

No. 11
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Wednesday, February 6, 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—excused
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

Reverend Dr. William Revely of Holy Hope Heritage Church of Detroit offered the following invocation:

Eternal God, we come today to ask that Your blessings be upon these men and these women who share the awesome responsibility of making the laws that govern our people. We ask, O God, that You would touch each one of them and bring them in tune with Your Spirit, that they might know that that spirit of goodness that is within You is also within them. Let that spirit take them to a higher level in every decision that they make, realizing that men and women, boys and girls hang in the balance with every time they take a vote.

Bless, O God, that they give the proper attention to every decision that they make; that they never leave You out of any decision. May the decisions be made not with party affiliation in mind, but only with what is best for our people. Grant it as You bless them, You would ignite a blessing that goes throughout Lansing and throughout Michigan; that every legislator, every politician, no matter where they are, might receive a boost from the new trend that comes from this place. Use them mightily today and throughout their session; it is our prayer.

In Your precious name, we ask these things. Amen.

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

Motions and Communications

Senator Basham entered the Senate Chamber.

Senator Cropsey moved that Senators Brown and Stamas be temporarily excused from today's session. The motion prevailed.

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

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

Senator Stamas entered the Senate Chamber.

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 messages from the Governor were received and read:

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office pursuant to Section 3 of 1965 PA 114, MCL 290.553:

Michigan Bean Commission

Mr. John E. Densmore of 5460 East Buchanan Road, Ithaca, Michigan 48847, county of Gratiot, succeeding Lowell F. Anderson, whose term has expired, representing District 2 growers, for a term commencing February 5, 2008 and expiring December 31, 2010.

Mr. Ross E. Voelker of 934 South Caseville Road, Pigeon, Michigan 48755, county of Huron, succeeding Neal S. Gettel, whose term has expired, representing District 6 growers, for a term commencing February 5, 2008 and December 31, 2010.

Mr. Jack C. Frank of 2080 Wheeler Road, Bay City, Michigan 48706, county of Bay, reappointed to represent District 1 growers, for a term expiring December 31, 2010.

Ms. Fran K. Arbogast Carlson of 4795 Reed Road, Howard City, Michigan 49329, county of Montcalm, reappointed to represent District 7 growers, for a term expiring December 31, 2010.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 4 of the Child Abuse and Neglect Prevention Act, 1982 PA 250, MCL 722.604:

State Child Abuse and Neglect Prevention Board

Ms. Abby B. Dart of 659 Pine Street, Harbor Springs, Michigan 49740, county of Emmet, reappointed to represent parents, for a term expiring December 19, 2010.

Mr. Paul N. Shaheen of 8118 Cutler Road, Bath, Michigan 48808, county of Ingham, reappointed to represent professional providers of child abuse and neglect prevention services, for a term expiring December 19, 2010.

Mr. Scott M. Stevenson of 1093 Wild Ginger Trail, Haslett, Michigan 48840, county of Ingham, reappointed to represent volunteers in child abuse and neglect prevention services, for a term expiring December 19, 2010.

Ms. Tamara D. Vander Ark of 13077 Stonegate Lane, Grand Haven, Michigan 49417, county of Ottawa, reappointed to represent organized labor, for a term expiring December 19, 2010.

Dr. Sophie J. Womack of 2310 West McNichols, Detroit, Michigan 48221, county of Wayne, reappointed to represent the religious community, for a term expiring December 19, 2010.

February 5, 2008

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

Farm Produce Insurance Authority Board of Directors

Mr. Scott D. Miller of 6757 Warren Road, Elsie, Michigan 48831, county of Shiawassee, succeeding William L. Uphaus, whose term has expired, representing the largest Michigan organization exclusively representing the interests of corn producers in Michigan, for a term commencing February 5, 2008 and expiring June 20, 2010.

Ms. Carmen L. Cousino of 8032 Crabb Road, Temperance, Michigan 48182, county of Monroe, reappointed to represent producers from the largest Michigan organization representing general farm interests in Michigan, for a term expiring June 20, 2010.

Mr. Lyle H. LeCronier of 5855 Flajole Road, Freeland, Michigan 48623, county of Bay, reappointed to represent the largest Michigan organization exclusively representing the interests of soybean producers in Michigan, for a term expiring June 20, 2010.

Mr. Arthur A. Loeffler of 878 Zehnder Drive, Frankenmuth, Michigan 48734, county of Saginaw, reappointed to represent the largest Michigan organization representing the interests of licensees in Michigan as a nonvoting member, for a term expiring June 20, 2010.

Mr. Mark K. Stoeckle of 5776 Schweigler Road, Cass City, Michigan 48726, county of Tuscola, reappointed to represent the largest Michigan organization representing the interests of agricultural lenders in Michigan, for a term expiring June 20, 2010.

Mr. Gene R. Van Driessche of 1312 South Scheurman Road, Bay City, Michigan 48708, county of Bay, reappointed to represent the largest Michigan organization exclusively representing dry bean producers in Michigan, for a term expiring June 20, 2010.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 50504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50504:

Michigan Forest Finance Authority Board of Directors

Mr. Paul J. Eisele of 9214 Whispering Pines Drive, Saline, Michigan 48176, county of Washtenaw, reappointed to represent the wood products manufacturing industry, for a term expiring May 31, 2009.

