretary for record.

The following communication was received:

Department of State Police

September 29, 2006

Attached is the report required by PA 359 of 2004, Sec. 3. (2), regarding the actual cost of fingerprinting.

If you have any questions, please contact me at (517) 336-6692.

Sincerely,
Jerri A. McClure, Director
Budget and Financial Services Division

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, September 20:

House Bill Nos. 5003 6039 6303 6318 6358 6478

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, September 21:

House Bill Nos. 4042 5278 6055 6209 6299 6365 6366 6403 6404 6405 6406 6430 6431 6440 6481

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, September 21, for her approval the following bills:

Enrolled Senate Bill No. 1167 at 2:01 p.m.

Enrolled Senate Bill No. 1168 at 2:03 p.m.

Enrolled Senate Bill No. 1169 at 2:05 p.m.

Enrolled Senate Bill No. 1267 at 2:07 p.m.

Enrolled Senate Bill No. 877 at 2:09 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, September 22, for her approval the following bills:

Enrolled Senate Bill No. 1290 at 2:47 p.m.

Enrolled Senate Bill No. 435 at 2:49 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, September 27, for her approval the following bills:

Enrolled Senate Bill No. 1284 at 11:28 a.m.

Enrolled Senate Bill No. 1375 at 11:30 a.m.

The Secretary announced that the following official bills were printed on Wednesday, September 20, and are available at the legislative website:

Senate Bill Nos. 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463

The Secretary announced that the following official bills and joint resolutions were printed on Thursday, September 21, and are available at the legislative website:

Senate Bill Nos.	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475	1476	1477
	1478	1479	1480											
House Bill Nos.	6538	6539	6540	6541	6542	6543	6544	6545	6546	6547	6548	6549	6550	6551
	6552	6553	6554	6555	6556	6557	6558	6559	6560	6561	6562	6563	6564	6565
	6566	6567	6568	6569	6570	6571	6572	6573	6574	6575	6576	6577	6578	6579
	6580	6581	6582	6583	6584	6585	6586	6587						
House Joint Resolutions	CC	DD												

Senator Emerson entered the Senate Chamber.

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

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

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

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:08 a.m.

10:16 a.m.

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

During the recess, Senator Cassis introduced the Holly High School Varsity Girls Tennis Team, 2006 Flint Metro League Champions, Coach Brennan Brown and Athletic Director Deb VanKuiken; and presented them with a Special Tribute.

Team Captain Ginny Blakely and Coach Brown responded briefly.

Messages from the Governor

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

Senate Bill No. 272
Senate Bill No. 271
Senate Bill No. 264
Senate Bill No. 274
Senate Bill No. 281
Senate Bill No. 175
Senate Bill No. 236
Senate Bill No. 892
Senate Bill No. 893
Senate Bill No. 956
Senate Bill No. 957
Senate Bill No. 179
Senate Bill No. 1026
Senate Bill No. 1027
Senate Bill No. 1028
Senate Bill No. 372

Senate Bill No. 973
Senate Bill No. 974
Senate Bill No. 975
Senate Bill No. 976
Senate Bill No. 242
Senate Bill No. 297
Senate Bill No. 1085
Senate Bill No. 1086
Senate Bill No. 1094
 The motion prevailed.

The following messages from the Governor were received:

Date: September 20, 2006
Time: 8:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 693 (Public Act No. 368), being

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

(Filed with the Secretary of State on September 21, 2006, at 2:32 p.m.)

Date: September 22, 2006
Time: 1:04 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1364 (Public Act No. 375), being

An act to amend 1964 PA 154, entitled “An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act,” by amending section 4b (MCL 408.384b), as added by 1997 PA 1.

(Filed with the Secretary of State on September 22, 2006, at 3:24 p.m.)

Date: September 22, 2006
Time: 1:06 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1234 (Public Act No. 374), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 535 (MCL 750.535), as amended by 2002 PA 720.

(Filed with the Secretary of State on September 22, 2006, at 3:22 p.m.)

Date: September 22, 2006
Time: 1:33 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 453 (Public Act No. 372), being

An act to amend 1967 PA 281, entitled “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,” (MCL 206.1 to 206.532) by adding section 272. (Filed with the Secretary of State on September 22, 2006, at 3:18 p.m.)

Date: September 26, 2006

Time: 9:25 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 912 (Public Act No. 378), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 27a and 53b (MCL 211.27a and 211.53b), section 27a as amended by 2005 PA 23 and section 53b as amended by 2006 PA 13, and by adding section 7jj; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 27, 2006, at 1:36 p.m.)

Date: September 26, 2006

Time: 9:27 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 913 (Public Act No. 379), being

An act to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

(Filed with the Secretary of State on September 27, 2006, at 1:38 p.m.)

Date: September 26, 2006

Time: 9:29 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 914 (Public Act No. 380), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

(Filed with the Secretary of State on September 27, 2006, at 1:40 p.m.)

Date: September 26, 2006

Time: 9:31 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 917 (Public Act No. 381), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate

the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding part 512.

(Filed with the Secretary of State on September 27, 2006, at 1:42 p.m.)

Date: September 26, 2006

Time: 9:37 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1267 (Public Act No. 377), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 25b (MCL 257.25b), as added by 2000 PA 82.

(Filed with the Secretary of State on September 27, 2006, at 1:34 p.m.)

Date: September 26, 2006

Time: 9:39 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1290 (Public Act No. 384), being

An act to provide for the certification of driver education providers; to prescribe certain record-keeping and program requirements for driver education providers; to provide for the certification of driver education instructors; to prescribe the powers and duties of certain persons and departments; to prescribe certain fees; to establish a fund in the state treasury; to prescribe remedies, sanctions, and penalties; and to repeal acts, administrative rules, and parts of acts.

(Filed with the Secretary of State on September 27, 2006, at 1:48 p.m.)

Date: September 29, 2006

Time: 7:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 880 (Public Act No. 399), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of

certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding chapter 41A.

(Filed with the Secretary of State on September 29, 2006, at 1:10 p.m.)

Date: September 29, 2006

Time: 7:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 875 (Public Act No. 400), being

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

(Filed with the Secretary of State on September 29, 2006, at 1:12 p.m.)

Date: September 29, 2006

Time: 7:36 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 848 (Public Act No. 412), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare

arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” (MCL 500.100 to 500.8302) by adding section 3426.

(Filed with the Secretary of State on September 29, 2006, at 1:36 p.m.)

Date: September 29, 2006

Time: 7:38 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 849 (Public Act No. 413), being

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,” (MCL 550.1101 to 550.1704) by adding section 414b.

(Filed with the Secretary of State on September 29, 2006, at 1:38 p.m.)

Date: September 29, 2006

Time: 7:40 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1016 (Public Act No. 414), being

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 2601, 2605, 2607, 2617, 2619, 2627, 2633, 2635, and 2637 (MCL 339.2601, 339.2605, 339.2607, 339.2617, 339.2619, 339.2627, 339.2633, 339.2635, and 339.2637), as amended by 1999 PA 170, and by adding section 2610; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 29, 2006, at 1:40 p.m.)

Date: September 29, 2006

Time: 7:46 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 877 (Public Act No. 417), being

An act to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; and to provide certain powers and duties for certain state agencies.

(Filed with the Secretary of State on September 29, 2006, at 1:46 p.m.)

Date: September 29, 2006

Time: 7:56 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1167 (Public Act No. 422), being

An act to amend 2000 PA 322, entitled “An act to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create

incentives and to locate and maintain value-added agricultural processing and production ventures within this state; to provide for grants and loans to certain private and governmental entities for environmental purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, expenditures, and grants from the funds; and to finance the development of certain programs,” (MCL 285.301 to 285.304) by adding section 2b; and to repeal acts and parts of acts.

(Filed with the Secretary of State on September 29, 2006, at 1:56 p.m.)

Date: September 29, 2006

Time: 7:58 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1168 (Public Act No. 423), being

An act to amend 2000 PA 322, entitled “An act to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create incentives and to locate and maintain value-added agricultural processing and production ventures within this state; to provide for grants and loans to certain private and governmental entities for environmental purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, expenditures, and grants from the funds; and to finance the development of certain programs,” by amending the title and section 2 (MCL 285.302).

(Filed with the Secretary of State on September 29, 2006, at 1:58 p.m.)

Date: September 29, 2006

Time: 8:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1169 (Public Act No. 424), being

An act to amend 2000 PA 322, entitled “An act to create certain funds from certain sources and to provide for the disposition of money from the funds; to provide for the creation of certain funds by certain private entities; to create incentives and to locate and maintain value-added agricultural processing and production ventures within this state; to provide for grants and loans to certain private and governmental entities for environmental purposes; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loans, expenditures, and grants from the funds; and to finance the development of certain programs,” (MCL 285.301 to 285.304) by adding section 2a.

(Filed with the Secretary of State on September 29, 2006, at 2:00 p.m.)

Date: October 3, 2006

Time: 9:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 435 (Public Act No. 427), being

An act to amend 1972 PA 382, entitled “An act to license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties,” by amending sections 3, 3a, 5, 5c, 8, 10, 10a, and 11b (MCL 432.103, 432.103a, 432.105, 432.105c, 432.108, 432.110, 432.110a, and 432.111b), section 3 as amended by 1995 PA 275, sections 3a, 5c, and 11b as added and sections 5, 10, and 10a as amended by 1999 PA 108, and section 8 as amended by 1981 PA 229.

(Filed with the Secretary of State on October 5, 2006, at 1:29 p.m.)

Date: October 3, 2006

Time: 9:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1284 (Public Act No. 436), being

An act 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 9 (MCL 207.559), as amended by 2006 PA 22.

(Filed with the Secretary of State on October 5, 2006, at 1:47 p.m.)

Date: October 3, 2006

Time: 9:34 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1375 (Public Act No. 437), being

An act to amend 1971 PA 140, entitled “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,” by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

(Filed with the Secretary of State on October 5, 2006, at 1:49 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

September 21, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 46 of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1046:

Board of Health and Safety Compliance and Appeals

Mr. Lee A. Graham of 12369 Orchardwood Drive, Fenton, Michigan 48430, county of Genesee, succeeding Sam Hart, whose term has expired, representing labor and construction, for a term commencing September 21, 2006 and expiring March 18, 2008.

September 22, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 3 of 1939 PA 176, MCL 423.3:

Employment Relations Commission

Ms. Christine A. Derdarian, a Democrat, of 6952 Sandalwood Drive, Bloomfield Hills, Michigan 48301, county of Oakland, succeeding Honora J. Lynch, whose term has expired, appointed for a term commencing October 8, 2006 and expiring June 30, 2009.

September 22, 2006

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 16121 and 17821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17821:

Michigan Board of Physical Therapy

Mr. Vijay Kumar of 1771 Winter Street, West Branch, Michigan 48661, county of Ogemaw, succeeding Helene Miriam Rosen, whose term has expired, representing physical therapists, for a term commencing September 22, 2006 and expiring December 31, 2008.

Ms. Jill A. Marlan of 332 East Bailey Circle, Mason, Michigan 48854, county of Ingham, succeeding Namrat Sunder, whose term has expired, representing physical therapists, for a term commencing September 22, 2006 and expiring December 31, 2009.

Mr. Andrew G. May of 2217 Boxwood Lane, Lansing, Michigan 48917, county of Eaton, succeeding Steven D. Mandley, whose term has expired, representing physical therapists, for a term commencing September 22, 2006 and expiring December 31, 2009.

September 28, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 7 of the Farm Produce Insurance Act, 2003 PA 198, MCL 285.317:

Farm Produce Insurance Authority Board of Directors

Mr. Derek LeCronier of 5805 Flajole, Freeland, Michigan 48623, county of Bay, reappointed to represent producers from the largest Michigan organization representing general farm interests in Michigan, for a term expiring June 20, 2009.

September 29, 2006

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 state office under Section 2 of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102:

Michigan Travel Commission

Mr. Frank D. Ettawageshik of 5453 Hughston Road, Harbor Springs, Michigan 49740, county of Emmett, succeeding Jennifer Fischer, whose term has expired, representing the private sector of the travel, tourism, and recreation industry, for a term commencing September 29, 2006 and expiring August 20, 2009.

Ms. Judy Z. Keller of 454 Craemer Drive, Frankenmuth, Michigan 48734, county of Saginaw, succeeding Kenneth B. Horn, whose term has expired, representing the private sector of the travel, tourism, and recreation industry, for a term commencing September 29, 2006 and expiring August 20, 2009.

Ms. Susan E. Sherer of 1430 Buckingham Road, Grosse Pointe Park, Michigan 48230, county of Wayne, succeeding Brett L. Marr, whose term has expired, representing owners and operators of small businesses, for a term commencing September 29, 2006 and expiring August 20, 2010.

Ms. Christina MacInnes of 4751 Arbutus, Beulah, Michigan 49617, county of Benzie, reappointed to represent tourism and conventions, for a term expiring August 20, 2010.

September 29, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 18821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and MCL 333.18821:

Michigan Board of Veterinary Medicine

Ms. Martha J. Schlesinger of 38 Devonshire, Pleasant Ridge, Michigan 48068, county of Oakland, succeeding Michael D. Pridgeon, whose term has expired, representing the general public, for a term commencing September 29, 2006 and expiring December 31, 2009.

October 2, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Sections 16121 and 16805 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16805:

Michigan Board of Audiology

Ms. Diane C. Zuckschwerdt of 594 Crestview Drive, Corunna, Michigan 48817, county of Shiawassee, succeeding Dennis L. Burrows, whose term has expired, appointed to represent audiologists, for a term commencing October 2, 2006 and expiring June 30, 2009.

Mr. Lari P. Korpela of 19327 Bainbridge, Livonia, Michigan 48152, county of Wayne, reappointed to represent audiologists, for a term expiring June 30, 2009.

October 3, 2006

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 Section 6103 of The Insurance Code of 1956, 1956 PA 218, MCL 500.6103:

Automobile Theft Prevention Authority Board of Directors

Mr. William Heemer of 46871 Merion Circle, Northville, Michigan 48167, county of Wayne, succeeding Suzanne Kaigler, who has resigned, representing automobile insurers doing business in this state, for a term commencing October 3, 2006 and expiring July 1, 2010.

Father Russ Kohler of 1050 Porter Street, Detroit, Michigan 48226, county of Wayne, succeeding Brenda Schneider, whose term has expired, representing purchasers of auto insurance in this state, for a term commencing October 3, 2006 and expiring July 1, 2010.

October 3, 2006

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 323 and 324 of the Ski Area Safety Act of 1962, 1962 PA 199, MCL 408.323 and 408.324:

Ski Area Safety Board

Mr. Arnold "Jim" Vander Spoel of 315 East Margaret, Ironwood, Michigan 49938, county of Gogebic, succeeding Michael Gokey, whose term has expired, representing Upper Peninsula general public with ski experience, for a term commencing October 3, 2006 and expiring June 8, 2010.

Mr. Richard D. Starkey of 5860 North Lake Drive, Sanford, Michigan 48657, county of Midland, representing Lower Peninsula general public with ski experience, for a term commencing October 3, 2006 and expiring June 8, 2010.

October 5, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 26 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.26:

Michigan Aeronautics Commission

Mr. Joseph W. Prochazka of 4001 Broken Ridge Circle, Galesburg, Michigan 49503, county of Kalamazoo, succeeding Eric V. Smith, who has resigned, representing the general public, for a term commencing October 5, 2006 and expiring May 27, 2007.

October 5, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 7111 of the Public Health Code, 1978 PA 368, MCL 333.7111:

Controlled Substances Advisory Commission

Ms. Claire E. Saadeh, Pharm.D., of 12629 Paradise Drive, DeWitt, Michigan 48820, county of Clinton, succeeding Norman S. Miller, whose term has expired, representing pharmacologists, for a term commencing October 5, 2006 and expiring August 30, 2007.

October 6, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Section 3b of the Fire Prevention Code, 1941 PA 207, MCL 29.3b:

State Fire Safety Board

Mr. Patrick L. Klocke of 8328 East W. Avenue, Vicksburg, Michigan 49097, county of Kalamazoo, succeeding Thomas Erdman, whose term has expired, representing a licensed electrical contractor or master electrician, for a term commencing October 6, 2006 and expiring July 15, 2008.

Mr. Dean J. Mallos of 34 Tracie Lane, Marquette, Michigan 49855, county of Marquette, succeeding Daune Smith, whose term has expired, representing organized fire departments in the Upper Peninsula, for a term commencing October 6, 2006 and expiring July 15, 2008.

Mr. Charlie J. Pritchett of 20365 Archer Street, Detroit, Michigan 48219, county of Wayne, succeeding Harold Berry, who has retired, representing organized fire departments in the Lower Peninsula, for a term commencing October 6, 2006 and expiring July 15, 2007.

Ms. Annette M. Swathwood of 6679 Wahlfield N.W., Comstock Park, Michigan 49321, county of Kent, succeeding William Gruppen, whose term has expired, representing organized fire departments in the Lower Peninsula, for a term commencing October 6, 2006 and expiring July 15, 2008.

Mr. Timothy R. Tinney of 3873 State Street, Bridgeport, Michigan 48722, county of Saginaw, succeeding William VanPortFleet, whose term has expired, representing hospital administrators, for a term commencing October 6, 2006 and expiring July 15, 2008.

Mr. Robert R. Vandemark of 13437 Haddon Street, Fenton, Michigan 48430, county of Genesee, succeeding Kevin Johnson, whose term has expired, representing the liquefied petroleum gas industry or the flammable compressed gases industry, for a term commencing October 6, 2006 and expiring July 15, 2008.

Mr. Richard S. Prestage of 9211 North Union Road, St. Louis, Michigan 48880, county of Gratiot, reappointed to represent the nursing home industry, for a term expiring July 15, 2009.

Mr. Gilbert L. Rider of 3171 East Stewart Road, Midland, Michigan 48640, county of Midland, reappointed to represent the chemical manufacturing industry, for a term expiring July 15, 2008.

October 9, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Sections 16121 and 16907 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16907:

Board of Marriage and Family Therapy

Mr. Jeffrey J. Angera of 1903 South Lynnwood, Mount Pleasant, Michigan 48858, county of Isabella, succeeding Joseph J. Horak, whose term has expired, representing licensed marriage and family therapists, for a term commencing October 9, 2006 and expiring June 30, 2010.

October 10, 2006

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 Section 23 of the Michigan Occupational Health Safety and Health Act, 1974 PA 154, MCL 408.1023:

Occupational Health Standards Commission

Mr. James B. Cianciolo of 22048 Crestwood, Woodhaven, Michigan 48183, county of Wayne, succeeding Robert DeYoung, whose term has expired, representing labor, for a term commencing October 10, 2006 and expiring August 5, 2008.

Mr. Andrew J. Comai of 1570 Maywood Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Margaret Vissman, whose term has expired, representing labor, for a term commencing October 10, 2006 and expiring August 5, 2008.

Mr. Ricardo L. Longoria of 2527 Blackmore, Saginaw, Michigan 48602, county of Saginaw, representing management and public employers of the state, for a term commencing October 10, 2006 and expiring August 5, 2009.

Mr. John E. Miller of 2076 S. Nine Mile Road, Kawkawlin, Michigan 48631, county of Bay, representing public employers of the state, for a term commencing October 6, 2006 and expiring August 5, 2009.

October 17, 2006

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 Section 3 of the Boiler Act of 1965, 1965 PA 290, MCL 408.753:

Board of Boiler Rules

Mr. Robert G. Caraway of 8120 Hedgeway, Utica, Michigan 48317, county of Macomb, succeeding Lawrence H. Hale II, who has resigned, representing mechanical contractors in the state with experience in installation, piping, or operation of boilers, for a term commencing October 17, 2006 and expiring June 30, 2007.

Mr. Anthony N. Jacobs of 39517 Lakeshore Drive, Harrison Township, Michigan 48045, county of Macomb, succeeding John A. Marek, who has resigned, representing organized labor in the state having experience in installation, piping, or operation of boilers, for a term commencing October 17, 2006 and expiring June 30, 2007.

October 17, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 1 of 1964 PA 233, MCL 390.941:

State Higher Education Facilities Commission

Mr. Harold Gardner of 29700 Bristol Lane, Bingham Farms, Michigan 48025, county of Oakland, succeeding Jim Saalfeld, whose term has expired, representing residents of the state interested in higher education, for a term commencing October 20, 2006 and expiring May 22, 2008.

Mr. Patrick W. La Pine of 23509 Stonehouse Court, Farmington, Michigan 48335, county of Oakland, succeeding Carol Stockman, whose term has expired, representing residents of the state interested in higher education, for a term commencing October 17, 2006 and expiring May 22, 2010.

Ms. Amy D. Seetoo of 3111 Cedarbrook Road, Ann Arbor, Michigan 48105, county of Washtenaw, succeeding the late Herbert Kehrl, representing residents of the state interested in higher education, for a term commencing October 17, 2006 and expiring May 22, 2007.

Mr. Larry L. Whitworth of 4921 Quincy Court, Saline, Michigan 48176, county of Washtenaw, succeeding Robert Partridge, whose term has expired, representing community colleges, for a term commencing October 20, 2006 and expiring May 22, 2010.

October 17, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 2 of 1975 PA 164, MCL 18.302:

Commission on Spanish-Speaking Affairs

Mr. Frederick Feliciano of 410 North Vernon, Dearborn, Michigan 48128, county of Wayne, succeeding Sergio Paneque, whose term has expired, representing the general public, for a term commencing October 17, 2006 and expiring December 10, 2008.

October 18, 2006

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

Board of Architects

Ms. Lynn Arnott-Bryks of 37089 Cochise Street, Clinton Township, Michigan 48036, county of Macomb, succeeding Donald R. Birgel, whose term has expired, representing the general public, for a term commencing October 18, 2006 and expiring March 31, 2009.

October 18, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 3 of The Mobile Home Commission Act, 1987 PA 96, MCL 125.2303 and Executive Order 1997-13, MCL 445.2002:

Manufactured Housing Commission

Mr. Ronald A. Blank of 4855 Ardmere, Bloomfield Hills, Michigan 48302, county of Oakland, reappointed to represent licensed mobile home dealers, for a term expiring May 9, 2009.

Ms. Carole K. Elliott of 6988 McKean #252, Ypsilanti, Michigan 48197, county of Washtenaw, reappointed to represent an organization whose membership consists of mobile home residents, for a term expiring May 9, 2009.

Mr. Mark M. Raukar of 2506 Garland, Sylvan Lake, Michigan 48320, county of Oakland, reappointed to represent park operators with less than 100 units, for a term expiring May 9, 2007.

October 18, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office under Section 3 of Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.973:

Board of Mechanical Rules

Mr. Henry E. Bartam of 29741 Linden Avenue, Farmington Hills, Michigan 48336, county of Oakland, succeeding Nicholas W. Seraphinoff, whose term has expired, representing refrigeration service, for a term commencing October 18, 2006 and expiring October 1, 2008.

Mr. Joseph G. Connors of 22180 East River Road, Grosse Ile, Michigan 48138, county of Wayne, succeeding Randall H. Ingraham, whose term has expired, representing unlimited service heating and refrigeration, for a term commencing October 18, 2006 and expiring October 1, 2008.

Mr. Lawrence H. Hale II of 18634 Muirland, Detroit, Michigan 48221, county of Wayne, succeeding Robert G. Caraway, whose term has expired, representing hydronic heating and cooling and process piping, for a term commencing October 18, 2006 and expiring October 1, 2007.

Mr. Charles M. Inman of 6565 Balmoral Terrace, Clarkston, Michigan 48346, county of Oakland, succeeding William E. Bradfield, Jr., whose term has expired, representing organized labor representing mechanical trades, for a term commencing October 18, 2006 and expiring October 1, 2008.

Mr. Mark D. Mangione of 1505 Scranton Drive, Muskegon, Michigan 49441, county of Muskegon, succeeding John D. Sedine, whose term has expired, representing specialty work area, for a term commencing October 18, 2006 and expiring October 1, 2007.

Mr. Michael E. Ogletree of 8541 Marygrove Drive, Detroit, Michigan 48221, county of Wayne, succeeding Mark F. Riley, whose term has expired, representing chief mechanical inspectors of a government subdivision, for a term commencing October 18, 2006 and expiring October 1, 2007.

Mr. Gregory M. Parker of 1912 Lexington Drive, Troy, Michigan 48084, county of Oakland, succeeding Tomas Moore Rose, whose term has expired, representing registered professional mechanical engineers, for a term commencing October 18, 2006 and expiring October 1, 2008.

Mr. George B. Shields of 3031 Pleasant Grove Road, Lansing, Michigan 48910, county of Ingham, succeeding Gary L. Biddinger, whose term has expired, representing chief mechanical inspectors of a government subdivision, for a term commencing October 18, 2006 and expiring October 1, 2007.

Mr. William P. Steele of 62507 South Shore, Vandalia, Michigan 49095, county of Cass, succeeding Robert J. Fosburg, whose term has expired, representing limited service heating and refrigeration, for a term commencing October 18, 2006 and expiring October 1, 2008.

Mr. Christopher J. Stockwell of 429 Sunburst Drive, Frankenmuth, Michigan 48734, county of Saginaw, succeeding John J. MacGregor, whose term has expired, representing ductwork, for a term commencing October 18, 2006 and expiring October 1, 2007.

October 18, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointment to state office under Section 13 of the State Plumbing Act, 2002 PA 733, MCL 338.3523:

State Plumbing Board

Mr. Richard S. Gaber, Jr., of 10255 Pontiac Lake Road, White Lake, Michigan 48386, county of Oakland, reappointed to represent licensed journey plumbers, for a term expiring June 30, 2009.

October 19, 2006

I respectfully submit to the Senate, pursuant to Section 6 Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 511 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, MCL 418.511:

Self-Insurers' Security Fund, Second Injury Fund, Silicosis, Dust Disease, and Logging Industry Compensation Fund Board of Trustees

Mr. Richard F. Zapala of 1915 Creek Landing, Haslett, Michigan 48840, county of Ingham, succeeding James P. Dillon, who has resigned, representing the insurance industry, for a term commencing October 19, 2006 and expiring April 30, 2010.

October 26, 2006

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

Board of Professional Engineers

Mr. Robert L. Stempien of 18245 Devonshire, Beverly Hills, Michigan 48025, county of Oakland, succeeding Larry Rizer, who has resigned, representing the Board of Architects, for a term commencing October 26, 2006 and expiring March 31, 2009.

October 26, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, MCL 418.213 and Executive Order 2003-18, MCL 445.2011:

Worker's Compensation Board of Magistrates

Mr. Lee A. Decker of 2795 Monte Vista, Brighton, Michigan 48814, county of Livingston, succeeding the late Michael Barney, appointed for a term commencing November 13, 2006 and expiring January 26, 2007.

October 31, 2006

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointment to office under Section 7 of the Elevator Safety Board Act, 1967 PA 227, MCL 408.807:

Elevator Safety Board

Mr. William J. Kogelschatz of 8071 Diane Drive, Portland, Michigan 48875, county of Ionia, succeeding Andre G. Schirk, who has resigned, representing elevator contractor unions, for a term commencing November 1, 2006 and expiring July 22, 2009.

October 31, 2006

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 2 of 1975 PA 164, MCL 18.302:

Commission on Spanish-Speaking Affairs

Mr. Michael L. Espinoza of 6350 Fox Glen Drive, #32, Saginaw, Michigan 48638, county of Saginaw, succeeding Enrique Carrillo, who has resigned, representing the general public, for a term commencing October 31, 2006 and expiring December 10, 2007.

Sincerely,
Jennifer M. Granholm
Governor

The appointments were referred to the Committee on Government Operations.

The following messages from the Governor were received and read:

October 10, 2006

Due to an error on the October 10, 2006 letter filed with your office pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 23 of the Michigan Occupational Health Safety and Health Act, 1974 PA 154, MCL 408.1023, please be advised of the following corrections:

Occupational Health Standards Commission

Mr. James B. Cianciolo of 22048 Crestwood, Woodhaven, Michigan 48183, county of Wayne, succeeding Robert DeYoung, whose term has expired, representing labor, for a term commencing October 10, 2006 and expiring August 5, 2008.

Mr. Andrew J. Comai of 1570 Maywood Avenue, Ann Arbor, Michigan 48103, county of Washtenaw, succeeding Margaret Vissman, whose term has expired, representing labor, for a term commencing October 10, 2006 and expiring August 5, 2008.

Mr. Ricardo L. Longoria of 2527 Blackmore, Saginaw, Michigan 48602, county of Saginaw, representing **labor and public employees of the state**, for a term commencing October 10, 2006 and expiring August 5, 2009.

Mr. John E. Miller of 2076 S. Nine Mile Road, Kawkawlin, Michigan 48631, county of Bay, representing public employers of the state, for a term commencing **October 10, 2006** and expiring August 5, 2009.

October 13, 2006

Due to an error on the October 2, 2006 letter filed with your office pursuant to Sections 1214, 16121 and 16805 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.16805, please be advised of the following correction:

Michigan Board of Audiology

Ms. Diane C. Zuckschwerdt of 594 Crestview Drive, Corunna, Michigan 48817, county of Shiawassee, succeeding Dennis L. Burrows, whose term has expired, appointed to represent audiologists, for a term commencing October 2, 2006 and expiring **June 30, 2010**.

Mr. Lari P. Korpela of 19327 Bainbridge, Livonia, Michigan 48152, county of Wayne, reappointed to represent audiologists, for a term expiring June 30, 2009.

October 20, 2006

Due to an error on the October 2, 2006 letter filed with your office pursuant to Section 3 of Forbes Mechanical Contractors Act, 1984 P.A. 192, MCL 338.973, please be advised of the following correction:

Board of Mechanical Rules

Mr. Henry E. **Bartram** of 29741 Linden Avenue, Farmington Hills, Michigan 48336, county of Oakland, succeeding Nicholas W. Seraphinoff, whose term has expired, representing refrigeration service, for a term commencing October 18, 2006 and expiring October 1, 2008.

Sincerely,
Jennifer M. Granholm
Governor

The messages were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

**LIQUOR LICENSES; PROVIDE FOR "CATERING PERMIT" FOR
ON-PREMISES LICENSEES TO SERVE ALCOHOL AT OTHER LOCATIONS**

September 22, 2006

Today I have vetoed and return Enrolled Senate Bill 50.

The bill would authorize an unlimited number of catering permits for beer, wine, and other alcoholic beverages without specific limits on the duration of the permits. This and other ambiguities in the legislation unintentionally may

result in the creation of new loopholes in Michigan law regulating the distribution and sale of alcoholic beverages, including existing restrictions designed to prevent the illegal consumption of alcoholic beverages by minors. The bill also fails to adequately address the new types of enforcement challenges for the Liquor Control Commission and other law enforcement agencies that would arise under an entirely new distribution mechanism involving an unlimited number of permits.

For these reasons, I return Enrolled Senate Bill 50 without signature.

Respectfully,
Jennifer M. Granholm
Governor

This bill was returned from the Governor on September 22, 2006, at 3:58 p.m.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Senator Hammerstrom moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of
General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Bishop as Chairperson.

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

Senate Bill No. 163, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521 (MCL 436.1521), as amended by 1998 PA 282.

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

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

Senate Bill No. 162, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 521a.

Substitute (S-1).

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

1. Amend page 3, line 2, after "YEARS" by inserting a comma and "OR 7 YEARS FOR A CITY HAVING A POPULATION BETWEEN 80,000 AND 85,000 ACCORDING TO THE 2000 FEDERAL DECENNIAL CENSUS AND THE APPLICATION IS SUBMITTED WITHIN THE FIRST 6 MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION".

2. Amend page 3, line 10, after "YEARS" by inserting a comma and "OR 7 YEARS FOR A CITY HAVING A POPULATION BETWEEN 80,000 AND 85,000 ACCORDING TO THE 2000 FEDERAL DECENNIAL CENSUS AND THE APPLICATION IS SUBMITTED WITHIN THE FIRST 6 MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION".

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. 1404, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50c and 81d (MCL 750.50c and 750.81d), section 50c as amended by 2002 PA 672 and section 81d as added by 2002 PA 266.

Substitute (S-1).

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

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

Senate Bill No. 1405, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2000 PA 279.

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
Messages from the House

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

Senate Bill No. 640

The motion prevailed.

Senate Bill No. 1052, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2 and 4 (MCL 431.302 and 431.304).

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1128, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 15a.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 20, by striking out all of subdivision (B) and relettering the remaining subdivision.

2. Amend page 3, following line 1, by inserting:

"(D) SCHEDULE A MEETING BETWEEN THE PARTIES TO BE HELD UPON THE PAYER'S RETURN FROM EMERGENCY MILITARY SERVICE TO ATTEMPT TO RESOLVE THE DISPUTE OVER WHETHER THE ADJUSTMENT SHOULD BE SET ASIDE OR MODIFIED. IF THE PARTIES CANNOT REACH AGREEMENT, THE FRIEND OF THE COURT SHALL PROCEED UNDER SUBDIVISION (A) OR (B)."

3. Amend page 3, line 4, after "RESOLVED" by inserting "OR UNTIL 35 DAYS AFTER THE PAYER'S EMERGENCY MILITARY SERVICE ENDS, WHICHEVER IS SOONER".

The House of Representatives has passed the bill as amended, 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.

Senate Bill No. 1226, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 2004 PA 63.

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

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

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

The Senate agreed to the full title.

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

Senate Bill No. 1371, entitled

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182).

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

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

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

The Senate agreed to the full title.

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

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 at the head of the Third Reading of Bills calendar:

Senate Bill No. 1404

Senate Bill No. 1405

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

The following bill was read a third time:

Senate Bill No. 1404, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50c and 81d (MCL 750.50c and 750.81d), section 50c as amended by 2002 PA 672 and section 81d as added by 2002 PA 266.

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. 723

Yeas—36

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

Nays—0

Excused—2

Jacobs	Sanborn
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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. 1405, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2000 PA 279.

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. 724

Yeas—36

Allen	Clark-Coleman	Hardiman	Schauer
Barcia	Clarke	Jelinek	Scott

Basham	Cropsey	Johnson	Sikkema
Birkholz	Emerson	Kuipers	Stamas
Bishop	Garcia	Leland	Switalski
Brater	George	McManus	Thomas
Brown	Gilbert	Olshove	Toy
Cassis	Goschka	Patterson	Van Woerkom
Cherry	Hammerstrom	Prusi	Whitmer

Nays—0

Excused—2

Jacobs

Sanborn

Not Voting—0

In The Chair: Birkholz

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 71

The motion prevailed.

Senate Resolution No. 162.

A resolution to memorialize Congress to increase funding to fully implement the Vaccine for Children program.

The question being on the adoption of the resolution,

The resolution was adopted.

Senate Concurrent Resolution No. 58.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see Senate Journal No. 85, p. 2198.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
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:

First, let me say welcome back and congratulations to all of my colleagues and to the Governor and all the others who won their election.

Now let's get down to business. We have a few more days that we can pass some legislation on insurance, and I think the time is now so that we can prove to people that we are here and we care about all people in this state. We can truly

be one Michigan if we can do that and we can. We can accomplish some good insurance rates. At least take up the bill that I have that will bring all parties together for a task force so we can seriously look at how we do insurance all over this state.

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

Recess

Senator Hammerstrom moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:46 a.m.

10:55 a.m.

Pursuant to rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Senator Birkholz introduced
Senate Bill No. 1481, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30101, 30104, and 30105 (MCL 324.30101, 324.30104, and 324.30105), as amended by 2006 PA 275.

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

Senator Barcia introduced
Senate Bill No. 1482, entitled

A bill to amend 2003 PA 198, entitled "Farm produce insurance act," by amending sections 3, 13, and 15 (MCL 285.313, 285.323, and 285.325).

The bill was read a first and second time by title and referred to the Committee on Agriculture, Forestry and Tourism.

Senators Prusi and Stamas introduced
Senate Bill No. 1483, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4w (MCL 205.54w), as amended by 2004 PA 173.

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

Senators Stamas and Prusi introduced
Senate Bill No. 1484, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4s (MCL 205.94s), as added by 1999 PA 117.

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

Senators Johnson and Kuipers introduced
Senate Bill No. 1485, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending sections 1 and 1a (MCL 41.271 and 41.271a).

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

Senators Whitmer, Prusi, Jacobs, Thomas, Brater and Leland introduced

Senate Bill No. 1486, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by adding section 10 to chapter 1 and section 36 to chapter 2.

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

Senator Gilbert introduced

Senate Bill No. 1487, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203), as amended by 2000 PA 404.

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

Senator Gilbert introduced

Senate Bill No. 1488, entitled

A bill to regulate certain persons building certain residential structures; to provide for certain disclosures and prescribe certain limitations regarding the transfer of that residential structure; and to provide for remedies and penalties.

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

Senator Gilbert introduced

Senate Bill No. 1489, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 2005 PA 163.

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

Senator Gilbert introduced

Senate Bill No. 1490, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 726 (MCL 257.726), as amended by 1983 PA 107.

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

Senator Gilbert introduced

Senate Bill No. 1491, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 726 (MCL 257.719 and 257.726), section 719 as amended by 2004 PA 420 and section 726 as amended by 1983 PA 107.

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

Senator Gilbert introduced

Senate Bill No. 1492, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 2006 PA 298, and by adding sections 6e and 310a.

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

Senator Gilbert introduced

Senate Bill No. 1493, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 451 (MCL 500.451), as amended by 1994 PA 228.

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

Senator Gilbert introduced

Senate Bill No. 1494, entitled

A bill to amend 1927 PA 210, entitled "An act to provide for the termination of tenancies by the entirety and the conveyance of interests therein," by amending sections 1 and 2 (MCL 557.101 and 557.102).

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

Senator Cropsy introduced

Senate Bill No. 1495, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 2006 PA 316.

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

House Bill No. 4042, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5/ (MCL 28.425/), as amended by 2006 PA 184.

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.

House Bill No. 5003, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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 Appropriations.

House Bill No. 5278, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," (MCL 287.261 to 287.290) by adding section 14a.

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 Local, Urban and State Affairs.

House Bill No. 6039, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2511.

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. 6055, entitled

A bill to create the state facility authority; to create certain state authorities; to create funds and accounts; to prescribe the powers and duties of the authority; to operate certain facilities; and to prescribe the powers and duties of certain state and local 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 Appropriations.

House Bill No. 6209, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

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 Finance.

House Bill No. 6299, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending sections 4401 and 4405 (MCL 487.14401 and 487.14405).

The House of Representatives has passed the bill by a 2/3 vote 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 Banking and Financial Institutions.

House Bill No. 6303, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2006 PA 32.

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. 6318, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

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

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

House Bill No. 6358, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 6r.

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 Technology and Energy.

House Bill No. 6365, entitled

A bill to amend 1949 PA 38, entitled "An act concerning perpetuities and the suspension of the absolute power of alienation with respect to interests in real property, making uniform the law as to real and personal property; and repealing sections 14, 15, 16, 17, 18, 19, 20 and 23 of chapter 62 of the Revised Statutes of 1846, being sections 554.14, 554.15, 554.16, 554.17, 554.18, 554.19, 554.20 and 554.23, respectively, of the Compiled Laws of 1948," by amending the title and section 3 (MCL 554.53), section 3 as amended by 1988 PA 417; and to repeal acts and parts of acts.

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.

House Bill No. 6366, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2702 and 2722 (MCL 700.2702 and 700.2722), section 2702 as amended by 2000 PA 54.

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.

House Bill No. 6403, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2976.

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.

House Bill No. 6404, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 6 (MCL 28.6), as amended by 2000 PA 83.

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.

House Bill No. 6405, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 2, and 14 of chapter XIIA (MCL 712A.1, 712A.2, and 712A.14), as amended by 2001 PA 211.

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.

House Bill No. 6406, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter IV (MCL 764.15b), as amended by 2001 PA 209.

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.

House Bill No. 6430, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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.

House Bill No. 6431, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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.

House Bill No. 6440, entitled

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

The House of Representatives has passed the bill.

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

House Bill No. 6478, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; and to repeal acts and parts of acts.

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. 6481, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57l (MCL 400.57l), as added by 1999 PA 17.

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 Families and Human Services.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 1428, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1060 and 1062 (MCL 600.1060 and 600.1062), as added by 2004 PA 224.

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

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

Alan L. Cropsey
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

Senate Resolution No. 162.

A resolution to memorialize Congress to increase funding to fully implement the Vaccine for Children program. (For text of resolution, see Senate Journal No. 84, p. 2160.)

With the recommendation that the resolution be adopted.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, George, Whitmer and Jacobs

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Health Policy reported

Senate Bill No. 1274, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20906, 20910, and 20919 (MCL 333.20906, 333.20910, and 333.20919), section 20906 as amended by 2004 PA 6, section 20910 as amended by 2004 PA 582, and section 20919 as amended by 2003 PA 233, and by adding section 20911.

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.

Beverly S. Hammerstrom
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, George, Whitmer and Jacobs

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 Health Policy submitted the following:

Meeting held on Wednesday, September 20, 2006, at 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Patterson

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 924, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74117 and 81116 (MCL 324.74117 and 324.81116), section 74117 as amended by 2003 PA 170 and section 81116 as amended by 2003 PA 111.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Brater and Basham

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 Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, September 19, 2006, at 3:00 p.m., Room 110, Farnum Building

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

Excused: Senator Patterson

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Labor submitted the following:

Meeting held on Tuesday, September 19, 2006, at 3:00 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, September 20, 2006, at 12:47 p.m., Room 110, Farnum Building

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

Excused: Senator Garcia

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 20, 2006, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Johnson (C), Stamas, Brown, Goschka, Hardiman, Prusi, Scott, Cherry, Clarke and Switalski

Excused: Senators Garcia, Cropsey, Jelinek, McManus, George and Barcia

Scheduled Meetings

Appropriations - Tuesday, November 14, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Transportation - Tuesday, November 14, 9:00 a.m., Room 405, Capitol Building (373-7708)

Senator Switalski moved that the Senate adjourn.

The motion prevailed, the time being 11:04 a.m.

The Secretary of the Senate declared the Senate adjourned until Tuesday, November 14, 2006, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

