

No. 37
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Tuesday, April 22, 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 not 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

Reverend Rich Langton of Workplace Chaplains U.S. of Cadillac offered the following invocation:

Almighty God, we thank You for this opportunity today for the Senate as they gather to take up the business of this state. We thank You, first of all, for the privilege of leadership. We are reminded today that to whom much is given, much is required. We ask that You would grant the Senators wisdom as they deliberate and carry out their business. We also ask that You would provide them with a true moral compass to do the right thing in the midst of their busy days.

We thank You for commerce and for business, and may this group always be mindful that they exist to help serve that great part of our state. We also would be remiss if we failed to thank You and praise You for the blessing of the natural beauty of this state. Even this morning, the flowers beginning to bloom and the sunshine outside reminds us, Lord, that in Your own goodness, You placed Your handprint upon this globe and we now have the privilege of calling it Michigan.

So be with us today, and again, may Your blessing and Your presence be upon this Senate Chamber as we ask it in the name of our Savior. Amen.

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

Recess

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

10:29 a.m.

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

During the recess, Senators Hunter, Schauer, Patterson, Kuipers, Allen, Gilbert, Brown, Pappageorge, Jelinek, Cropsey, Bishop, Richardville, George, Van Woerkom, Garcia, Birkholz, Cassis and Stamas entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senators Jansen, Kahn and Hardiman entered the Senate Chamber.

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

April 16, 2008

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Committee on Health Policy hold a hearing on the appointments of Dr. Peter Ajluni, Dr. Michael Young, and Ms. Vicky Schroeder to the Certificate of Need Commission, and make written recommendations to the Government Operations and Reform Committee on these appointments.

Sincerely,

Senator Michael D. Bishop, Chairman

Government Operations and Reform Committee

The communication was referred to the Secretary for record.

The following communication was received and read:
Office of the Auditor General

April 16, 2008

Enclosed is a copy of the following audit report:

Performance audit of Human Service Contracting, Department of Human Services.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The audit report was referred to the Committee on Government Operations and Reform.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, April 17:
House Bill Nos. 5383 5972 5973 5974 5975

The Secretary announced that the following House bills were received in the Senate and filed on Friday, April 18:
House Bill Nos. 5524 5525 5548 5549 5898 5976 5977

The Secretary announced the enrollment printing and presentation to the Governor on Friday, April 18, for her approval the following bills:

Enrolled Senate Bill No. 1203 at 2:06 p.m.
Enrolled Senate Bill No. 192 at 2:08 p.m.
Enrolled Senate Bill No. 1157 at 2:10 p.m.
Enrolled Senate Bill No. 1223 at 2:12 p.m.
Enrolled Senate Bill No. 1224 at 2:14 p.m.
Enrolled Senate Bill No. 1187 at 2:16 p.m.
Enrolled Senate Bill No. 1188 at 2:18 p.m.
Enrolled Senate Bill No. 1189 at 2:20 p.m.
Enrolled Senate Bill No. 1190 at 2:22 p.m.

The Secretary announced that the following official bills and joint resolutions were printed on Thursday, April 17, and are available at the legislative website:

Senate Bill Nos. 1264 1265 1266 1267 1268 1269 1270
House Bill Nos. 5990 5991 5992 5993 5994
House Joint Resolutions XX YY

The Secretary announced that the following official bills and joint resolution were printed on Friday, April 18, and are available at the legislative website:

Senate Bill Nos. 1256 1257 1258 1259 1260 1261 1262 1263
Senate Joint Resolution M
House Bill Nos. 5995 5996 5997 5998 5999 6000 6001

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

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

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

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:31 a.m.

10:41 a.m.

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

During the recess, Senator Anderson introduced the St. Andrew's Society of Detroit, the oldest benevolent organization in Michigan, and President Scott David; and presented them with a Special Tribute.

Mr. David responded briefly.

Recess

Senator Brown moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:43 a.m.

11:59 a.m.

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

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:

Date: April 18, 2008
Time: 3:50 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1157 (Public Act No. 103), being

An act to amend 1960 PA 77, entitled “An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students’ loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority;” (MCL 390.951 to 390.961) by adding section 7b; and to repeal acts and parts of acts.

(Filed with the Secretary of State on April 18, 2008, at 4:21 p.m.)