Mr. Shawn P. Hagan of 33687 Lake Gerald Road, Toivola, Michigan 49965, county of Houghton, reappointed to represent owners of nonindustrial, private forestland, for a term expiring May 31, 2010

Mr. Garrett M. Johnson of 615 Kedzie Street, East Lansing, Michigan 48823, county of Ingham, reappointed to represent hunters, anglers, and other outdoor recreation interests, for a term expiring May 31, 2009

Mr. Warren H. Suchovsky of N9677 County Road 577, Stephenson, Michigan 49887, county of Menominee, reappointed to represent commercial logging contractors, for a term expiring May 31, 2010.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501:

Commission of Natural Resources

Ms. Mary C. Brown, a Democrat, of 1624 Grand Avenue, Kalamazoo, Michigan 49006, county of Kalamazoo, reappointed for a term expiring December 31, 2011.

Reverend Hurley J. Coleman, Jr., a Democrat, of 11 Cobblestone Place, Saginaw, Michigan 48603, county of Saginaw, reappointed for a term expiring December 31, 2011.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointment to state office under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905:

Michigan Natural Resources Trust Fund Board

Mr. Dennis C. Muchmore of 8822 West Lakepointe Drive, Laingsburg, Michigan 48848, county of Shiawassee, succeeding the late Marvin S. Washington, representing the general public, for a term commencing February 5, 2008 and expiring October 1, 2010.

Ms. Lana B. Pollack of 345 Sumac Lane, Ann Arbor, Michigan 48105, county of Washtenaw, reappointed to represent the general public, for a term expiring October 1, 2011.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 22 of The Public School Employees Retirement Act of 1979, 1980 PA 300, MCL 38.1322:

Public School Employees' Retirement Board

Ms. Susan W. Meston, Ph.D., of 18076 Hickory Street, Spring Lake, Michigan 49456, county of Ottawa, succeeding Gary W. Allen, who has resigned, representing school superintendents, for a term commencing February 5, 2008 and expiring March 30, 2009.

February 5, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office pursuant to Section 28 of Article 5 of the Michigan Constitution of 1963 and Section 3 of 1964 PA 286, MCL 247.803:

State Transportation Commission

Ms. Maureen M. Brosnan, a Democrat, of 11320 Arden, Livonia, Michigan 48150, county of Wayne, reappointed for a term expiring December 21, 2010.

Mr. James R. Rosendall, an Independent, of 1284 Valley View Court, Grand Rapids, Michigan 49544, county of Kent, reappointed for a term expiring December 21, 2010.

Sincerely,
Jennifer M. Granholm
Governor

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

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 Scott 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 without amendment, the following bill:

Senate Bill No. 1051, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261).

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

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

Senate Bill No. 865, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5805 and 5839 (MCL 600.5805 and 600.5839), section 5805 as amended by 2002 PA 715 and section 5839 as amended by 1985 PA 188.

Substitute (S-3).

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

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

Senate Bill No. 1052, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 109 (MCL 208.1109).

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

1. Amend page 2, line 9, after "States" by inserting "**EXCEPT FOR THE COMMONWEALTH OF PUERTO RICO**".

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

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

Senate Bill No. 1056, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 115 (MCL 208.1115).

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

1. Amend page 2, line 21, after "States" by inserting "**EXCEPT FOR THE COMMONWEALTH OF PUERTO RICO**".

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

Resolutions

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

Senate Concurrent Resolution No. 22

The motion prevailed.

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 145

The resolution consent calendar was adopted.

Senator Brown offered the following resolution:

Senate Resolution No. 145.

A resolution to recognize February 6, 2008, as Ronald Reagan Day in the state of Michigan.

Whereas, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, governor of California, and President of the United States; and

Whereas, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America; the second of which he earned the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election—a record unsurpassed in the history of American presidential elections; and

Whereas, In 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

Whereas, During Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to an unprecedented economic expansion and opportunity for millions of Americans; and

Whereas, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

Whereas, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's armed forces to meet 21st century challenges; and

Whereas, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

Whereas, February 6, 2008, will be the 97th anniversary of Ronald Reagan's birth and the fourth since his passing; now, therefore, be it

Resolved by the Senate, That the members of this legislative body do hereby declare February 6, 2008, as Ronald Reagan Day in Michigan. We urge all the citizens of Michigan to take cognizance of this event and participate fittingly in its observance; and be it further

Resolved, That a copy of this resolution be transmitted to the Ronald Reagan Legacy Project as a token of our highest esteem.

Senators Barcia, Bishop, Cassis, Gilbert, Pappageorge and Richardville were named co-sponsors of the resolution.

Introduction and Referral of Bills

Senators Jelinek, Prusi, Gleason, Barcia, Allen, Kuipers and Jansen introduced

Senate Bill No. 1084, entitled

A bill to authorize the removal, capture, or lethal control of a gray wolf that is killing, wounding, or biting livestock under certain circumstances; and to promulgate rules.

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

Senators Richardville, Birkholz, Patterson, Van Woerkom, Basham, Prusi, Cherry and Barcia introduced

Senate Bill No. 1085, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

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

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Some 50 years ago, the author Peter Abrahams, the South African novelist, observed that, "To get where you want to go, you can't only do what you like," and isn't that the truth. While some of you may think I enjoy getting up here day after day, session after session, and demanding, requesting, asking, and pleading for action on my bills, you are wrong.

One of the high points of my career as a legislator will be when the Statements portion rolls around and you all look toward me to get up and rant, I can just sit there and smile because my bills will have passed, and my dream will have come true. But until that day, I can't only do what I like because to get where I want to go, I must once again rise to implore you to move those bills.

Senator Brown entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

Senate Bill No. 962

Senate Bill No. 963

Senate Bill No. 965

Senate Bill No. 966

Senate Bill No. 964

Senate Bill No. 1075

The motion prevailed.

Senator Hunter entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 962, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 51a, 208c, 303, 307, 310, 312a, 314, 321b, 810b, 811, and 812 (MCL 257.40b, 257.51a, 257.208c, 257.303, 257.307, 257.310, 257.312a, 257.314, 257.321b, 257.810b, 257.811, and 257.812), section 40b as added by 1997 PA 100, section 208c as amended by 2004 PA 362, sections 303, 307, and 314 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 321b as amended by 2002 PA 534, section 810b as amended by 2006 PA 549, section 811 as amended by 2006 PA 589, and section 812 as amended by 2005 PA 142, and by adding sections 30c, 78b, 310f, and 310g.

The question being on the passage of the bill,
 Senator Gleason offered the following substitute:
 Substitute (S-3).

The substitute was not adopted, a majority of the members serving not voting therefor.
 Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The substitute was not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 27**Yeas—16**

Anderson	Clark-Coleman	Jacobs	Scott
Barcia	Clarke	Olshove	Switalski
Basham	Gleason	Prusi	Thomas
Cherry	Hunter	Schauer	Whitmer

Nays—21

Allen	Garcia	Jelinek	Patterson
Birkholz	George	Kahn	Richardville
Bishop	Gilbert	Kuipers	Sanborn
Brown	Hardiman	McManus	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom
Cropsey			

Excused—1

Brater

Not Voting—0

In The Chair: President

Protest

Senator Cropsey, under his constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of the substitute offered by Senator Gleason to Senate Bill No. 962 and moved that the statement he made during the discussion of the substitute be printed as his reasons for voting “no.”

The motion prevailed.

Senator Cropsey’s statement is as follows:

As I’ve listened to this debate, it just seems like there’s a total lack of focus by the proponents of this substitute as to what this substitute actually does. We were just told that this substitute is a common-sense solution. Really now? Here are 10 reasons why I think we ought to be opposing this substitute:

Reason No. 10 - It hurts seniors. Your driver’s license will no longer qualify you to fly. Seniors, you’re going to need a passport. If you vote for this substitute, you’re telling every single snowbird in this state that they now need a passport to fly to Florida or Arizona. You might as well declare Michigan to be a foreign country.

Reason No. 9 - It’s very hostile to business. If your company has conventions, trainings, or headquarters outside of Michigan, and you live and work in Michigan, you’ll need a passport to fly to your annual company convention. What a great sales pitch. And here we are talking about encouraging the film industry to come to Michigan, but the only way the Film Office or the MEDC can fly to California is if they have a passport. We’ll end up having to pay for our state

employees to get passports to fly to national meetings or fly to go to other states. And what a great closing line we'll have: "And if you really like Michigan and end up staying here, you'll need a passport to leave." That sounds good doesn't it?

Reason No. 8 - It's hostile to our budget. If we do this now, the federal government will give us funding to help implement it. If we adopt this sub, we are shifting all of the costs onto the private citizens who will be required to obtain passports, as well as encumbering the state budget to have to fully fund this issue, as we will eventually have to do to join the 21st century economy.

Reason No. 7 - This is a slap in the face to every citizen in this state. Thirty-five percent of all identity theft in this country is perpetrated with the help of fraudulent driver's licenses. This substitute will no longer require the Secretary of State to use the most up-to-date practices to verify that you are really who you claim to be. Every single victim of identity theft and every single person concerned with identity theft ought to be highly concerned that this substitute makes Michigan one of the more promising places to steal somebody's identity.

Reason No. 6 - This substitute is dangerous. The 9/11 hijackers used 30 licenses and state ID cards obtained fraudulently, many of them obtained fraudulently, including Michigan licenses and 364 aliases to set up their terrorist attacks. Under this sub, Michigan will be one of the best places in the nation to continue such fraud. Terrorists will be one step away from getting a hazmat license, allowing them to drive propane trucks and gasoline tankers. This sub basically establishes a new state motto: "We're the weak link."

Reason No. 5 - This substitute is negative advertising. Imagine being a national business looking to locate a new headquarters or a plant in Michigan. Other states? Just get a driver's license. Michigan? You need a passport to fly anywhere else in the country. Why on earth would any company want to locate in Michigan? We've already heard the international outcry about needing licenses for noncitizens, and this sub, rather than solving the problem, puts a Band-Aid on it while sacrificing the true needs of rebuilding our economy.

Reason No. 4 - This substitute is harmful to higher education. How on earth do you expect our institutions of higher education to attract national or international talent when their Michigan license will not be good for identification purposes all over the country? I can see the University of Michigan disclaimer now: "Come live and teach in Michigan - some restrictions apply." Do you really think the University of Michigan, Michigan State University, Wayne State University, and any other research university want to have to get passports for its athletic teams so they can play other schools around the country?

Reason No. 3 - This substitute disenfranchises every Michigan adult. If you can go anywhere else in the country, for any reason, business or vacation, and they require ID, your license will not qualify. Go to any federal building? Need a passport. Going to Washington, D.C., to see the sights? Forget the Capitol or the Smithsonian, unless, of course, you have your passport. But maybe they're trying to discourage out-of-state vacations because that's what this sub would really do.

Reason No. 2 - It is a huge disfavor to any legal alien who has a Michigan license and who drives outside of Michigan. Heaven forbid if they're pulled over. Their license may not be good enough to prove that they are who they say they are. Unless they have a passport, they may spend an awful lot of time trying to prove that they are who they really claim to be. The whole point of this legislation was to help legal aliens, but this substitute is doing just the opposite.

And, finally, my last reason is really all of the above. How on earth can anyone stand up here and defend this substitute, knowing that it ties Michigan to the 1900s while the rest of the country moves on?

Folks, this is 2008. No matter how much we may want to think otherwise, times have changed. This substitute is dangerous and it's deadly to the 21st century economy. The bill in front of us is the result of 2,973 people who died on September 11, 2001, but this substitute attempts to turn back the clock. No amount of wishful thinking can change the fact that Michigan residents need better protection than this substitute can offer. It deserves only to be thrown into the trash heap of history, and the sooner the better.

I urge a "no" vote on this substitute.

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. 28

Yeas—28

Allen	Clarke	Jansen	Patterson
Anderson	Cropsey	Jelinek	Richardville
Barcia	Garcia	Kahn	Sanborn
Birkholz	George	Kuipers	Schauer
Bishop	Gilbert	McManus	Stamas
Brown	Hardiman	Olshove	Switalski
Cassis	Hunter	Pappageorge	Van Woerkom

Nays—9

Basham
Cherry
Clark-Coleman

Gleason
Jacobs

Prusi
Scott

Thomas
Whitmer

Excused—1

Brater

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Protests

Senators Basham, Whitmer, Jacobs, and Gleason, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 962.

Senators Basham, Whitmer and Gleason moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Basham’s statement is as follows:

I will be opposing this bill because of combining two issues: the Real ID Act with the driver’s license debacle that we have gotten ourselves into as a State Legislature trying to fix an Attorney General’s opinion that is denying at least 48 categories of folks who are here legally to be unable to get a driver’s license—all those reasons.

There has been a lot of conversation about the driver’s license but very little conversation about the Real ID Act. This would be a bipartisan solution to the driver’s license fix if we would disconnect the Real ID Act from this piece of legislation. Then this would be a bipartisan fix. Because the Real ID Act is connected to the driver’s license fix, I will not be supporting this piece of legislation.

Senator Whitmer’s statement, in which Senator Jacobs concurred, is as follows:

I rise in support of the Gleason substitute. I also rise to respond to some comments that were made. If we are going to be demagoguing on 9/11, a national tragedy, we owe it to our constituents and the world to get our facts straight. I applaud the Senator from the 22nd District for making the point that all of the people involved with causing that awful day were here legally. If you read your Attorney General’s opinion, they would have been granted driver’s licenses. This doesn’t change any of that. So let’s call it what it is; it’s demagoguing on the issue.

The problem that we have is that your Secretary of State is misinterpreting your Attorney General’s opinion to deny driver’s licenses to people who are here legally. This impacts people from executives at Toyota to MSU students, the same students for whom I rose to this microphone and pled, please, let’s fix this.

Your Secretary of State has misinterpreted the Attorney General’s opinion to deny them driver’s licenses. Now we are going far beyond actions we need to take to rectify that and attaching this to an issue we don’t need to address at this juncture. We’ve turned it political. We needed a quick fix to do something right for the people of the state of Michigan. You’ve turned it political, turned it upside down on its head, and used 9/11 to justify it. I think that is nauseating.

You don’t have a problem with the law. You have a problem with the way your Secretary of State is interpreting it to deny people driver’s licenses. Fix that problem.

Senator Gleason’s first statement is as follows:

I rise to offer a common-sense solution for the disagreement between the two statewide officers: the Attorney General and the Secretary of State. Even in the committee hearing process, we understood there was confusion between these two branches of government.

I believe that we should separate these two issues: the Real ID and the Michigan driver's licenses and IDs should be separated. We heard very, very compelling information from those who do business in our state, both in the manufacturing and in the agricultural industries, how onerous this is to their efforts to produce their products. Now Charles Dickens said, "These are the best of times. These are the worst of times." We see our state struggling to bring investors and jobs that are created by these investors and then we put up these hurdles. We heard from the Japanese Consulate that they were intimately affected. Tens of thousands of jobs from our visitors to this state who do business every single day in a responsible way cannot get their workers the documents that are required from our state government.

It was fully indicated in the committee process that there is no immediate need for the Real ID. It was also pointed out that those who are presently running for President, three of the leading four candidates said that they do not support the Real ID. Now a few weeks ago, there were some folks who were pretty giddy when Governor Granholm said that she wasn't going to raise taxes anymore. But yet, we are going to raise the individual financial obligation of those who will have to get the Real ID. For a number of years down here at the Capitol, we've tried to distinguish between a fee and a tax; that a fee was the political-correct terminology to use when indeed we were taking money from our Michigan residents. I agree with many in this room that there is no difference between a fee and a tax.

We're offering a \$12.00 fee for the Real ID. Now it was pointed out that we really don't need to implement this Real ID until 2014, but there are other collateral problems with the Real ID as well. We in this room unanimously supported resolutions—legislation—that said that we would keep all of our Secretary of State offices open across this state. The Secretary of State has closed over 30 and she has indicated that she will close several more. Now when we tell the people in Michigan that they must go get that Real ID, they have to go in person, even though they will be encumbered by the number of Secretary of State offices that will be closed. So we will not only inconvenience our Michigan residents with a financial obligation, but also the time and the distance they will have to travel to the proposed Secretary of State consolidation as well.

They are indicating that nearly \$4 million—now you all have been through this process down here, some of you longer than I have. When they are projecting that it will cost at least \$4 million, my experience here has said that it will probably be a lot more than \$4 million that it will take to implement this plan. So we have said that we will not raise taxes and that we're going to pay for the programs as we go along. So once again we are seeing a potential \$4 million or more expenditure with no means or no measures to pay for this \$4 million obligation to implement this Real ID.

So let's do the sensible thing and let's separate these two obligations. How are we going to feel as a state if we expend resources towards a program that in a few short years or possibly sooner, those in Washington will say that we are not going to implement this Real ID program? Our resources are limited and precious.

The workers who come to this state for medical purposes, manufacturing purposes, and academic purposes are being implicated every single day when they go for driver's license renewal. I mentioned to you yesterday, immediately upon the opinion, back home at the University of Kettering—that's a world-renown institution—three of their students who were here legally could not get a driver's license. This is real. We are affecting our friends who are coming to this state. We see a tremendous effort reaching across the sea to bring jobs here. Our opportunities for expansion and growth are limited, so we must broaden our efforts. We must bring those in from foreign lands who are willing to come to our state and invest.

Let's do the right thing. Let's split these two obligations between the Real ID and the Michigan's driver's license. We are hurting people every single day. We are hurting our economy at a greater rate than we are hurting our people. I ask that the Senate do the right thing: Take care of the immediate need and we'll take care of the Real ID when it becomes a more valid effort at a particular time down the road.

Senator Gleason's second statement is as follows:

There has been no indication, either written or verbally, saying that I or others support giving government documents to illegals in this state. It has been brought to my attention with the top 10 list that has been discussed by the Senator from the 33rd District that that is just another indication of why the writers' strike must end in Hollywood. I don't know if David Letterman himself would take the opportunity to put such real issues before us.

Folks, this is vitally important. We are talking about carnage and death of American citizens. It may be politically prudent to point out the issues of 9/11. I have stood here before you and told you that we lost our nephew in Iraq. I am not using this for political purposes, but government decisions that have been made in the past, and I would propose in the future, offer opportunities for death or life. There is a balance. We have a responsibility to provide the honor and dignity of human life and should not be using past experiences. We shouldn't be using the death of our fellow countrymen as a political tool.

In regard to the passports mentioned earlier, the passports were actually derived from an idea that came to us from the nation's capital. They have promoted and prompted and said that this something that we need. Only a few days ago, we see that it was somewhat relinquished not from our hands, but those who lead our government at the federal level.

I am reminded during this debate that we talk about illegal aliens using legal documents to destroy human life. We can look back a few years earlier when we had a Michigan resident who blew up a federal government building in Oklahoma City. He had those who hated him. They were not from the Middle East or Mexico; they were from Michigan. We have

seen another gentleman, if that is the appropriate term, the Unabomber, with Michigan ties. We had another Michiganiaan with legal ties using them to destroy human life as well.

My legislation is so simple. It just says that if you are in this state illegally, you do not get government documents giving you the privilege to drive. Anyone who paid attention in the committee meeting knows that there is no immediate concern with the Real ID. To reiterate again, we are impeding those who have come to our state for academic and business purposes. Every single day we are denying people the right to drive to work and the right to go and perform medical procedures on our family members.

We should not get lost in this debate. Neither phobias nor frenzies should determine whether or not this is the right thing to do, to split this Real ID and this driver's license issue. Let's take care of the immediate need. We are going to have some trouble if those down the road who make a decision to say that we are not going to deal with the Real ID and we have tied up business and spent resources. So I think that we need to support this substitute. Let's get back to the business of business in this state. Let's take care of those friends who have come to our state to invest.

Senators Basham, Sanborn, Kahn, Switalski, Hardiman, Anderson and Brown asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Basham's first statement is as follows:

It's interesting. I'm starting to get conflicting information on these bills. I don't see why they should be moving forward, particularly when we're getting information back from the Attorney General that actually conflicts with the Secretary of State in this state.

I would like to explain my reasons for opposing these bills. The sponsor of this bill said it's necessary because people who are in this country illegally can get driver's licenses in Michigan. That is untrue. The recent opinion issued by Attorney General Mike Cox and the subsequent implementation by the Secretary of State has assured that no one in this country illegally can get a driver's license in Michigan. In her testimony before the Transportation Committee, Secretary Land made it clear that her office is not issuing licenses to illegals. So we don't even have a need for this bill.

I don't think that I've heard any opponent of the bill say that they are supportive of giving driver's licenses to those who are in this state illegally. In fact, my colleague Senator John Gleason, his substitute which we supported clearly states that. In testimony before the committee, a representative from the Attorney General's office testified that the Attorney General did not believe that the opinion he issued prohibited the Secretary of State from issuing temporary licenses to people who were here legally even if they weren't permanent citizens. That is the Secretary of State's interpretation and her basis for refusing to issue licenses to people who have permission to be in this country and, in fact, in this state.

It appears that the disagreement between the Attorney General's office and the Secretary of State's office is the reason that jobs in Michigan are being threatened. In an effort to settle that disagreement, we're being asked to impose new burdens and new costs on all the citizens of Michigan to enact the Real ID Act—their provisions—before it is even necessary to do so.

I would ask that my colleagues not support this legislation.

Senator Sanborn's first statement is as follows:

I concur with my colleague who is the chairman of the Transportation Committee that we should defeat the substitute and support the bill. I've been the sponsor of this bill and this issue since coming to the Senate some six years ago or seven years ago. I've seen people drag their feet on this issue, and I say that now is the time that we get going and move these bills.

I've heard about the cost to Michigan, but I want to talk to you again about the cost if we don't move this package of bills. Again, I'll remind you of the terrorists threat. I'll ask you to think back to 9/11 and recall the 19 terrorists who flew on those planes had as many as 30 illegal driver's licenses. I reiterate the point of the threat to schools. You know, we talk about the per-pupil funding and that money is being siphoned off because there are illegals who are in our schools, and there is a cost to our schools. So for those of you like myself who fight for quality education for each one of our students who are here legally and entitled to quality education, that money is being siphoned away by our per-pupil funding. The costs to health care, and again, as I said yesterday, a couple of my colleagues who are here who are doctors have seen it firsthand the illegals who are coming to our emergency rooms. That is a cost to our health care system and to our taxpayers. The overcrowding in jails; I know that in Macomb and Oakland counties our jails are constantly being overcrowded. Again, go home and talk to your sheriffs. I hope you did last night. Talk to your sheriff about the illegal aliens who are in our jails.

The previous speaker got up and talked about the cost of transportation. Again, if we don't pass this, you are going to need a passport just to board a plane to go from Detroit to Chicago. Wait and see how angry that your constituents are then. I just paid for passports for my family. Just be prepared to travel on a plane. It's a lot more costly than the cost we're talking about here.

Again, I reiterate—the people who have migrated here for generations in a legal capacity. My good colleague, the Senator from the 13th District who is of Greek extraction, very sensitive to this issue for people who have migrated here

legally. If this doesn't pass, the people who are here on legal student visas, on legal work visas, and because of the Attorney General's opinion, perhaps an unintended consequence, they are unable to get licenses through the Secretary of State right now. Let's quit the partisan bantering and let's help those folks out who, like the legal immigrants who have migrated here for generations, have done so legally. Again, my wife, a second-generation Italian American—I talked to her "mamuch"—I talked to her mother about this issue and she is insulted by it. Her family migrated here legally. They came through Ellis Island, migrated legally, and they had to go through all the proper channels, yet people are just able to walk across the borders, drive across the Canadian border and illegally get licenses here. That is very unfortunate.

Legal immigration is part of what has made this nation great for many generations. For those of you who want to muddy up the waters and drag your feet even more and put it off and put it off, at what cost? Are you waiting for the next 9/11? What cost? What will you say then? Let's keep it simple. Let's not muddy up the waters. Let's keep it simple and just say to the people who ask you about this issue, say to them, "What don't you understand about illegal?" What don't you understand about illegal? If you fail to support the legislation, then you are sanctioning this illegal behavior and you have betrayed your oath of office, in my estimation.

Senator Basham's second statement is as follows:

I can appreciate the comments of the Senator from the 11th District, but, in fact, he keeps talking about illegal and my conversation was that Senator Gleason's bill talks about illegals. Certainly, no one from either side of the aisle wants to give driver's licenses to folks who are illegal. That's just like comparing that to saying there are weapons of mass destruction in Iraq. There are no weapons of mass destruction in Iraq regardless of how you feel about the war in Iraq.

Another reason that I'm opposing this legislation is a conservative think tank. The Cato Institute said, "If you think going to the Secretary of the State's office is a pain now, wait until the REAL ID Act takes effect in May of next year. If Michigan complies, it will be required to overhaul drivers' licenses to meet strict federal guidelines creating a de facto national ID card.

Data on every American driver would be entered into a national database. Understandably, many people have privacy concerns about REAL ID. But this is just one reason for Michigan to join the three other states that have already refused to comply with the act.

For starters, there are significant cost concerns. Originally estimated by the National Conference of State Legislatures to cost \$11 billion nationwide, the Department of Homeland Security now says implementing the law will cost \$17 billion. This burden would fall disproportionately on Michigan because of its large population.

The reason the feds are imposing these costs is because they think it will increase national security.

Many people are fixated on the Sept. 11 attack, and it was a significant event, to be sure. But we must build our security systems to address future attacks coming from any number of threats. REAL ID would be, at best, a modest inconvenience to foreigners plotting an attack, and no inconvenience at all to domestic attackers—well, no more inconvenience than every American would have to suffer in line at the secretary of state's office."

When the Secretary of State is closing offices—and she's closed four or five in my district alone and she's closed offices in Senator Brown's area—everyone around here is getting their Secretary of State's offices closed. This is going to be a significant burden on people who have to personally have to go to a Secretary of State's office to get their driver's licenses at a new increased fee.

If anyone would like to read what the conservative think tank Cato Institute says about Real ID, they are certainly opposed to it. Again, you know, no one wants illegal immigrants getting driver's licenses in the state of Michigan. The Senator from the 11th District is talking about illegal immigrants. That's not what we are talking about when we are denying, at least under 48 categories of legal-documented foreign folks, whether they are here for higher education or here to work. For example, there are 10,000 Japanese here in the state of Michigan with significant investments who are going to be denied a driver's license under this legislation.

I would encourage members to continue to oppose these bills.

Senator Kahn's statement is as follows:

For me, this issue cuts to the chase of what government is about. A government has the responsibility of protecting its citizens, its borders, and the lack of the ability to do such is no government at all. This is a function of government back to our Founding Fathers and still today. The substitute weakens that function of government, and I oppose it.

Senator Sanborn's second statement is as follows:

This debate is really great for me because it allows my constituents to see firsthand how in the world this process has gotten bogged down for all of these years and we haven't fixed the problem. First, the problem being that illegal immigrants were using Michigan as a mecca to come here and get driver's licenses. Now a far-reaching Attorney General's opinion has created a little difficulty, an unintended consequence, that people who want to come here legally on student visas, work visas are being shut out from getting driver's licenses.

So we're going to keep this simple. There are people who want to bog this process down. The foot-draggers, let's not fix the problem. They'd like to delay this issue. I say again, let's keep this simple. If you vote the substitute down and you pass the legislation, then we address both problems. The first being that people who are here—let me reiterate this

because there are those out there who want to cloud the issue—there are people who are here illegally who want to get driver's licenses. We have to put a stop to that. But again, there are people here through legal channels—work visas, student visas—and they are being denied the right to get a license.

If you support the bill and vote down the substitute, you are fixing both of those problems. It's unfortunate that I'm being denied my right to freedom of speech today and being called a demagogue because I address 9/11. I'm not afraid to talk about 9/11 and the terrorists who used illegal driver's licenses to set up this terrorist attacks. I appreciate the junior Senator deciding that she will be the self-imposed conscience of the Senate and determine who is going to be a demagogue and who will not be allowed to give free speech.

To reiterate the point, if you pass the bill and vote down the substitute, you are addressing both problems of illegal aliens getting driver's licenses and people who are here under legal channels, as the many great immigrants who have come to this country have, could be getting driver's licenses are being shut out now; those who are here on student visas and work visas. We need to address that problem as the good Senator from the 13th District has brought to this Legislature's attention.

Senator Switalski's statement is as follows:

I support these bills with some reservations. There are certainly flaws in the Real ID law, but I think the rhetoric on both sides has been somewhat inflated today. I believe the House is going to take a different view of this bill, so we ought to just lower the volume, move this forward, let it proceed, and reach some compromise.

But there's really three reasons why I'm going to support this bill today. We must move quickly to fix the driver's license problem for legal aliens. No. 2, at some point, we must deal with and comply with the federal Real ID law. Third, this is just the first step in the legislative process, and we need to get movement immediately. So I am supporting the bill for those reasons.

Senator Hardiman's statement is as follows:

I rise today to speak in favor of this legislation. I want to give my appreciation to its sponsor and the sponsors of this package.

I have a daughter and son-in-law who are at the University of Michigan. They've stayed on campus. They know a wide variety of people, people from different countries, backgrounds, and walks of life. My daughter was quite upset when she heard that some of her friends who were here legally—were not citizens but were here legally—went to the Secretary of State's office and couldn't get their driver's license. I share that very deep concern, and I think that has been reflected by folks on both sides of the aisle here today. So I won't go over all of the reasons; that's just an awful position for Michigan to be in. It doesn't send the right kind of message for a state that wants to move strongly into the future with contributions from people from various countries. So we know that we need to change that and this bill does that.

I also want to mention my son-in-law. My son-in-law, who is from Nairobi, Kenya, came here as a student and met my daughter, and obviously, fell in love with her. Who could blame him. But he went on to get his green card and went through a long and very difficult process working with the INS. While my daughter is an attorney and deals in immigration—that's her area—it was still difficult, long, and tedious. Then he went beyond that to gain his citizenship—again, a long difficult process. But we stood there proudly as he became a United States citizen.

If we are going to have laws regarding immigration, then there ought to be a difference. So the driver's license, the Real ID, I think, makes that difference that is found in this legislation, and that is why I support it. I ask my colleagues to do the same.

Senator Anderson's statement is as follows:

I am really troubled by the tone of the conversation and the discussion on the floor. I had hoped for a higher level of debate and discussion once coming to the Senate. But it's unfortunate that issues like this tend to sometimes bring out the worst in some folks. It's very troubling to see this for the young schoolchildren who are visiting the chamber day to day.

Real ID and this issue that was created by the Attorney General's opinion are two separate issues. It's unfortunate that they have chosen to roll these two together in this legislation. I did want to say that I applaud the comments of the good Senator from Livingston County, very reasoned and thoughtful statement. I like and I believe he—he said it in a different way—but, I'm very troubled by one Senator on the other side who would rather fan the flames of bigotry than to come up with a solution to a problem that was created by the Attorney General's opinion.

While I am troubled by the legislation and rolling these two issues together and the political tone that this has taken, I recognize that nonrenewal of licenses of those who are here legally is a serious problem for just average citizens across this state—average people who are here visiting, who are attending our universities, who work for the Big Three, who work in all different areas of employment in this state, and who actually contribute to this state who are here legally. We're talking about legal residents and legal visitors within this state.

There is no one here, I believe, who represents any Senate district in this state who is in favor of giving licenses to illegal aliens, but some of those who are supporting this legislation, unfortunately, are trying to politicize this in such a degree.

My concern is what these bills will do that goes beyond what needs addressing at this time. I will support the bills in order to move these bills forward, with the hope that the problems and the flaws in these bills will be corrected before they come back to the Senate because I'm sure they will come back and we will be addressing them once again.

I would ask that other members would not attempt to demagogue this issue.

Senator Brown's statement is as follows:

The purpose of the legislation before us is to secure the integrity of this most important piece of personal identification, like the birth certificate. It is a gateway document allowing access to services, buildings, and transportation. Our government has done precious little for the people in this regard. The people expect us to address this issue and now. Protecting this document protects our security and even our borders. The 19 hijackers, as it has been noted, had upwards of 17 driver's licenses including Arizona, California, Florida, and Virginia—could have been Michigan. They also had 14 state ID cards including Florida, Maryland, and again, Virginia—could have been Michigan.

Now I sit here in seat No. 6 and I see the seal of Virginia up there. The good Senator from the 8th District hails from the same state I hail from, Virginia. I am glad Michigan wasn't in that very bad legacy of driver's licenses that these 19 hijackers had. They also had 364 aliases, so they may have had more than driver's licenses.

This legislation is reasonable and responsible. We must act now. I urge members to support Senate Bill No. 962.

The following bill was read a third time:

Senate Bill No. 963, 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 sections 1, 1a, 2, and 8 (MCL 28.291, 28.291a, 28.292, and 28.298), sections 1 and 2 as amended by 2005 PA 143 and sections 1a and 8 as added by 1997 PA 99, and by adding sections 2a and 2b.

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. 29

Yeas—28

Allen	Clarke	Jansen	Patterson
Anderson	Cropsey	Jelinek	Richardville
Barcia	Garcia	Kahn	Sanborn
Birkholz	George	Kuipers	Schauer
Bishop	Gilbert	McManus	Stamas
Brown	Hardiman	Olshove	Switalski
Cassis	Hunter	Pappageorge	Van Woerkom

Nays—9

Basham	Gleason	Prusi	Thomas
Cherry	Jacobs	Scott	Whitmer
Clark-Coleman			

Excused—1

Brater

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. 965, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2005 PA 207.

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. 30

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.

The following bill was read a third time:

Senate Bill No. 966, 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 sections 1a and 8 (MCL 28.291a and 28.298), as added by 1997 PA 99, and by adding section 9a.

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. 31

Yeas—37

Allen	Clarke	Jansen	Richardville
Anderson	Cropsey	Jelinek	Sanborn
Barcia	Garcia	Kahn	Schauer

Basham
 Birkholz
 Bishop
 Brown
 Cassis
 Cherry
 Clark-Coleman

George
 Gilbert
 Gleason
 Hardiman
 Hunter
 Jacobs

Kuipers
 McManus
 Olshove
 Pappageorge
 Patterson
 Prusi

Scott
 Stamas
 Switalski
 Thomas
 Van Woerkom
 Whitmer

Nays—0

Excused—1

Brater

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. 964, entitled

A bill to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties.

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. 32

Yeas—37

Allen
 Anderson
 Barcia
 Basham
 Birkholz
 Bishop
 Brown
 Cassis
 Cherry
 Clark-Coleman

Clarke
 Cropsey
 Garcia
 George
 Gilbert
 Gleason
 Hardiman
 Hunter
 Jacobs

Jansen
 Jelinek
 Kahn
 Kuipers
 McManus
 Olshove
 Pappageorge
 Patterson
 Prusi

Richardville
 Sanborn
 Schauer
 Scott
 Stamas
 Switalski
 Thomas
 Van Woerkom
 Whitmer

Nays—0

Excused—1

Brater

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. 1075, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 11b and 12d of chapter XVII (MCL 777.11b and 777.12d), section 11b as amended by 2005 PA 207 and section 12d as amended by 2002 PA 127.

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. 33**Yeas—32**

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

Nays—5

Basham	Gleason	Scott	Thomas
Clark-Coleman			

Excused—1

Brater

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Committee Reports

The Committee on Judiciary reported

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.

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 and Prusi
The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

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.

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, Cropsey, Sanborn, Whitmer 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 5, 2008, at 1:00 p.m., Room 210, Farnum Building
Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Whitmer and Prusi
Excused: Senator Clarke

The Committee on Commerce and Tourism reported

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.

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Hunter
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 626, entitled

A bill to prohibit certain dog races; to prohibit the simulcasting of certain dog races; and to prescribe penalties.
With the recommendation that the substitute (S-5) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Hunter
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:
Meeting held on Tuesday, February 5, 2008, at 2:30 p.m., Room 100, Farnum Building
Present: Senators Allen (C), Gilbert, Stamas and Hunter
Excused: Senator Clarke

Scheduled Meetings

Agriculture - Thursday, February 7, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Wednesday, February 13, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

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 - Tuesday, February 12, 3:00 p.m., 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, Institute for Advanced Vehicle Systems Building, Borg Warner Auditorium, 4901 Evergreen Road, Dearborn (373-2768)

Judiciary and Corrections - Wednesdays, February 13, 3:00 p.m. or later immediately following Senate Appropriations meeting, 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)

Retirement - Tuesday, February 19, 12:00 noon, Room 110, Farnum Building (373-2768)

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

Appropriations, Senate/House - Thursday, February 7, 11:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Education - Thursday, February 7, 2:30 p.m., Room 210, Farnum Building (373-6920)

Energy Policy and Public Utilities - Thursday, February 7, 1:00 p.m., Room 210, Farnum Building (373-7350)

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

Legislative Commission on Statutory Mandates - Wednesday, February 13, 2:00 p.m., Room 210, Farnum Building (373-0212)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:32 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, February 7, 2008, at 10:00 a.m.

