

No. 23
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Wednesday, March 5, 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—present
Schauer—present
Scott—present
Stamas—present
Switalski—present
Thomas—present
Van Woerkom—present
Whitmer—present

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

Our Father God, our Mother God, our everything God, we worship You because You are the one and only true God. You are the giver of life and the lover of our souls. We acknowledge our challenge to exhibit the fruits of love: joy, peace, patience, gentleness, goodness, and meekness. We ask that You strengthen us to develop a character that reflects Your nature.

We thank You for blessing us to represent the political interests of Your people. We thank You for selecting us to stand in the gap for all Michiganians, some of whom have never traveled to our state capitol. We thank You for giving us the wherewithal to strive for the uplifting of the common man. Help us to consider the least of our citizens. Please give us the determination to work for the greater good and not for personal gain. Help us show mercy as we have received it from You.

In the name of Jesus 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 Sanborn, Kuipers, Van Woerkom and Thomas entered the Senate Chamber.

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

Senators Schauer and Anderson entered the Senate Chamber.

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

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

The motion prevailed.

Senator Allen's statement is as follows:

Over the years, the United States has sent many of its fine young men and women in great peril to fight beyond our borders. The only land that we have ever asked for was enough for those who did not return.

“LET IT BE KNOWN, That it is with heartfelt sympathy that we offer this tribute as a memorial to the exemplary life and service of Matthew Blaskowski. With genuine respect for his legacy of strength, dedication, and leadership, we join with the community in extending our condolences to his family and many friends.

Matthew, the son of Terry and Cheryl Blaskowski, grew up in Levering and graduated from Cheboygan Area High School. In 1997, at the age of 17, he enlisted in the Michigan Army National Guard with a goal of teaching at West Point Military Academy. Within months of arriving home after Basic Combat Training at Fort Benning, Matthew transitioned into active service for the United States Army. He soon joined the highly-skilled 10th Mountain Division and deployed for peace-keeping purposes to Bosnia and Herzegovina. In 2005, Matthew saw his first deployment to Afghanistan and was wounded by gunfire while managing to pull a fellow soldier to safety. In 2007, he saw his second deployment to Afghanistan as 1st Platoon Sergeant, Battle Company, 2nd Battalion, 503rd Infantry. Tragically, Matthew's second tour of duty ended abruptly on September 23, 2007.

As a noncommissioned officer, Matthew will continue to serve the United States Army as an example of distinctive and selfless leadership. The seven Army core values embodied his entire approach to military service. With a humble perspective, Matthew often looked beyond praise, but the medals and ribbons that adorn his dress uniform speak of a soldier highly regarded by his peers. Among the many accolades he earned are two Army Achievement Medals, three Army Commendation Medals, two Purple Heart Medals, the Bronze Star, and the Silver Star.

It is with strong admiration and reverence that we reflect upon the example established by Matthew. He is described by friends and family as a competent leader, a kind and supportive friend, a cherished son, and a loving husband. Our deepest sympathies extend to Matthew's wife Daniela, his parents Terry and Cheryl, and all of his extended family and friends. Marked by a strong humility that allowed him to think of others first, he will be fondly remembered.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to offer our words as a memorial for Sergeant First Class Matthew D. Blaskowski. May his loved ones find comfort in the memories and shared faith of a fine young man who made the ultimate sacrifice for freedom and liberty.”

A moment of silence was observed in memory of Army Sergeant First Class Matthew D. Blaskowski.

Senators Pappageorge, Jansen and Garcia entered the Senate Chamber.

The following communication was received and read:
Department of State

March 3, 2008

I, Terri Lynn Land, Secretary of State of the State of Michigan, certify that the attached proposed law appeared on the legislative initiative petition filed with the Secretary of State on November 20, 2007 by the Michigan Coalition for Compassionate Care, P.O. Box 20489, Ferndale, Michigan 48220. I further certify that on March 3, 2008 the Michigan Board of State Canvassers determined that said initiative petition contains "at least the minimum number of valid signatures required under Article 2, Section 9, of the Constitution of the State of Michigan of 1963." I therefore submit to the Michigan State Legislature said legislative proposal for consideration as provided under Article 2, Section 9, of the Constitution of 1963.

Sincerely,
Terri Lynn Land
Secretary of State

INITIATION OF LEGISLATION

An initiation of Legislation to allow under state law the medical use of marihuana; to provide protections for the medical use of marihuana; to provide for a system of registry identification cards for qualifying patients and primary caregivers; to impose a fee for registry application and renewal; to provide for the promulgation of rules; to provide for the administration of this act; to provide for enforcement of this act; to provide for affirmative defenses; and to provide for penalties for violations of this act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1. Short Title.

Sec. 1. This act shall be known and may be cited as the Michigan Medical Marihuana Act.

2. Findings.

Sec. 2. The people of the State of Michigan find and declare that:

(a) Modern medical research, including as found by the National Academy of Sciences' Institute of Medicine in a March 1999 report, has discovered beneficial uses for marihuana in treating or alleviating the pain, nausea, and other symptoms associated with a variety of debilitating medical conditions.

(b) Data from the Federal Bureau of Investigation Uniform Crime Reports and the Compendium of Federal Justice Statistics show that approximately 99 out of every 100 marihuana arrests in the United States are made under state law, rather than under federal law. Consequently, changing state law will have the practical effect of protecting from arrest the vast majority of seriously ill people who have a medical need to use marihuana.

(c) Although federal law currently prohibits any use of marihuana except under very limited circumstances, states are not required to enforce federal law or prosecute people for engaging in activities prohibited by federal law. The laws of Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, New Mexico, Oregon, Vermont, Rhode Island, and Washington do not penalize the medical use and cultivation of marihuana. Michigan joins in this effort for the health and welfare of its citizens.

3. Definitions.

Sec. 3. As used in this act:

(a) "Debilitating medical condition" means 1 or more of the following:

(1) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Chron's disease, agitation of Alzheimer's disease, nail patella, or the treatment of these conditions.

(2) A chronic or debilitating disease or medical condition or its treatment that produces 1 or more of the following: cachexia or wasting syndrome; severe and chronic pain; severe nausea; seizures, including but not limited to those characteristic of epilepsy; or severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

(3) Any other medical condition or its treatment approved by the department, as provided for in section 5(a).

(b) "Department" means the state department of community health.

(c) "Enclosed, locked facility" means a closet, room, or other enclosed area equipped with locks or other security devices that permit access only by a registered primary caregiver or registered qualifying patient.

(d) "Marihuana" means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.

(e) "Medical use" means the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

(f) "Physician" means an individual licensed as a physician under Part 170 of the public health code, 1978 PA 368, MCL 333.17001 to 333.17084, or an osteopathic physician under Part 175 of the public health code, 1978 PA 368, MCL 333.17501 to 333.17556.

(g) "Primary caregiver" means a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has never been convicted of a felony involving illegal drugs.

(h) "Qualifying patient" means a person who has been diagnosed by a physician as having a debilitating medical condition.

(i) "Registry identification card" means a document issued by the department that identifies a person as a registered qualifying patient or registered primary caregiver.

(j) "Usable marihuana" means the dried leaves and flowers of the marihuana plant, and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant.

(k) "Visiting qualifying patient" means a patient who is not a resident of this state or who has been a resident of this state for less than 30 days.

(l) "Written certification" means a document signed by a physician, stating the patient's debilitating medical condition and stating that, in the physician's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

4. Protections for the Medical Use of Marihuana.

Sec. 4. (a) A qualifying patient who has been issued and possesses a registry identification card shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for the medical use of marihuana in accordance with this act, provided that the qualifying patient possesses an amount of marihuana that does not exceed 2.5 ounces of usable marihuana, and, if the qualifying patient has not specified that a primary caregiver will be allowed under state law to cultivate marihuana for the qualifying patient, 12 marihuana plants kept in an enclosed, locked facility. Any incidental amount of seeds, stalks, and unusable roots shall also be allowed under state law and shall not be included in this amount.

(b) A primary caregiver who has been issued and possesses a registry identification card shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for assisting a qualifying patient to whom he or she is connected through the department's registration process with the medical use of marihuana in accordance with this act, provided that the primary caregiver possesses an amount of marihuana that does not exceed:

(1) 2.5 ounces of usable marihuana for each qualifying patient to whom he or she is connected through the department's registration process; and

(2) for each registered qualifying patient who has specified that the primary caregiver will be allowed under state law to cultivate marihuana for the qualifying patient, 12 marihuana plants kept in an enclosed, locked facility; and

(3) any incidental amount of seeds, stalks, and unusable roots.

(c) A person shall not be denied custody or visitation of a minor for acting in accordance with this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

(d) There shall be a presumption that a qualifying patient or primary caregiver is engaged in the medical use of marihuana in accordance with this act if the qualifying patient or primary caregiver:

(1) is in possession of a registry identification card; and

(2) is in possession of an amount of marihuana that does not exceed the amount allowed under this act. The presumption may be rebutted by evidence that conduct related to marihuana was not for the purpose of alleviating the qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition, in accordance with this act.

(e) A registered primary caregiver may receive compensation for costs associated with assisting a registered qualifying patient in the medical use of marihuana. Any such compensation shall not constitute the sale of controlled substances.

(f) A physician shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by the Michigan board of medicine, the Michigan board of osteopathic medicine and surgery, or any other business or occupational or professional licensing board or bureau, solely for providing written certifications, in the course of a bona fide physician-patient relationship and after the physician has completed a full assessment of the qualifying patient's medical history, or for otherwise stating that, in the physician's professional opinion, a patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's serious or debilitating medical condition or symptoms associated with the serious or debilitating medical condition, provided that nothing shall prevent a professional licensing board from sanctioning a physician for failing to properly evaluate a patient's medical condition or otherwise violating the standard of care for evaluating medical conditions.

(g) A person shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for providing a registered qualifying patient or a registered primary caregiver with marihuana paraphernalia for purposes of a qualifying patient's medical use of marihuana.

(h) Any marihuana, marihuana paraphernalia, or licit property that is possessed, owned, or used in connection with the medical use of marihuana, as allowed under this act, or acts incidental to such use, shall not be seized or forfeited.

(i) A person shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, solely for being in the presence or vicinity of the medical use of marihuana in accordance with this act, or for assisting a registered qualifying patient with using or administering marihuana.

(j) A registry identification card, or its equivalent, that is issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States that allows the medical use of marihuana by a visiting qualifying patient, or to allow a person to assist with a visiting qualifying patient's medical use of marihuana, shall have the same force and effect as a registry identification card issued by the department.

(k) Any registered qualifying patient or registered primary caregiver who sells marihuana to someone who is not allowed to use marihuana for medical purposes under this act shall have his or her registry identification card revoked and is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both, in addition to any other penalties for the distribution of marihuana.

5. Department to Promulgate Rules.

Sec. 5. (a) Not later than 120 days after the effective date of this act, the department shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, that govern the manner in which the department shall consider the addition of medical conditions or treatments to the list of debilitating medical conditions set forth in section 3(a) of this act. In promulgating rules, the department shall allow for petition by the public to include additional medical conditions and treatments. In considering such petitions, the department shall include public notice of, and an opportunity to comment in a public hearing upon, such petitions. The department shall, after hearing, approve or deny such petitions within 180 days of the submission of the petition. The approval or denial of such a petition shall be considered a final department action, subject to judicial review pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. Jurisdiction and venue for judicial review are vested in the circuit court for the county of Ingham.

(b) Not later than 120 days after the effective date of this act, the department shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, that govern the manner in which it shall consider applications for and renewals of registry identification cards for qualifying patients and primary caregivers. The department's rules shall establish application and renewal fees that generate revenues sufficient to offset all expenses of implementing and administering this act. The department may establish a sliding scale of application and renewal fees based upon a qualifying patient's family income. The department may accept gifts, grants, and other donations from private sources in order to reduce the application and renewal fees.

6. Administering the Department's Rules.

Sec. 6. (a) The department shall issue registry identification cards to qualifying patients who submit the following, in accordance with the department's rules:

- (1) A written certification;
- (2) Application or renewal fee;
- (3) Name, address, and date of birth of the qualifying patient, except that if the applicant is homeless, no address is required;
- (4) Name, address, and telephone number of the qualifying patient's physician;
- (5) Name, address, and date of birth of the qualifying patient's primary caregiver, if any; and
- (6) If the qualifying patient designates a primary caregiver, a designation as to whether the qualifying patient or primary caregiver will be allowed under state law to possess marihuana plants for the qualifying patient's medical use.

(b) The department shall not issue a registry identification card to a qualifying patient who is under the age of 18 unless:

- (1) The qualifying patient's physician has explained the potential risks and benefits of the medical use of marihuana to the qualifying patient and to his or her parent or legal guardian;
- (2) The qualifying patient's parent or legal guardian submits a written certification from 2 physicians; and
- (3) The qualifying patient's parent or legal guardian consents in writing to:
 - (A) Allow the qualifying patient's medical use of marihuana;
 - (B) Serve as the qualifying patient's primary caregiver; and
 - (C) Control the acquisition of the marihuana, the dosage, and the frequency of the medical use of marihuana by the qualifying patient.

(c) The department shall verify the information contained in an application or renewal submitted pursuant to this section, and shall approve or deny an application or renewal within 15 days of receiving it. The department may deny an application or renewal only if the applicant did not provide the information required pursuant to this section, or if the department determines that the information provided was falsified. Rejection of an application or renewal is considered a final department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the circuit court for the county of Ingham.

(d) The department shall issue a registry identification card to the primary caregiver, if any, who is named in a qualifying patient's approved application; provided that each qualifying patient can have no more than 1 primary caregiver, and a primary caregiver may assist no more than 5 qualifying patients with their medical use of marihuana.

(e) The department shall issue registry identification cards within 5 days of approving an application or renewal, which shall expire 1 year after the date of issuance. Registry identification cards shall contain all of the following:

- (1) Name, address, and date of birth of the qualifying patient.
- (2) Name, address, and date of birth of the primary caregiver, if any, of the qualifying patient.
- (3) The date of issuance and expiration date of the registry identification card.
- (4) A random identification number.
- (5) A photograph, if the department requires 1 by rule.
- (6) A clear designation showing whether the primary caregiver or the qualifying patient will be allowed under state law to possess the marihuana plants for the qualifying patient's medical use, which shall be determined based solely on the qualifying patient's preference.

(f) If a registered qualifying patient's certifying physician notifies the department in writing that the patient has ceased to suffer from a debilitating medical condition, the card shall become null and void upon notification by the department to the patient.

(g) Possession of, or application for, a registry identification card shall not constitute probable cause or reasonable suspicion, nor shall it be used to support the search of the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or property of the person to inspection by any local, county or state governmental agency.

(h) The following confidentiality rules shall apply:

(1) Applications and supporting information submitted by qualifying patients, including information regarding their primary caregivers and physicians, are confidential.

(2) The department shall maintain a confidential list of the persons to whom the department has issued registry identification cards. Individual names and other identifying information on the list is confidential and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) The department shall verify to law enforcement personnel whether a registry identification card is valid, without disclosing more information than is reasonably necessary to verify the authenticity of the registry identification card.

(4) A person, including an employee or official or the department of another state agency or local unit of government, who discloses confidential information in violation of this act is guilty of a misdemeanor, punishable by imprisonment for not more than 6 months, or a fine of not more than \$1,000.00, or both. Notwithstanding this provision, department employees may notify law enforcement about falsified or fraudulent information submitted to the department.

(i) The department shall submit to the legislature an annual report that does not disclose any identifying information about qualifying patients, primary caregivers, or physicians, but does contain, at a minimum, all of the following information:

- (1) The number of applications filed for registry identification cards.
- (2) The number of qualifying patients and primary caregivers approved in each county.
- (3) The nature of the debilitating medical conditions of the qualifying patients.
- (4) The number of registry identification cards revoked.
- (5) The number of physicians providing written certifications for qualifying patients.

7. Scope of Act.

Sec. 7. (a) The medical use of marihuana is allowed under state law to the extent that it is carried out in accordance with the provisions of this act.

(b) This act shall not permit any person to do any of the following:

(1) Undertake any task under the influence of marihuana, when doing so would constitute negligence or professional malpractice.

(2) Possess marihuana, or otherwise engage in the medical use of marihuana:

- (A) in a school bus;
- (B) on the grounds of any preschool or primary or secondary school; or
- (C) in any correctional facility.

(3) Smoke marihuana:

- (A) on any form of public transportation; or
- (B) in any public place.

(4) Operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marihuana.

(5) Use marihuana if that person does not have a serious or debilitating medical condition.

(c) Nothing in this act shall be construed to require:

(1) A government medical assistance program or commercial or non-profit health insurer to reimburse a person for costs associated with the medical use of marihuana.

(2) An employer to accommodate the ingestion of marihuana in any workplace or any employee working while under the influence of marihuana.

(d) Fraudulent representation to a law enforcement official of any fact or circumstance relating to the medical use of marihuana to avoid arrest or prosecution shall be punishable by a fine of \$500.00, which shall be in addition to any other penalties that may apply for making a false statement or for the use of marihuana other than use undertaken pursuant to this act.

(e) All other acts and parts of acts inconsistent with this act do not apply to the medical use of marihuana as provided for by this act.

8. Affirmative Defense and Dismissal for Medical Marihuana.

Sec. 8. (a) Except as provided in section 7, a patient and a patient's primary caregiver, if any, may assert the medical purpose for using marihuana as a defense to any prosecution involving marihuana, and this defense shall be presumed valid where the evidence shows that:

(1) A physician has stated that, in the physician's professional opinion, after having completed a full assessment of the patient's medical history and current medical condition made in the course of a bona fide physician-patient relationship, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's serious or debilitating medical condition or symptoms of the patient's serious or debilitating medical condition;

(2) The patient and the patient's primary caregiver, if any, were collectively in possession of a quantity of marihuana that was not more than was reasonably necessary to ensure the uninterrupted availability of marihuana for the purpose of treating or alleviating the patient's serious or debilitating medical condition or symptoms of the patient's serious or debilitating medical condition; and

(3) The patient and the patient's primary caregiver, if any, were engaged in the acquisition, possession, cultivation, manufacture, use, delivery, transfer, or transportation of marihuana or paraphernalia relating to the use of marihuana to treat or alleviate the patient's serious or debilitating medical condition or symptoms of the patient's serious or debilitating medical condition.

(b) A person may assert the medical purpose for using marihuana in a motion to dismiss, and the charges shall be dismissed following an evidentiary hearing where the person shows the elements listed in subsection (a).

(c) If a patient or a patient's primary caregiver demonstrates the patient's medical purpose for using marihuana pursuant to this section, the patient and the patient's primary caregiver shall not be subject to the following for the patient's medical use of marihuana:

(1) disciplinary action by a business or occupational or professional licensing board or bureau; or

(2) forfeiture of any interest in or right to property.

9. Enforcement of this Act.

Sec. 9. (a) If the department fails to adopt rules to implement this act within 120 days of the effective date of this act, a qualifying patient may commence an action in the circuit court for the county of Ingham to compel the department to perform the actions mandated pursuant to the provisions of this act.

(b) If the department fails to issue a valid registry identification card in response to a valid application or renewal submitted pursuant to this act within 20 days of its submission, the registry identification card shall be deemed granted, and a copy of the registry identification application or renewal shall be deemed a valid registry identification card.

(c) If at any time after the 140 days following the effective date of this act the department is not accepting applications, including if it has not created rules allowing qualifying patients to submit applications, a notarized statement by a qualifying patient containing the information required in an application, pursuant to section 6(a)(3)-(6) together with a written certification, shall be deemed a valid registry identification card.

10. Severability.

Sec.10. Any section of this act being held invalid as to any person or circumstances shall not affect the application of any other section of this act that can be given full effect without the invalid section or application.

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 Tuesday, March 4:

House Bill Nos. 5589 5630 5798

The Secretary announced that the following official bills were printed on Tuesday, March 4, and are available at the legislative website:

**Senate Bill Nos. 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181
1182 1183**

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 748

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 748, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 4003.

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. 100

Yeas—37

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

Nays—0

Excused—1

Brater

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

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 Whitmer as Chairperson.

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

House Bill No. 4945, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 3206, 5506, 5507, 5508, and 5510 (MCL 700.3206, 700.5506, 700.5507, 700.5508, and 700.5510), section 3206 as added by 2006 PA 299 and sections 5506, 5507, 5508, and 5510 as amended by 2004 PA 532.

Senate Bill No. 82, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4940, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending the heading of part 101 and sections 10101, 10102, 10103, 10104, 10105, 10106, 10107, 10108, 10109, 10204, and 20165 (MCL 333.10101, 333.10102, 333.10103, 333.10104, 333.10105, 333.10106, 333.10107, 333.10108, 333.10109, 333.10204, and 333.20165), section 10102 as amended by 2003 PA 62, section 10104 as amended by 2005 PA 140, section 10108 as amended by 2006 PA 301, section 10204 as amended by 1999 PA 60, and section 20165 as amended by 1998 PA 108, and by adding sections 10110, 10111, 10112, 10113, 10114, 10115, 10116, 10117, 10118, 10119, 10120, 10121, 10122, and 10123; 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:
House Bill No. 4941, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 2 (MCL 28.292), as amended by 2005 PA 143.

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 proceeded to the order of

Introduction and Referral of Bills

Michigan Coalition for Compassionate Care

Legislative Initiative Petition

An initiation of legislation to allow under state law the medical use of marihuana; to provide protections for the medical use of marihuana; to provide for a system of registry identification cards for qualifying patients and primary caregivers; to impose a fee for registry application and renewal; to provide for the promulgation of rules; to provide for the administration of this act; to provide for enforcement of this act; to provide for affirmative defenses; and to provide for penalties for violations of this act.

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

Senators McManus, Kuipers, Kahn and Barcia introduced

Senate Bill No. 1184, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 502 (MCL 324.502), as amended by 2004 PA 587.

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

Senators Anderson, Prusi, Scott, Thomas, Olshove and Schauer introduced

Senate Bill No. 1185, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

Senators Switalski and Gleason introduced

Senate Bill No. 1186, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

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

Senators Stamas, Clarke, Gilbert and Hunter introduced

Senate Bill No. 1187, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 5 (MCL 207.803 and 207.805), section 3 as amended by 2007 PA 62 and section 5 as amended by 2003 PA 248.

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

Senators Gilbert, Clarke, Stamas and Hunter introduced

Senate Bill No. 1188, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 431b.

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

Senators Clarke, Gilbert, Stamas and Hunter introduced

Senate Bill No. 1189, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 6 and 8 (MCL 207.806 and 207.808), section 6 as amended by 2007 PA 150 and section 8 as amended by 2007 PA 62.

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

Senators Hunter, Clarke, Gilbert and Stamas introduced

Senate Bill No. 1190, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431 (MCL 208.1431).

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

House Bill No. 5589, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 109 and 182 (MCL 560.109 and 560.182), section 109 as amended by 1997 PA 87.

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. 5630, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30929 (MCL 324.30929), as added by 2004 PA 522.

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

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

House Bill No. 5798, 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 Energy Policy and Public Utilities.

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

The following communication was received and read:
 Office of the Senate Majority Leader

March 5, 2008

Pursuant to Senate Rule 3.203(c), I am hereby re-referring Senate Bill 1161 from the Senior Citizens & Veterans Affairs Committee to the Health Policy Committee.

Respectfully yours,
 Michael D. Bishop
 Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:
Campaign and Election Oversight - Senator Schauer replacing Senator Barcia.
 The standing committee appointment was approved, a majority of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

I rise today to introduce you to Dr. William H. Hastie, a pioneer of the Civil Rights Movement. Dr. Hastie graduated first in his class from Amherst College before attending and graduating from Harvard Law School. He then moved to Washington, D.C., where he taught law at Howard University.

One of his students was future Supreme Court Justice Thurgood Marshall. He also accepted an appointment as an advisor on racial issues for the United States Department of the Interior. In 1937, Hastie was appointed to the federal appeals court, the first African American to serve as such. Senator William King of Utah, chairman of the Senate Judiciary Committee, called Hastie's appointment a "blunder." In 1939, Dr. Hastie resigned from the court to become Dean of Howard University Law School, where he had previously taught.

During World War II, Hastie worked as a civilian aide to the Secretary of War, where he vigorously defended the equality of African-American troops in the war effort. In 1943, he resigned in protest, citing segregated training facilities, inadequate training for African-American pilots, and racial discrimination in job assignments.

Here is what Dr. William Hastie said: "It is not a pervasive argument that an evil should continue because it has existed in the past." And here is what Senator Martha G. Scott says: "Amen."

Just because our insurance system has always been unfair, discriminatory, and unjust, it is not a persuasive argument that such evil should continue. It is time for reform, it is time for revision, and it is time for change. And here is something else Senator Martha G. Scott says: "Move my bills, move my bills, move those bills."

Senator Cassis' statement is as follows:

It's morning in Michigan. As I dug out of the deep snow this morning, I thought about how tough Michigan's weather can be and yet how our people get up, meet the elements, and face the work of the day. Winters can be tough in Michigan, but that is what makes our people what they are—tough, resilient, industrious, hardworking, and caring.

I address you today on an economic issue that faces our small business entrepreneurs, the heart and backbone of Michigan's economy. I ask for your careful consideration and attention as I chronicle for you the story of a typical small business man. Young, enterprising, and ambitious, this man borrowed a few thousand dollars and went into partnership to open a restaurant. This restaurant was successful due to the hard work of the partners and their families.

This young man later went on to leave the partnership and established his own small business, borrowing more and more and opening more restaurants. Along the way, he employed hundreds of employees, giving them benefits and mentoring them, while appreciating their loyalty and hard work. Like so many other small business owners, he raised a family, paid taxes, asked for no special exemptions, and supported local charities of all kinds—Rotary, Boy Scouts, Girl Scouts, Lions, on and on.

No doubt each one of you has seen or heard of a similar successful business story. They are the people you meet and deal with every single day—your neighbors, your relatives, and maybe some acquaintances. They are the grocer, the neighborhood cleaner, the hardware employer, the electrician, and the plumber.

So the bill I am introducing today is aimed to help the small businesses with the elimination of the single business tax and the stimulus we hope to give large businesses through the Michigan business tax. Many small businesses are still feeling the crunch and the crush of our present economy and the burden of taxation and government regulation.

I look forward to having you as a co-sponsor to this important legislation and will keep it on my desk until tomorrow, Thursday.

Senator Brater entered the Senate Chamber.

Senator Switalski's statement is as follows:

I want to take a moment today to talk about the Governor's proposed capital outlay bill, and I hope that members will give it serious consideration. I ask members to keep an open mind about the proposal and weigh its value as a stimulus to our economy and a way of leveraging \$1 billion investment in Michigan jobs.

The Governor has recommended \$280 million in appropriations for the current year. That's a lot of money, but happily, it is someone else's money—the federal government's. There is nothing that should unify this Legislature more than the common desire to spend federal money, especially when some other state may claim these federal dollars if we don't spend them first.

Of this \$280 million, \$183 million is federal money for airport projects, and another \$27 million is federal money for military and veteran projects. We also have dedicated state trust funds for another \$35 million in natural resource projects and \$13 million more for waterways and boating access projects and special maintenance to state buildings. I believe these projects enjoy bipartisan support. But that is just the beginning. The Governor also recommends another \$550 million for State Building Authority projects, including \$300 million for universities, \$100 million for community colleges, \$100 million for state agencies, and \$50 million for green building incentives.

Legitimate questions have been raised as to whether we can afford this bonding. I hope my colleagues will come together and carefully review this question with open minds. These projects would cost us \$455 million a year in debt service for the next 20 years. The bond cap is at \$2.7 billion and we are at \$2 billion. We have room for \$550 million, and we would still be under the cap by \$100 million. We would have no costs until the 2010 budget, and the debt service would be less than we were paying in 2003. Our current SBA debt service is the lowest it has been since 1997. I don't think that is widely understood, Mr. President, and may not be listened to much, but we are worried about what it is going to cost us. It won't cost us anything for the next two years than we have paid in 10 years. We are well below what we have been able to support in these tough times.

The largest component is the \$300 million for universities. Normally, we put up 75 percent and the university puts up 25 percent on projects. But this time our \$120 million is leveraging \$381 million in investment by the Big 3 universities. Add in the other schools and the total spending is \$770 million. Community colleges and green incentives add another \$300 million.

So for our investment of \$55 million a year that starts two years from now, we'd be pumping a total of \$1.4 billion into Michigan's sluggish economy. It makes sense to do that now when people need it. I think it makes sense to bond for capital projects right now. We are paying construction tradesmen unemployment and providing them with benefits and Medicaid. Wouldn't it be better to have them working and paying us taxes instead of us paying them benefits? We can get the buildings now at a good price and stimulate our economy.

I'd ask people to consider one other factor. I think Michigan's approach to stimulating the economy compares favorably to the bipartisan approach agreed to in Washington, D.C., recently. The feds agreed to pay everyone \$1,500 at a cost of \$168 billion—all debt. In contrast, Michigan's proposal is putting people to work, building public buildings, and making repairs at a good price.

So spending \$55 million this way is better than at least two of the Governor's other proposals that spend a lot more. It's a better idea than the federal government's \$1,500 tax refund that spends \$168 billion. Good government is about making the right choices, and I look forward to sitting down with my colleagues and finding a compromise on capital outlay that invests in our infrastructure, our people, and our economy.

Senator Cropsey's statement is as follows:

I just want to commend the Governor because yesterday she said that she did not support the initiative that was just filed and sent to committee today in the State Senate dealing with the so-called medical marijuana use. Let me give you few reasons why, from an administrative standpoint, I believe this legislation is very flawed and why it needs serious study.

First of all, whenever you have an out-of-state interest group pushing something in Michigan, you have to be careful legally. This initiative was drafted by someone who is unfamiliar with Michigan law and the Michigan Constitution, as evidenced by the following: ignorance of Michigan law as basic as reversal of subparagraph and subdivision headings. Technically, it is flawed, and we cannot change it. Another reason is the complete ignorance of the Administrative Procedures Act, as the initiative in its Section 5 requires rules to be promulgated within 120 days, while the law allows

two years to ensure public input. This initiative is amending the APA by reference, which is unconstitutional. Worse, if the department follows the law of the APA and takes more than 140 days to promulgate rules, any person can merely submit their name, address, date of birth, and the name, address, and telephone number of their physician and they qualify to use medical marihuana—with no need to even state they have a disease, let alone submit a doctor's opinion or decision to use marihuana.

Let me restate that under this proposal, any healthy person, every single adult in Michigan could qualify to use marihuana if the department takes over 140 days to promulgate rules, which, by the way, is impossible to accomplish.

The definition of allowable diseases is unlimited. It is not limited to terminal, serious, or chronic diseases. The department can add any disease they desire, and the public can petition to add any disease they desire. This proposal, if adopted, may be completely unrecognizable in five years, or even five months, depending on the required public hearings within four months of enactment.

Why is that so dangerous? Even medical marihuana proponents admit that it takes days for the body to metabolize marihuana, so just daily smoking means that a person is always under the influence of marihuana. Let me remind you of statements I made on this floor two years ago about a woman who smoked one joint and then drove her car. She ended up crossing the center line while under the influence of marihuana, killing a young woman, crippling two elementary students for life, and seriously injuring another 6-year-old girl. One joint, one death, and three grievously injured young ladies. And under this initiative, any person who smokes marihuana cannot drive or work while under the influence of marihuana. Under this initiative, every single patient potentially loses their right to drive or work. What does this really mean for patients? Apparently, the out-of-state special interest groups don't care.

Let me mention just briefly, science. A recent study showed that marihuana smokers are 20 times more likely than tobacco smokers to contract lung cancer, and it only needs a joint or two a day to have this heightened risk. And I haven't even gotten to the so-called science referenced in the initiative. Suffice it to say, their own science does not support the initiative, but I will leave that to others to elaborate on later.

Folks, whoever drafted this so-called medical proposal is clearly unfamiliar with Michigan law and the Michigan Constitution. There is a huge loophole that could allow for a time frame to essentially legalize marihuana use for everybody in the state of Michigan. It is potentially devastating to patients, it could be found unconstitutional, and this proposal needs serious review.

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Whitmer as Chairperson.

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

Senate Bill No. 948, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44 (MCL 125.1444), as amended by 2004 PA 549.

Substitute (S-1).

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

1. Amend page 8, following line 24, by inserting:

"(c) Senate Bill No. 1133." and relettering the remaining subdivisions.

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. 950, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 24f.

Substitute (S-1).

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

1. Amend page 2, following line 7, by inserting:

"(c) Senate Bill No. 1133." and relettering the remaining subdivisions.

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. 951, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 1 (MCL 125.1401), as amended by 1998 PA 33.

Substitute (S-1).

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

1. Amend page 7, following line 13, by inserting:

"(c) Senate Bill No. 1133." and relettering the remaining subdivisions.

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. 1133, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44 (MCL 125.1444), as amended by 2004 PA 549.

Substitute (S-1).

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

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

House Bill No. 5443, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32a (MCL 125.1432a), as amended by 2004 PA 535.

Substitute (S-1).

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

1. Amend page 2, following line 25, by inserting:

"(e) Senate Bill No. 1133."

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

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

House Bill No. 5446, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2004 PA 535.

Substitute (S-1).

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

1. Amend page 12, following line 11, by inserting:

"(d) Senate Bill No. 1133." and relettering the remaining subdivision.

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.

Committee Reports

The Committee on Transportation reported

Senate Bill No. 296, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81129 (MCL 324.81129), as amended by 2003 PA 111.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
 Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom, Basham and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation reported

Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 743 (MCL 257.320a and 257.743), section 320a as amended by 2004 PA 495 and section 743 as amended by 2006 PA 298, and by adding section 320d.

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.

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Kahn, Van Woerkom and Gleason

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 Transportation submitted the following:

Meeting held on Tuesday, March 4, 2008, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Judiciary reported

Senate Bill No. 915, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XI (MCL 711.1), as amended by 2000 PA 111.

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, 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. 916, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15f of chapter XVII (MCL 777.15f), as added by 2002 PA 206.

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, Patterson, Whitmer 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. 1059, entitled

A bill to amend 1990 PA 211, entitled "The parental rights restoration act," by amending sections 3 and 4 (MCL 722.903 and 722.904).

With the recommendation that the bill pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn and Patterson

Nays: Senators Whitmer, Clarke and Prusi

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, March 4, 2008, at 1:00 p.m., Room 210, Farnum Building

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

The Committee on Local, Urban and State Affairs reported

House Bill No. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 4q and 4r (MCL 117.4q and 117.4r), section 4q as added by 2003 PA 316 and section 4r as added by 2003 PA 317.

With the recommendation that the bill pass.

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

Gerald Van Woerkom

Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Local, Urban and State Affairs reported

House Bill No. 5319, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 141b (MCL 125.541b), as added by 1992 PA 144.

With the recommendation that the bill pass.

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

Gerald Van Woerkom

Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Birkholz, Gleason and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submitted the following:

Meeting held on Tuesday, March 4, 2008, at 3:00 p.m., Room 110, Farnum Building

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

Absent: Senator Allen

COMMITTEE ATTENDANCE REPORT

The Subcommittee on K-12, School Aid, Education submitted the following:

Meeting held on Tuesday, March 4, at 2:05 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Brown, Garcia, Switalski and Clark-Coleman

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, March 4, 2008, at 3:15 p.m., Room 519, South Tower, House Office Building

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

Excused: Senator Hunter

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Economic Development submitted the following:
Meeting held on Wednesday, March 5, 2008, at 8:30 a.m., Room 110, Farnum Building
Present: Senators Jansen (C), George, Scott and Anderson
Excused: Senator Stamas

Scheduled Meetings

Agriculture - Thursday, March 6, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Capital Outlay - Thursday, March 6, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Community Colleges - Wednesday, March 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Health Department - Thursday, March 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Wednesday, March 12, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Wednesday, March 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary and Corrections - Wednesday, March 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

K-12, School Aid, Education - Tuesday, March 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Tuesday, March 11, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

Retirement - Tuesday, March 11, 12:00 noon, Room 810, Farnum Building (373-2768)

State Police and Military Affairs - Thursday, March 6, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Commerce and Tourism - Thursday, March 6, 9:00 a.m., Room 210, Farnum Building (373-2413)

Energy Policy and Public Utilities - Thursday, March 6, 1:00 p.m., Room 210, Farnum Building (373-7350)

Finance - Thursday, March 6, 11:30 a.m. or later immediately following session, Room 110, Farnum Building (373-1758)

Legislative Commission on Government Efficiency - Friday, March 21, 8:30 a.m., Room 426, Capitol Building (373-0212)

Legislative Commission on Statutory Mandates - Wednesday, March 26, 2:00 p.m., Oakland County Executive Office Building, Building 41-West, Conference Center/West Oakland Room, 2100 Pontiac Lake Road, Waterford (373-0212)

State Drug Treatment Court Advisory Committee - Tuesday, March 25, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:03 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Thursday, March 6, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