Date: April 18, 2008
Time: 3:52 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1223 (Public Act No. 98), being

An act to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts,” (MCL 125.2001 to 125.2094) by adding sections 89b, 89c, and 89d.

(Filed with the Secretary of State on April 18, 2008, at 4:11 p.m.)

Date: April 18, 2008
Time: 3:54 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1224 (Public Act No. 99), being

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 7 (MCL 12.257), as amended by 2007 PA 50.

(Filed with the Secretary of State on April 18, 2008, at 4:13 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following messages from the Governor were received and read:

April 17, 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 under Sections 16121, 17025, and 17525 of the Public Health Code, 1978 PA 368, MCL 333.16121, 333.17025, and 333.17525:

Joint Task Force for Health Professions in Medicine and Osteopathic Medicine and Surgery

Ms. René L. Hernandez of 1164 Woodmere Street, Alma, Michigan 48801, county of Gratiot, succeeding Lori B. Oswald, whose term has expired, representing physician's assistants, for a term commencing April 17, 2008 and expiring December 31, 2011.

Ms. Sherry L. Lepird of 5045 Old Colony Road, Portage, Michigan 49024, county of Kalamazoo, succeeding Mahmoud M. Awad, whose term has expired, representing the general public, for a term commencing April 17, 2008 and expiring December 31, 2011.

Mr. Karl G. Wagner, Jr., of 57813 Cider Mill Drive, New Hudson, Michigan 48165, county of Oakland, succeeding James W. Levy, whose term has expired, representing physician's assistants, for a term commencing April 17, 2008 and expiring December 31, 2011.

Mr. Michael A. Davis of 8720 McIntosh Road, Harbor Beach, Michigan 48441, county of Huron, reappointed to represent physician's assistants, for a term expiring December 31, 2011.

Mr. Bernard J. O'Brien of 109 Kensington Court, Alpena, Michigan 49707, county of Alpena, reappointed to represent physician's assistants, for a term expiring December 31, 2011.

Mr. David S. Weingarden, M.D., of 17140 Adrian Road, Southfield, Michigan 48075, county of Oakland, reappointed to represent the Michigan Board of Medicine, for a term expiring December 31, 2011.

April 17, 2008

I respectfully submit to the Senate, pursuant to Section 3 of Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.973, please be advised of the following reappointments to office:

Board of Mechanical Rules

Mr. Lawrence H. Hale, II, of 18634 Muirland Street, Detroit, Michigan 48221, county of Wayne, reappointed to represent hydronic heating and cooling and process piping, for a term expiring October 1, 2011.

Mr. Mark D. Mangione of 1505 Scranton Drive, Muskegon, Michigan 49441, county of Muskegon, reappointed to represent specialty work area, for a term expiring October 1, 2011.

Mr. Michael E. Ogletree of 8541 Marygrove Drive, Detroit, Michigan 48221, county of Wayne, reappointed to represent chief mechanical inspectors of a government subdivision, for a term expiring October 1, 2011.

Mr. George B. Shields of 3031 Pleasant Grove Road, Lansing, Michigan 48910, county of Ingham, reappointed to represent chief mechanical inspectors of a government subdivision, for a term expiring October 1, 2011.

Mr. Christopher J. Stockwell of 429 Sunburst Drive, Frankenmuth, Michigan 48734, county of Saginaw, reappointed to represent ductwork, for a term expiring October 1, 2011.

April 17, 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 Sections 16121 and 17521 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17521:

Michigan Board of Osteopathic Medicine and Surgery

Mr. Barry C. Kane of 1507 Pinecrest Avenue, S.E., Grand Rapids, Michigan 49506, county of Kent, succeeding Edward Benson, whose term has expired, representing the general public, for a term commencing April 17, 2008 and expiring December 31, 2009.

Mr. Gale E. Easton of 5988 King Road, Jackson, Michigan 49201, county of Jackson, reappointed to represent physician's assistants, for a term expiring December 31, 2011.

Ms. Paulette J. Lindberg of 1911 West Fair Avenue, Marquette, Michigan 49855, county of Marquette, reappointed to represent the general public, for a term expiring December 31, 2011.

April 17, 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 Sections 16121 and 17821 of the Public Health Code, 1978 PA 368, MCL 333.16121 and 333.17821:

Michigan Board of Physical Therapy

Ms. Mecha L. Crockett of 7515 Glen Terra Drive, Lansing, Michigan 48917, county of Eaton, succeeding the late Robert L. Carr, representing the general public, for a term commencing April 17, 2008 and expiring December 31, 2009.

Ms. Elizabeth Mostrom of 3645 Reeds Lake Boulevard S.E., Grand Rapids, Michigan 49506, county of Kent, reappointed to representing physical therapists, for a term expiring December 31, 2011.

Mr. David W. Perry, PT, MS, of 2065 Van Antwerp Street, Grosse Pointe Woods, Michigan 48236, county of Wayne, reappointed to represent physical therapists, for a term expiring December 31, 2011.

Ms. Linda M. Thomas-Pilarczyk of 2855 Riegel Road, Parma, Michigan 49269, county of Jackson, reappointed to represent the general public, for a term expiring December 31, 2011.

Sincerely,
Jennifer M. Granholm
Governor

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

Messages from the House

Senator Cropsey moved that rule 3.202 be suspended to permit immediate consideration of the following bill:

House Bill No. 5463

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

House Bill No. 5463, entitled

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending section 410 (MCL 208.1410).

The House of Representatives has amended the Senate substitute (S-4) as follows:

1. Amend page 2, line 6, after "that" by inserting "satisfies each of the following:

(a) Is".

2. Amend page 2, line 7, by striking out "IS".

3. Amend page 2, line 12, after "entertainment" by inserting a period and:

"(b) The owner, operator, manager, licensee, lessee, or tenant as described in subdivision (a) has made a capital investment of not less than ~~\$250,000,000.00~~ **\$125,000,000.00**, collectively or individually, including through affiliated companies, into the construction cost of a facility or stadium for which the taxpayer qualifies for this credit.

(c) The owner, operator, manager, licensee, lessee, or tenant as described in subdivision (a)".

4. Amend page 2, line 20, by striking out "**AND THAT**".

The House of Representatives has concurred in the Senate substitute (S-4) as amended and agreed to the full title.

Senator Thomas moved that Senators Gleason and Brater be temporarily excused from the balance of today's session. The motion prevailed.

Senators Brater and Gleason entered the Senate Chamber.

The question being on concurring in the House amendments to the Senate substitute, The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 247

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

Brater
Cassis
Cherry
Clark-Coleman

Hardiman
Hunter
Jacobs

Pappageorge
Patterson
Prusi

Thomas
Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—1

Brown

In The Chair: Richardville

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 pro tempore, Senator Richardville, designated Senator Garcia as Chairperson.

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

Senate Bill No. 1233, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2405 (MCL 339.2405), as amended by 2007 PA 157.

House Bill No. 5459, entitled

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 2 (MCL 207.842), as amended by 2008 PA 3.

Senate Bill No. 1234, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80108a.

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

Resolutions

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

Senate Concurrent Resolution No. 22

Senate Resolution No. 154

Senate Concurrent Resolution No. 27

The motion prevailed.

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

Senate Resolution No. 176

The resolution consent calendar was adopted.

Senators Cropsey, Kahn, Richardville, Jelinek, Cassis, Pappageorge, Birkholz, Bishop, Jansen, Allen, Gilbert, Hardiman, Brown, Stamas, Patterson, Van Woerkom, Kuipers, George, Garcia, Sanborn, McManus, Scott, Olshove, Anderson, Cherry, Barcia and Gleason offered the following resolution:

Senate Resolution No. 176.

A resolution commemorating May 1, 2008, as Michigan's Day of Prayer.

Whereas, National days of prayer have been part of our country's heritage since they were first declared by the First Continental Congress in 1775; and

Whereas, The 57th observance of the National Day of Prayer will be held May 1, 2008, as mandated by both houses of Congress and by President George W. Bush; and

Whereas, Leaders of our nation have relied upon prayer throughout American history; and

Whereas, II Chronicles 7:14 states, "...if my people who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from heaven and forgive their sin and will heal their land."; and

Whereas, We as a nation give thanks for the freedoms we enjoy every day and pray that the state of Michigan and its people will be blessed and protected from those who threaten democracy; and

Whereas, We ask God for favor to help us increase in our economy, for blessing Michigan's commerce and industry with abundant provision to meet the needs of our families and communities, and for the wisdom, courage, and grace necessary to help transform the marketplace; and

Whereas, Psalm 28:7 states, "The Lord is my strength and shield; my heart trusts in Him and I am helped."; and

Whereas, This year's National Day of Prayer theme is "Prayer: America's Strength and Shield"; and

Whereas, It is appropriate that we acknowledge that God is sovereign and call upon Him in prayer; now, therefore, be it Resolved by the Senate, That we hereby proclaim May 1, 2008, as Michigan's Day of Prayer and call for three days of fasting and prayer from May 2, 2008, to May 4, 2008.

The President pro tempore, Senator Richardville, resumed the Chair.

Senate Resolution No. 171.

A resolution designating April 20-27, 2008, the second annual Michigan Conservation Week, as Land Preservation Week.

The question being on the adoption of the resolution,

The resolution was adopted.

Senators Kuipers, Cropsey, Basham, Jansen, Hunter, Scott, Clark-Coleman, Clarke, Anderson, Cassis, Brown, Schauer, Garcia, Allen, Pappageorge, Switalski and Gleason offered the following resolution:

Senate Resolution No. 175.

A resolution commemorating the 40th Anniversary of Focus: HOPE.

Whereas, It is a great honor and a distinct personal privilege to join in commemorating the 40th Anniversary of Focus: HOPE. This occasion provides a wonderful opportunity to recognize the commitment that Focus: HOPE has demonstrated throughout the last 40 years in its support of countless individuals seeking to improve their quality of life; and

Whereas, Focus: HOPE, a civil and human rights organization founded in 1968, began as the decision of several people to face an acute social and moral crisis. Specifically, Focus: HOPE seeks to provide opportunities for all people to enter the economic mainstream, and together with its practical and intelligent approach to solving problems, it has developed several highly-respected education and training programs; and

Whereas, Over the last 40 years, Focus: HOPE has provided thousands of individuals with the opportunity to overcome racism, poverty, and injustice. The dedication of the staff to ensure continuing access to such an opportunity is commendable, and we are proud to recognize this milestone with them; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the 40th Anniversary of Focus: HOPE. We salute Focus: HOPE on this happy occasion, and we wish them well in the years to come.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

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

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

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

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

Senate Bill No. 1198

Senate Bill No. 1217

Senate Bill No. 1078

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1198, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 417 and 441 (MCL 208.1417 and 208.1441).

The question being on the passage of the bill,

Senator Prusi offered the following amendment:

1. Amend page 9, following line 25, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 86 of the 94th Legislature is enacted into law.”.

The question being on the adoption of the amendment,

Senator Thomas requested the yeas and nays.

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

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

Roll Call No. 248

Yeas—19

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

Nays—19

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

Excused—0

Not Voting—0

In The Chair: Richardville

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. 249**Yeas—23**

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

Nays—15

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

Excused—0**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Protest

Senator Prusi, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1198 and moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.” The motion prevailed.

Senator Prusi’s statement is as follows:

The bill that you are about to vote on would have been much more acceptable had you taken the time to look at what’s happening with the unemployed people in the state of Michigan, instead of focusing on people who have already received a significant tax break during the adoption of the MBT. This bill retreats from two negotiations that were done last year that kept the MBT revenue-neutral, and it vastly increases, as was said, the number of businesses that qualify for the 1.8 percent MBT special rate on small businesses by allowing officer compensation, which is currently capped at \$80,000, to rise to \$250,000.

Now, before we enacted the MBT, the SBT capped at \$115,000. Under the MBT, we gave them a \$65,000 increase. Now you want to add another \$70,000 so that people who are making a quarter of a million dollars in the businesses can keep an extra \$70,000 in their pockets, rather than put it back into their businesses and achieve some tax relief.

The Treasury estimates that the cost of this bill is \$250 million. The Senate Fiscal Agency estimates a \$254 million cost for a full year of this tax break. This is going to something. If you watch what we did last year and the tax votes that we put up, there were 19-19 ties and the Lieutenant Governor had to break the tie. Yet, just a month later under the extended budget, I saw a lot of green votes go up on the other side of the aisle so that you could go back to your districts and, on the one hand, say that you voted against taxes; but on the other hand, you came back and said you voted to spend more money on education, health care, and all the things that matter to our shared constituency.

You already voted on a bunch of budgets, the first House bills that left this chamber not so long ago that were based on a certain revenue number, and the bulk of you voted “yes” on them. Now you are going to turn around and vote to take \$250 million out of that revenue stream so that you can again go back to your districts and talk about how you voted to cut taxes but voted to increase spending.

At some point, the dichotomy of these actions are going to catch up with you because, at some point, the press is going to wake up over there and point out to the readers and the viewers of the state of Michigan just how obvious it is that you want to take it both ways. I think that is going to get tougher and tougher once the people are informed as to what's going on here. So you can have it one way or the other, but you can't have it both ways.

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

The motion prevailed.

Senator Cassis' statement is as follows:

Talk about sticker shock. In the Finance Committee, a small business—and I want to emphasize that this was a small business technical company—shared their new Michigan business tax estimate using the NFIB estimator. It serves as a startling example, and let me illustrate in real life what is happening out there. This company's total gross receipts are just a little more than \$13.5 million. The owners, when you pool their compensation, it comes to \$853,000. When you go down their form, this is what is so potentially startling. Can they claim the investment tax credit? No, so it becomes a zero. Can they claim the compensation credit? No, zero. Less the MBT APT credit, zero. Less the cliff phase credit, zero. Less the personal property tax credit, zero. Less the new vehicle dealer credit, zero. The only thing they can qualify for is a compensation credit at approximately \$14,557,000.

This business, though small, did not qualify for the alternative profits tax. Their total Michigan business tax liability plus the surcharge comes to almost \$142,000 this year. Previously, under the single business tax, coupled with their personal property tax liability, they owed the state of Michigan \$25,000. This year they would owe almost \$142,000. Incredible? No. One of the more extreme cases? Well, possibly. But we, all of us, have heard the *Detroit News*, the *Detroit Free Press*, in Finance Committee testimonies, written CPA documentation, e-mails, calls, and letters that so many businesses have seen their liabilities jump two, three, four times. And I submit that many of you have probably received what I have.

We have learned that the new Michigan business tax benefits the smallest companies; those that don't pay or don't have receipts of more than \$350,000. It benefits them and it benefits Michigan's largest manufacturers that don't have liability. Those in the middle are significantly impacted and left behind—those who don't qualify for the credits and those not getting special tax treatment relief. Then those in the middle get slammed with a 22 percent surcharge.

I am sure we did not intend for this to happen. Those businesses are the most and vast majority of taxpayers and job providers. Is it any wonder that they are feeling abandoned? So faced with increased tax liability, they have no choice and we've heard this, ironically—to cut more jobs which really, really impacts human beings' lives. Many of these same businesses have told us, "I may be hanging on for now, but we're planning our exit strategy out of Michigan."

It is the thousands and thousands of small and middle-sized businesses that Senate Bill No. 1198 addresses. It will provide fair, balanced tax relief. The end result truly should be real economic stimulation and real employment. Specifically, Senate Bill No. 1198 expands the number of small businesses, at least somewhere between 10,000 to 15,000, that would be able to qualify for the 1.8 percent alternative tax rate. And, importantly, it expands some Michigan entrepreneurial credit. The ME-2, and I am so pleased to say this publicly, seemed to be referenced and expanded by the Governor, our Governor, in her State of the State address. It would allow more companies, the gazelles, those ready to take off and go, to qualify for the Michigan entrepreneurial credit.

So I urge your support. I urge your positive vote on behalf of all the small and middle-sized companies in our state.

The following bill was read a third time:

Senate Bill No. 1217, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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. 250

Yeas—38

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Jelinek	Sanborn
Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Olshove	Switalski
Brater	Gleason	Pappageorge	Thomas

Brown
Cassis
Cherry

Hardiman
Hunter
Jacobs

Patterson
Prusi

Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1078, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 2003 PA 300.

The question being on the passage of the bill,

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

Roll Call No. 251

Yeas—18

Allen
Barcia
Birkholz
Bishop
Brown

Cassis
George
Gilbert
Hardiman
Jelinek

Kahn
McManus
Pappageorge
Patterson

Richardville
Sanborn
Stamas
Van Woerkom

Nays—20

Anderson
Basham
Brater
Cherry
Clark-Coleman

Clarke
Cropsey
Garcia
Gleason
Hunter

Jacobs
Jansen
Kuipers
Olshove
Prusi

Schauer
Scott
Switalski
Thomas
Whitmer

Excused—0

Not Voting—0

In The Chair: Richardville

Senator Cropsey moved to reconsider the vote by which the bill was defeated.

The question being on the motion to reconsider,

Senator Cropsey moved that further consideration of the bill be postponed for today.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Hunter, Scott, Anderson, Schauer, Cropsey, Clark-Coleman and Clarke introduced

Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 2000 PA 41.

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

Senator Birkholz introduced

Senate Bill No. 1272, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 77.

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

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

Senate Bill No. 1273, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 278.

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

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

Senate Bill No. 1274, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2006 PA 664.

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

House Bill No. 4490, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 12, and 12b (MCL 28.422, 28.432, and 28.432b), section 2 as amended by 2004 PA 101, section 12 as amended by 2006 PA 75, and section 12b as added by 1982 PA 182; and to repeal acts and parts of acts.

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

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

House Bill No. 4491, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

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

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

House Bill No. 4993, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2106, 2108, 2109, 2110, 2114, and 2127 (MCL 500.2106, 500.2108, 500.2109, 500.2110, 500.2114, and 500.2127) and by adding section 2109a.

The House of Representatives has passed the bill.

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

House Bill No. 5206, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 126 (MCL 125.526), as amended by 2000 PA 479.

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

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

House Bill No. 5383, entitled

A bill to provide for the member-regulation of electric cooperatives; to prescribe the powers and duties of certain state agencies and officials; and to provide for certain penalties and remedies.

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.

House Bill No. 5524, 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," by amending sections 6a, 10, 10a, 10b, 10d, 10g, 10p, 10r, 10x, and 10y (MCL 460.6a, 460.10, 460.10a, 460.10b, 460.10d, 460.10g, 460.10p, 460.10r, 460.10x, and 460.10y), section 6a as amended by 1992 PA 37, sections 10, 10b, 10p, 10r, 10x, and 10y as added by 2000 PA 141, section 10a as amended by 2004 PA 88, section 10d as amended by 2002 PA 609, and section 10g as amended by 2001 PA 48, and by adding sections 4a, 6q, 6r, 10dd, and 11.

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.

House Bill No. 5525, entitled

A bill to establish an energy efficiency program in this state for electric and natural gas utilities; to promote load management; to prescribe the powers and duties of certain state agencies and officials; and to provide for sanctions.

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.

House Bill No. 5548, entitled

A bill to require providers of retail electric service to establish a renewable energy program; to prescribe the powers and duties of certain state agencies and officials; and to provide for sanctions.

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.

House Bill No. 5549, entitled

A bill to require providers of retail electric service to establish a renewable energy program; to prescribe the powers and duties of certain state agencies and officials; and to provide for sanctions.

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.

House Bill No. 5898, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 430.

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

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

House Bill No. 5963, entitled

A bill entering into the interstate compact on educational opportunity for military children: and for related purposes. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

House Bill No. 5972, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

House Bill No. 5973, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432a. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

House Bill No. 5974, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432b. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

House Bill No. 5975, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432c. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

House Bill No. 5976, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432d. The House of Representatives has passed the bill and ordered that it be given immediate effect. The bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

House Bill No. 5977, entitled

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

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

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

House Bill No. 5984, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

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

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

Statements

Senators Scott, Jacobs and Cherry 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:

First, I want to talk about Pay Equity Day. I rise today to remind you of some facts that are often overlooked on Pay Equity Day. We all know that despite equal representation among the ranks of wage earners, women continue to come up

short in their paychecks. But for the past twenty years, optimists could take comfort in the narrowing wage gap. For every \$1 earned by a white man, a white woman now earns 78 cents. That is a big improvement from the 63 cents white women earned relative to white men in 1975. But according to the Department of Labor, the statistics are worse for minority women—much worse. Did you know that an African-American woman earns 67 cents for every \$1 that a white man earns? And her Hispanic sister earns only 56 cents compared to the white male. This is intolerable.

If it is indeed going to take women 57 years to equalize the gap, it is going to take black women another century. We've already spent a century in slavery, and now we are doomed to another century in economic slavery. That is simply unacceptable. As I say daily in my statements on the Senate floor, if Michigan truly wants to become a desirable and welcoming place for families and businesses, we must treat our citizens with fairness and dignity. And just as we must make insurance fair and accessible for all, we must make wages fair and equal for men, women, and those of every color.

Miss Rosa Parks made history in 1955 when she refused to give up that bus seat in Montgomery, but her legacy was not simply a fleeting five minutes of fame. Her determination and her commitment to a cause changed the course of a nation. Of her role in our nation's history, Miss Rosa Parks said, "I was determined to achieve the total freedom that our history lessons taught us we were entitled to, no matter what the sacrifice."

Many have followed in her footsteps, but unfortunately, even a half-century later, total freedom has not been fully achieved. However, we will take another step toward economic freedom when the residents of Michigan are free of economic discrimination in obtaining insurance. And one way to achieve that freedom is to move my bills.

Senator Jacobs' statement is as follows:

Speaking of freedom, I think it is important, and that as I do each year, I want to talk about the story of Passover because, currently, we are in the middle of that holiday. I don't want to pass over the opportunity to share this story with you.

About 3,000 years ago, the Israelites were enslaved by the Egyptians under the rule of the Pharaoh Ramses II. According to the book of Exodus, Moses, a simple Jewish shepherd, was instructed by God to go to the pharaoh and demand the freedom of his people. Moses' plea of "let my people go" was ignored. Moses warned the pharaoh that God would send severe punishments to the people of Egypt if the Israelites were not freed. Again the pharaoh ignored Moses' request for freedom.

In response, God unleashed ten terrible plagues on the people of Egypt: blood, frogs, lice, wild beasts, blight, boils, hail, locusts, darkness, and slaying of the first-born. The holiday's name, Pesach, means "passing over" or "protection" in Hebrew. It is derived from the instructions given to Moses by God. In order to encourage the pharaoh to free the Israelites, God intended to kill the first-born of both man and beast. To protect themselves, the Israelites were told to mark their dwellings with lamb's blood so that God could identify and pass over their homes. The pharaoh was unconvinced and refused to free the Jewish slaves until the last plague.

When the pharaoh finally agreed to freedom, the Israelites left their homes so quickly that there wasn't even time to bake their breads. So they packed the raw dough to take with them on their journey. As they fled through the desert, they would quickly bake the dough in the hot sun into hard crackers called matzohs. Today, to commemorate this event, Jews eat matzoh in the place of bread during Passover.

Though the Jews were now free, their liberation was incomplete. The pharaoh's army chased them through the desert toward the Red Sea. When the Jews reached the sea, they were trapped since the sea blocked their escape. It was then that a miracle occurred. The waves of the Red Sea parted and the Israelites were able to cross to the other side. As soon as they all reached the other side, the sea closed, trapping the pharaoh's army as the waves closed upon them. Then the Israelites watched the waters of the Red Sea sweep away the pharaoh's army and they realized that they indeed were finally free.

Passover celebrates this history. The first two nights of the eight-day holiday were just celebrated with lavish meals called Seders in which the stories and the history of Passover are celebrated. As you know, we use special foods, plates, and silverware—all part of the Seder and this week.

Senator Cherry's statement is as follows:

I rise today in solidarity with my fellow sisters in the Senate and across the country to speak to what is known as National Pay Equity Day. Really, it doesn't have much to do with equity at all—rather inequity and inequality—as it marks how far into the year a female must work, on average, to earn as much as a male earned the previous year.

Michigan residents are already facing enough economic challenges—high gas prices, growing education and tuition costs, the continued home foreclosure crisis, and a tough job market. Every penny definitely counts these days, but unfortunately, they still don't count the same for men as they do for women. Women's earnings in 2006 were 76.9 percent of men's, leaving the wage gap statistically unchanged from last year, according to U.S. Census statistics released in August 2007. That means women are essentially getting paid 33 cents less than men for every \$1 they earn.

There are only two states that are worse than Michigan in terms of the gender wage gap, and it's time to change that. The current wage gap adversely affects all working women, but especially single-mother families, young women starting careers and saving for retirement, older women struggling to survive on limited investments, and women of color, who are often discriminated against in both sex and race. Even women with competitive education and skills are not achieving pay equity.

In 1963, President John F. Kennedy signed the Equal Pay Act. Back then, women made 59 cents for every \$1 that men earned. So much has changed since then, but conversely, we have made very little progress in reaching true financial equality, gaining only 18 cents per \$1 of men's pay in that time. Forty-five years after the passage of the Equal pay Act and Title VII of the Civil Rights Act, women in the workplace are still undervalued, underpaid, and shortchanged.

As elected officials, we should be working together—as men and women, Republicans and Democrats—to close that gap and bring such wage disparity to an end.

Committee Reports

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1087, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 480 and 544c (MCL 168.480 and 168.544c), section 544c as amended by 2002 PA 431; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Schauer

Nays: None

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

The Committee on Campaign and Election Oversight reported

Senate Joint Resolution K, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to revise the signature requirements for initiative and referendum petitions.

With the recommendation that the substitute (S-1) be adopted and that the joint resolution then be adopted.

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown and Jansen

Nays: Senators Jacobs and Schauer

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

COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:

Meeting held on Wednesday, April 16, 2008, at 12:30 p.m., Room 405, Capitol Building

Present: Senators McManus (C), Brown, Jansen, Jacobs and Schauer

The Committee on Health Policy reported

House Bill No. 5322, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177a (MCL 380.1177a), as added by 2005 PA 240.

With the recommendation that the bill pass.

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

Thomas M. George
Chairperson

To Report Out:

Yeas: Senators George, Patterson, Sanborn, Allen, Clarke, Gleason and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, April 16, 2008, at 3:05 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators George (C), Patterson, Sanborn, Allen, Clarke, Gleason and Jacobs

The Committee on Energy Policy and Public Utilities reported

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.

With the recommendation that the following amendment be adopted and that the bill then pass:

1. Amend page 11, line 8, after "**(16)**" by striking out the balance of the subsection and inserting "**THE COMMISSION SHALL FILE A REPORT WITH THE GOVERNOR AND LEGISLATURE 5 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, AND EVERY 5 YEARS THEREAFTER, THAT SHALL INCLUDE RECOMMENDATIONS FOR ANY NEEDED LEGISLATION REGARDING THIS SECTION.**".

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, April 17, 2008, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Prusi and Thomas

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Supplementals (HB 5344) submitted the following:

Meeting held on Thursday, April 17, 2008, at 8:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Bishop, Jelinek and Switalski

COMMITTEE ATTENDANCE REPORT

The Conference Committee on School Aid (K-12) Supplemental (HB 5531) submitted the following:

Meeting held on Thursday, April 17, 2008, at 8:15 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek, Brown and Switalski

Scheduled Meetings

Agriculture - Thursday, April 24, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Agriculture - Wednesdays, April 23, April 30, May 7 and May 14, 3:00 p.m., Room 405, Capitol Building (373-2768)

Community Health Department - Thursday, May 1, 1:00 p.m., Room 100, Farnum Building (373-2768)

Economic Development - Wednesdays, April 23, April 30, May 7 and May 14, 8:30 a.m., Room 110, Farnum Building (373-2768)

General Government - Tuesdays, April 29 and May 13, 2:30 p.m., Room 405, Capitol Building; and Tuesday, May 6, 2:30 p.m., Room 48, Information Technology Operations Center, 7285 Parson Drive, Lansing (373-2768)

History, Arts, and Libraries - Thursdays, April 24, May 1 and May 15, 8:30 a.m., Room 405, Capitol Building (373-2768)

Human Services Department - Tuesdays, April 29, May 6 and May 13, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Judiciary and Corrections - Wednesday, April 23, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

State Police and Military Affairs - Thursdays, April 24, May 1 and May 8, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Transportation Department - Friday, April 25, 10:30 a.m., Conference Room, Rapid Central Station, 250 Grandville Avenue SW, Grand Rapids; Friday, May 2, Conference Room, Rapid Commission for Oakland County, 31001 Lahser Road, Beverly Hills; and Thursday, May 15, 12:30 p.m., Room 405, Capitol Building (373-2768)

Campaign and Election Oversight - Wednesday, April 23, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-1725)

Economic Development and Regulatory Reform - Wednesday, April 23, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Wednesday, April 23, 2:30 p.m., Room 110, and Thursday, April 24, 1:00 p.m., Room 210, Farnum Building (373-7350)

Families and Human Services - Tuesday, April 29, 4:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0797)

Finance - Thursday, April 24, 11:00 a.m., Room 110, Farnum Building (373-1758)

Health Policy - Wednesday, April 23, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Legislative Commission on Government Efficiency - Friday, April 25, 8:30 a.m., Room 326, South Tower, House Office Building (373-0212)

Legislative Commission on Statutory Mandates - Tuesday, May 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Natural Resources and Environmental Affairs and House Great Lakes and Environment - Wednesday, April 23, 12:30 p.m., Room 210, Farnum Building (373-3447)

Senior Citizens and Veterans Affairs - Wednesday, April 23, 9:00 a.m., Room 100, Farnum Building (373-2413)

State Drug Treatment Court Advisory Committee - Tuesday, June 10, 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 1:01 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, April 23, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate