

**No. 14**  
**STATE OF MICHIGAN**  
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**REGULAR SESSION OF 2008**

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Senate Chamber, Lansing, Wednesday, February 13, 2008.

10:00 a.m.

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

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

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

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

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

Senator Jason E. Allen of the 37th District offered the following invocation:

Dear Lord, we thank You for this day. We are grateful for the responsibility that You have given to us. Thank You for our state. Thank You for our people. Thank You for our industry. Thank You for our agriculture, and thank You for our commerce; and, yes, especially, thank you for this weather.

Give us Your guidance, wisdom, and insights as we face the future. In Your name we pray. Amen.

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

### Motions and Communications

Senators Gleason, Barcia, Jansen and Jelinek entered the Senate Chamber.

Senator Thomas moved that Senators Jacobs, Clarke, Hunter and Schauer be temporarily excused from today's session. The motion prevailed.

Senator Schauer entered the Senate Chamber.

Senator Cropsey moved that Senators Hardiman, Pappageorge, Brown and Garcia and be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

The Secretary announced that the following official bills and joint resolution were printed on Tuesday, February 12, and are available at the legislative website:

**Senate Bill Nos. 1086 1087**

**Senate Joint Resolution K**

By unanimous consent the Senate proceeded to the order of

### Messages from the Governor

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

**Senate Bill No. 436**

**Senate Bill No. 222**

**Senate Bill No. 229**

**Senate Bill No. 232**

**Senate Bill No. 238**

**Senate Bill No. 240**

The motion prevailed.

The following message from the Governor was received:

Date: February 12, 2008

Time: 10:00 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 577 (Public Act No. 6), being**

An act 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.

(Filed with the Secretary of State on February 12, 2008, at 10:37 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

Senators Jacobs and Clarke entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

### **General Orders**

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

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

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Cherry, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

#### **House Bill No. 4650, entitled**

A bill to revise the standards under which courts of this state recognize foreign money judgments; to establish procedures for the recognition of foreign money judgments; to limit the time within which an action to enforce a foreign money judgment may be commenced; to make uniform the law relating to the enforcement of foreign money judgments; and to repeal acts and parts of acts.

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. 192, entitled**

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273), as amended by 2002 PA 121.

Substitute (S-1).

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

1. Amend page 2, line 5, after "**EMPLOYEE**" by striking out "**GIVES NOTICE**" and inserting "**REPORTS TO WORK OR APPLIES**".

2. Amend page 5, line 15, after "**AFTER**" by striking out "**GIVING THE EMPLOYER WRITTEN NOTICE**" and inserting "**REPORTING TO WORK OR APPLYING TO THE EMPLOYER**".

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.

During the Committee of the Whole, Senators Pappageorge, Kahn, Garcia and Hardiman entered the Senate Chamber.

### **Resolutions**

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

#### **Senate Concurrent Resolution No. 22**

The motion prevailed.

#### **Senate Resolution No. 86.**

A resolution to memorialize the Congress of the United States to reject legislation that would preempt the authority of the Great Lakes states to curb the release of ballast water.

The question being on the adoption of the following committee substitute:

Substitute (S-2).

The substitute was not adopted.

Senator Patterson offered the following substitute:

A resolution to memorialize the Congress of the United States to reject legislation that would preempt the authority of the Great Lakes states to curb the release of ballast water.

Whereas, Ballast water discharges from ships entering the Great Lakes are the leading pathway for the introduction of aquatic invasive species. Since the opening of the St. Lawrence Seaway in 1959, ocean-going ships have introduced more than 30 new species to the Great Lakes; and

Whereas, Once introduced and established, aquatic invasive species are nearly impossible to eliminate and costly to control. Zebra mussels and other aquatic invasive species introduced from ballast water have irrevocably changed the Great Lakes and directly cost cities and industries—and indirectly cost Great Lakes residents—tens of millions of dollars per year to control; and

Whereas, Current federal ballast water regulations designed to protect the Great Lakes are ineffective. At least eleven new aquatic invasive species have been introduced from ballast water since current requirements for ballast water exchange with open ocean water went into effect, including the recent introduction of viral hemorrhagic septicemia (VHS) that directly threatens the \$4.5-billion Great Lakes fishery; and

Whereas, The ocean-going shipping industry has shown little urgency over the last two decades to develop and install ballast water treatment technology, even as it introduced more and more aquatic invasive species to new regions. Rather, the industry has continuously fought efforts in the United States Congress, state legislatures, and the courts to require expeditious treatment of their ballast water. For every year treatment is not required for ballast water, an additional one to two new species, with unknown but potentially devastating impacts, make the Great Lakes their permanent home; and

Whereas, The state of Michigan has succeeded in identifying and requiring treatment technologies that would provide additional protection to the Great Lakes; and

Whereas, Michigan and other states bear primary responsibility for protecting the health and safety of their citizens and the integrity of natural resources for their citizens. The Congress of the United States acknowledged the authority for the Great Lakes states to act unilaterally to protect and preserve the waters of the Great Lakes Basin in the federal Clean Water Act and the National Invasive Species Act, as affirmed this past summer by the United States District Court for the Eastern District of Michigan; and

Whereas, Federal ballast water legislation, such as the Coast Guard Authorization Act of 2007 (H.R. 2830) and the Ballast Water Management Act of 2007 (S. 1578), would preempt Michigan's efforts to protect its waters from further degradation. Preempting state actions before strong federal treatment standards are in place would leave the Great Lakes vulnerable to future invasions and would trample on fundamental states' rights to protect their natural resources. This shortsighted approach undermines the millions of dollars and thousands of hours spent each year working to restore the Great Lakes to a healthy, self-sustaining system; and

Whereas, The Coast Guard Authorization Act of 2007 and the Ballast Water Management Act of 2007 would also set a precedent for future federal actions that restrict state authority to protect essential natural resources. Clearly, Michigan and other states are best suited to make decisions that keep waters safe, clean, and healthy for its residents with regulations, when needed, above and beyond minimum federal requirements; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to reject legislation that would preempt the authority of the Great Lakes states to curb the release of ballast water; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The substitute was adopted.

The resolution, as substituted, was adopted.

Senators Barcia and Kuipers were named co-sponsors of the resolution.

Senator Gleason offered the following resolution:

**Senate Resolution No. 147.**

A resolution designating February 2008 as Michigan Craniofacial Awareness Month.

Whereas, Each year more than 100,000 children in the United States are either born with or develop a craniofacial condition which involves the head and neck. It typically results from abnormal growth patterns in the bones of the face and skull, causing moderate or severe disfigurement; and

Whereas, Hereditary and congenital conditions such as Down's Syndrome and cleft lip and palate are the leading causes of facial disfigurement. Hundreds of thousands of others suffer facial disfigurement from trauma and diseases, including cancer; and

Whereas, Many syndromes that affect the facial bones can result in mental retardation and even death if not treated through surgical procedures. However, surgery to expand the underdeveloped facial bones and skull can lead to very normal and even an above-normal intelligence level. The abilities of affected individuals are very often underestimated; and

Whereas, Advanced medical technology can save people who might otherwise die from accidents or burns, but their faces remain affected. People with craniofacial conditions often experience emotional isolation and rejection and live in seclusion from society; and

Whereas, Early diagnosis and surgical corrections encompassing a broad spectrum of reconstructive procedures aimed at correcting differences of the cranium and face can minimize potential problems associated with craniofacial conditions and improve appearance, as well as facial function, while easing the emotional stress for the child and family; and

Whereas, Correcting facial differences improves the self-esteem and confidence in those affected. Increasing public awareness, acceptance, and fostering a respect for the dignity of persons with craniofacial differences gives them hope for a better future and allows them a fuller, happier, and more productive life; and

Whereas, Mutual support organizations are now forming to help the facially disfigured, their families, and the professionals who care for them. Through media, newsletters, and the Internet, people throughout our state and nation offer shared experiences and resources for recovery. These praiseworthy mutual support groups encourage people to esteem the person behind every face; and

Whereas, Various foundations and institutions are also addressing their needs by funding programs for research and education regarding craniofacial conditions and funding surgical and nonsurgical treatment for people from our country and around the world; and

Whereas, Because of the difficulties presented to persons who look “different,” it is important that the public understand the exceptional challenges confronting people with craniofacial conditions. Personal and community outreach efforts to befriend and assist persons with craniofacial conditions deserve our cooperation, participation, and recognition; now, therefore, be it

Resolved by the Senate, That we hereby designate the month of February 2008 as Craniofacial Awareness Month in Michigan to encourage all citizens to become better informed of craniofacial conditions and advances in medical treatment; and be it further

Resolved, That a copy of this resolution be transmitted to Saydee L. Robinson of Montrose, Michigan, as a reflection of our support of her leadership and efforts on behalf of those suffering from craniofacial conditions.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

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

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

Senator Brown entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

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

**Senate Bill No. 786**

**Senate Bill No. 1007**

**Senate Bill No. 1008**

**Senate Bill No. 626**

**Senate Bill No. 1049**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 786, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

The question being on the passage of the bill,

Senator Whitmer offered the following amendment:

1. Amend page 1, line 6, after “~~\$3,000.00~~” by striking out “~~\$6,000.00~~” and inserting “~~\$5,000.00~~”.

The amendment was adopted, a majority of the members serving voting therefor.

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. 39**

### **Yeas—34**

Allen  
Anderson  
Barcia  
Basham

Cherry  
Clark-Coleman  
Clarke  
Cropsey

Jacobs  
Jansen  
Jelinek  
Kahn

Prusi  
Richardville  
Scott  
Stamas

|          |          |             |             |
|----------|----------|-------------|-------------|
| Birkholz | Garcia   | Kuipers     | Switalski   |
| Bishop   | George   | McManus     | Thomas      |
| Brater   | Gilbert  | Olshove     | Van Woerkom |
| Brown    | Gleason  | Pappageorge | Whitmer     |
| Cassis   | Hardiman |             |             |

**Nays—2**

|           |         |
|-----------|---------|
| Patterson | Schauer |
|-----------|---------|

**Excused—2**

|        |         |
|--------|---------|
| Hunter | Sanborn |
|--------|---------|

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1007, entitled**

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending sections 2, 3, 4, 5, 6, 7, 20, 30, 31, 33a, 41, 44, 50, 53, 60, 61, 62, 63, 68, and 69 (MCL 288.472, 288.473, 288.474, 288.475, 288.476, 288.477, 288.490, 288.500, 288.501, 288.503a, 288.511, 288.514, 288.520, 288.523, 288.530, 288.531, 288.532, 288.533, 288.538, and 288.539), section 33a as added by 2004 PA 277.

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. 40****Yeas—36**

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

**Nays—0****Excused—2**

|        |         |
|--------|---------|
| Hunter | Sanborn |
|--------|---------|



**Roll Call No. 42****Yeas—36**

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

**Nays—0****Excused—2**

|        |         |
|--------|---------|
| Hunter | Sanborn |
|--------|---------|

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senator Hunter entered the Senate Chamber.

The following bill was read a third time:

**Senate Bill No. 1049, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2005 PA 336.

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. 43****Yeas—24**

|          |         |          |              |
|----------|---------|----------|--------------|
| Allen    | Cassis  | Hardiman | Olshove      |
| Barcia   | Cropsey | Jansen   | Pappageorge  |
| Basham   | Garcia  | Jelinek  | Patterson    |
| Birkholz | George  | Kahn     | Richardville |
| Bishop   | Gilbert | Kuipers  | Stamas       |
| Brown    | Gleason | McManus  | Van Woerkom  |

**Nays—13**

|               |        |         |           |
|---------------|--------|---------|-----------|
| Anderson      | Clarke | Prusi   | Switalski |
| Brater        | Hunter | Schauer | Thomas    |
| Cherry        | Jacobs | Scott   | Whitmer   |
| Clark-Coleman |        |         |           |



**Excused—1**

Sanborn

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator Cropsey's statement is as follows:

Last week, I rose to ask the Governor to give us a budget for the Michigan Department of Corrections that was based on law and not on wishful thinking. Sadly, we were given a budget for the Michigan Department of Corrections that has a hole of at least \$17 million, and if we include also the promise on telephone fees and unidentified efficiencies, the budget hole is over \$40 million.

Today the Michigan Department of Corrections subcommittee will meet at 3:00 p.m. or immediately following the full Appropriations Committee meeting, whichever is later. I do expect that the full Appropriations Committee will probably go past 3:00 p.m. Before the budget overview by the Senate Fiscal Agency, I will be showing a PowerPoint presentation that lays out the truth behind crime in Michigan and the Michigan Department of Corrections budget, such as their claim that we incarcerate prisoners at a higher rate than surrounding states.

What got me digging into these facts is that about a year ago, the Michigan Department of Corrections made public comments last summer that they ended prisoner work crews. They told the media that while they charged local units of government \$15 per prisoner per day, it actually cost \$150 per prisoner per day. I did a little calculation, and at \$150 per prisoner per day, that's \$234,000 to \$312,000 per year to pay for the oversight of one officer and whatever supervision exists for that officer. I have yet to meet an officer who gets paid that much, even with overtime. When I asked the department about this figure, they lowered the costs by one-third, but that is still about twice what an officer gets paid. The media was never given this new figure, or at least they never reported on it, and I began to wonder how the department could be so wrong on its calculations.

I started asking the same question I always do of every budget: Where does the money go? And from there, I have found lots of empirical data that rebuts what the Michigan Department of Corrections has been telling the media. I would encourage the media to sit in on the Corrections subcommittee and see what we have found thus far, and I haven't even started on what is meant by recidivism or repeat offenders, which is what is really driving our prison population.

While I commend the Michigan Department of Corrections for making efforts, albeit several unsuccessful efforts to control their costs, starting today, we will focus on the facts. No more smoke. No more mirrors. To quote a TV figure from my generation, "Just the facts, ma'am."

Senator Scott's statement is as follows:

Louis Armstrong—you all know who he is—always said that there are people who if they don't know, you can't tell them. On my worst days, I share his view as it applies to some of my colleagues here in this chamber. Some days I feel like they just don't know, and, believe me, I get tired of telling them. Then I remember my promise and I rise once again to remind them all about fairness, equality, and providing relief from some biased and excessive insurance premiums. Some of you still don't know, but my pledge is to keep telling you until you do.

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

Senator Patterson introduced  
**Senate Bill No. 1088, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by amending the title; and to repeal acts and parts of acts.

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

Senator Gleason introduced

**Senate Bill No. 1089, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, and 8 (MCL 445.401, 445.402, 445.403, 445.404, 445.405, and 445.408), sections 1, 2, 3, 4, 5, and 8 as amended by 2006 PA 675; and to repeal acts and parts of acts.

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

Senators Cherry, Richardville, Olshove, Prusi, Anderson and Scott introduced

**Senate Bill No. 1090, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19), as amended by 2006 PA 337.

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

Senator Brown introduced

**Senate Bill No. 1091, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Senator McManus introduced

**Senate Bill No. 1092, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Senator Hardiman introduced

**Senate Bill No. 1093, entitled**

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Senator Kahn introduced

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Cropsey introduced

**Senate Bill No. 1095, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Senator Jelinek introduced

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Garcia introduced

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Pappageorge introduced

**Senate Bill No. 1098, entitled**

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Stamas introduced

**Senate Bill No. 1099, entitled**

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2009; and to provide for the expenditures of the appropriations.

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

Senator George introduced

**Senate Bill No. 1100, entitled**

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senator Hardiman introduced

**Senate Bill No. 1101, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Senator Cropsey introduced

**Senate Bill No. 1102, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Senator Jansen introduced

**Senate Bill No. 1103, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Senator Jansen introduced

**Senate Bill No. 1104, entitled**

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

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

Senator Garcia introduced

**Senate Bill No. 1105, entitled**

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator McManus introduced

**Senate Bill No. 1106, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Jelinek introduced

**Senate Bill No. 1107, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2007 PA 137.

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

Senator Jelinek introduced

**Senate Bill No. 1108, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2007 PA 137.

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

Senator Garcia introduced

**Senate Bill No. 1109, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Senator Hardiman introduced

**Senate Bill No. 1110, entitled**

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Senator Jelinek introduced

**Senate Bill No. 1111, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

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

Senators Kahn, Pappageorge, Kuipers and Hardiman introduced

**Senate Bill No. 1112, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30104b, 30301, 30302, 30304, 30305, 30307, 30308, 30309, 30310, 30311, 30313, 30317, 30321, and 30323 (MCL 324.30104b, 324.30301, 324.30302, 324.30304, 324.30305, 324.30307, 324.30308, 324.30309, 324.30310, 324.30311, 324.30313, 324.30317, 324.30321, and 324.30323), section 30104b as added by 2006 PA 592, sections 30301 and 30305 as amended by 2003 PA 14, sections 30302, 30308, 30309, 30310, 30311, 30313, and 30323 as added by 1995 PA 59, section 30304 as amended by 2004 PA 325, section 30307 as amended by 2006 PA 430, section 30317 as amended by 1998 PA 228, and section 30321 as amended by 1996 PA 530; and to repeal acts and parts of acts.

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

Senators Brown, Basham, Pappageorge, Barcia, Kahn and Van Woerkom introduced

**Senate Bill No. 1113, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 251 (MCL 257.251), as amended by 2002 PA 642.

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

Senators Brown, Barcia, Kahn and Hardiman introduced

**Senate Bill No. 1114, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356 (MCL 750.356), as amended by 1998 PA 311.

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

### Committee Reports

The Committee on Commerce and Tourism reported

**Senate Bill No. 1076, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2006 PA 659.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, February 12, 2008, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Gilbert, Stamas, Clarke and Hunter

The Committee on Judiciary reported

**Senate Bill No. 291, entitled**

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

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

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsy, Patterson, Whitmer and Prusi

Nays: Senator Clarke

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

The Committee on Judiciary reported

**Senate Bill No. 292, 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.

With the recommendation that the bill pass.

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsy, Patterson, Whitmer, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 660, entitled**

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

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

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

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsy, Patterson, Whitmer, Clarke and Prusi

Nays: None

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

The Committee on Judiciary reported

**Senate Bill No. 661, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16t and 43 of chapter XVII (MCL 777.16t and 777.43), section 16t as amended by 2004 PA 112 and section 43 as amended by 2002 PA 666.

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.

Wayne Kuipers  
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsy, Patterson, Whitmer, Clarke and Prusi

Nays: None

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

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, February 12, 2008, at 1:00 p.m., Room 210, Farnum Building

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

Excused: Senator Sanborn

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Joint meeting held on Tuesday, February 12, 2008, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Hardiman (C), Kahn, Jansen, Scott and Barcia

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Tuesday, February 12, 2008, at 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Garcia (C), Cropsey and Brater

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

**Capital Outlay** - Thursday, February 14, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

**Community Colleges** - Friday, February 22, 2:00 p.m., Mid Michigan Community College, 5805 E. Pickard Road, Mt. Pleasant; Monday, February 25, 1:30 p.m., Grand Rapids Community College, Main Building, 5th Floor, Board Room, 143 Bostwick Avenue, NE, Grand Rapids; and Wednesday, March 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Community Health Department** - Thursdays, February 14, February 21 and February 28, 1:00 p.m., and March 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Environmental Quality Department** - Wednesdays, February 20, February 27, March 5 and March 12, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Higher Education** - Tuesday, February 19, 1:00 p.m., Michigan State University, Radiology Building, 184 Service Road, East Lansing; Friday, February 22, 10:30 a.m., Alma College, Tyler-Van Dusen Campus Center, 614 W. Superior Street, Alma; Monday, February 25, 10:00 a.m., Grand Valley State University, Cook-DeVos Center for Health Sciences, 301 Michigan Street, NE, Grand Rapids; and Monday, March 3, 10:00 a.m., University of Michigan-Dearborn, Professional Education Center, 4901 Evergreen Road, Dearborn (373-2768)

**Judiciary and Corrections** - Wednesdays, February 20, February 27, March 5 and March 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**K-12, School Aid, Education** - Tuesdays, February 19, February 26, March 4 and March 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

**Natural Resources Department** - Wednesday, February 20, 8:30 a.m., and Tuesdays, February 26 and March 11, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

**Retirement** - Tuesday, February 19, 12:00 noon, Rooms 402 and 403, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursday, February 14, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-2768)

**Economic Development and Regulatory Reform** - Thursday, February 14, 12:00 noon, Room 100, Farnum Building (373-7670) (CANCELED)

**Education** - Thursday, February 14, 2:30 p.m., Room 110, Farnum Building (373-6920)

**Finance** - Thursday, February 14, 11:00 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

**Legislative Commission on Government Efficiency** - Thursday, February 14, 11:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 10:47 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, February 14, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate