

No. 60
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Tuesday, June 17, 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—excused
Prusi—present
Richardville—present
Sanborn—present
Schauer—present
Scott—present
Stamas—excused
Switalski—present
Thomas—present
Van Woerkom—present
Whitmer—present

Pastor Curt Mudgett of Trinity Evangelical Free Church of Stanton offered the following invocation:

Dear Heavenly Father, Creator of Heaven and Earth, Your word says that we are made in Your image; that we are fearfully and wonderfully made by You. Certainly, then, You know best how life should be lived. May we never relegate You to some innocuous or compartmentalized role or give You just a token nod, but seek rather to honor You in everything, for to You we are accountable ultimately.

May these public servants and leaders feel appreciated, encouraged, and strengthened today in their often complicated and too often thankless tasks. May a sense of simplicity and understanding and priority guide them in the midst of it all. Lord, may You in Your wisdom provide that. Bless these men and women, and bless their families. All of us have much on our minds and we would pray for a sense of harmony to touch each one's lives today.

We pray this in the awesome name of our Creator and the Savior Jesus Christ. Amen.

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

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

12:45 p.m.

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

During the recess, Senators Brater, Hunter, Cassis, Pappageorge, Hardiman, Garcia, Schauer, McManus, Richardville, Van Woerkom, Birkholz, Jansen, Jelinek, Kuipers, George, Kahn, Brown and Bishop entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

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

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

June 10, 2008

Pursuant to Public Act 224 of 2004 (MCL 600.108), we are making the following reappointments to the State Drug Treatment Court Advisory Committee:

Ms. Kathleen Brickley, 707 Academy Street, Kalamazoo, Michigan 49007 (an individual representing defense attorneys, who has worked for at least two years with drug or alcohol treatment courts).

Mr. Andrew Konwiak, Eastwood Clinics, 28000 DeQuindre, Warren, Michigan 48092 (an individual representing drug treatment providers who has worked at least two years with a drug or alcohol treatment court).

Ms. Beth Morrison, HAVEN, 2550 Telegraph, Suite 111, Bloomfield Hills, Michigan 48302 (an individual representing domestic violence provider programs that receive funding from the state domestic violence prevention and treatment board).

The following new appointments are also being made:

Ms. Pamela Davis, 378 Brookfield Drive, Westland, Michigan 48185 (a court administrator who has worked for at least two years with a drug or alcohol treatment court).

Mr. Kevin Jones, 544 Donald Avenue, Clawson, Michigan 48017 (a probation officer who has worked at least two years for a drug or alcohol treatment court).

Sincerely,
Senator Michael D. Bishop
Majority Leader

Andy Dillon
Speaker of the House

The communication was referred to the Secretary for record.

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

June 12, 2008

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-2) to Senate Bill 1099 appoints the following members to sit on the conference committee:

Senator Tom George, Chair
Senator Bill Hardiman
Senator Jim Barcia

Thank you for your prompt consideration of this matter.

Sincerely,
Senator Michael D. Bishop
Majority Leader
State Senate, 12th District

The communication was referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committee:
Commerce and Tourism - Senator Sanborn replacing Senator Stamas.
The standing committee appointment was approved, a majority of the members serving voting therefor.

The following communications were received and read:
Office of the Senate Majority Leader

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5809 the Senate appoints the following members to sit on the conference committee:

Senator Mark Jansen
Senator Tom George
Senator Martha Scott

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5807 the Senate appoints the following members to sit on the conference committee:

Senator Cameron Brown
Senator Ron Jelinek
Senator Martha Scott

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5804, the Senate appoints the following members to sit on the conference committee:

Senator Tom George
Senator Cameron Brown
Senator Irma Clark-Coleman

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5808 the Senate appoints the following members to sit on the conference committee:

Senator Bill Hardiman
Senator Alan Cropsey
Senator Glenn Anderson

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5814 the Senate appoints the following members to sit on the conference committee:

Senator Bill Hardiman
Senator Roger Kahn
Senator Martha Scott

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5810 the Senate appoints the following members to sit on the conference committee:

Senator Alan Cropsey
Senator Roger Kahn
Senator Liz Brater

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5811 the Senate appoints the following members to sit on the conference committee:

Senator Valde Garcia
Senator Alan Cropsey
Senator Jim Barcia

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5812 the Senate appoints the following members to sit on the conference committee:

Senator Valde Garcia
Senator Alan Cropsey
Senator Jim Barcia

Thank you for your prompt consideration of this matter.

June 17, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-1) to House Bill 5816 the Senate appoints the following members to sit on the conference committee:

Senator John Pappageorge
Senator Mark Jansen
Senator Glenn Anderson

Thank you for your prompt consideration of this matter.

Sincerely,
Michael D. Bishop, Majority Leader
State Senate, 12th District

The communications were referred to the Secretary for record.

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

June 13, 2008

Enclosed is a copy of the following audit report:
Performance audit of Prisoner Food Services, Department of Corrections.

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

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

The following communication was received:
Department of State Police

April 29, 2008

Enclosed is the FY07 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public ACT 416 of 1978, as amended. Copies of this report are transmitted to the Governor's Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriffs' Association, and the Deputy Sheriff's Association of Michigan.

Should you have any questions about this report, please contact Kim Kelly at (517) 333-5303.

Sincerely,
Michael L. Prince, Director
Office of Highway Safety Planning

The communication was referred to the Secretary for record.

The following communication was received:
Office of the Auditor General

June 11, 2008

Enclosed for your records is a copy of the executed engagement contract for the financial audit of the Michigan Legislature for the fiscal years ending September 30, 2007 and September 30, 2008.

If you have questions about your contract, please contact me. Sincerely,

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

The communication was referred to the Secretary for record.

The following communication was received:
Department of State

Administrative Rules
Notice of Filing

June 12, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:10 p.m. this date, administrative rule (08-06-06) for the Department of Labor and Economic Growth "Residential Builders and Maintenance & Alteration Contractors."

These rules take effect 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, June 12:
House Bill Nos. 4593 6205

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, June 12, for her approval the following bills:

Enrolled Senate Bill No. 296 at 2:56 p.m.
Enrolled Senate Bill No. 776 at 2:58 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Friday, June 13, for her approval the following bill:

Enrolled Senate Bill No. 1256 at 11:00 a.m.

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

**Senate Bill Nos. 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381
1382**
Senate Joint Resolution O
House Bill No. 6235

The Secretary announced that the following official bills were printed on Friday, June 13, and are available at the legislative website:

House Bill Nos. 6236 6237 6238 6239

By unanimous consent the Senate proceeded to the order of

Messages from the Governor

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

Senate Bill No. 436
Senate Bill No. 222
Senate Bill No. 229
Senate Bill No. 232
Senate Bill No. 238
Senate Bill No. 240

The motion prevailed.

The following message from the Governor was received on June 13, 2008, and read:

EXECUTIVE ORDER No. 2008-4

Declaration of State of Emergency Mason County

WHEREAS, on June 12, 2008, a series of severe storms moved across northwestern lower Michigan, spawning at least one tornado and to buildings, trees, electrical power lines, roads, culverts, a municipal sewer system, and public drains;

WHEREAS, the county of Mason suffered widespread and severe damage from the winds and heavy rains of this storm including damage to residences, as well as to numerous roads, culverts, a sewer system, and public drains;

WHEREAS, the excessive rainfall has washed out portions of major roads within and around the county of Mason, including shoulder to shoulder portions of US-31, thus rendering such roads impassible and impeding emergency service access;

WHEREAS, numerous other roads and streets within the county of Mason remain impassable due to the flooding damage and impede emergency service access;

WHEREAS, the county suffered significant damage to the county's public drains and the city of Ludington's sewer system which poses a significant threat to public health and safety;

WHEREAS, the county of Mason has declared a local state of emergency for the county and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in Mason County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Mason County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 13, 2008, and read:

EXECUTIVE ORDER
No. 2008-5

**Declaration of State of Emergency
City of Lansing, Ingham County**

WHEREAS, a series of severe storms moved through central and southern Lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the city of Lansing suffered widespread and severe damage from these storms including damage to over 175 residential and commercial structures and public buildings;

WHEREAS, numerous streets, alleys, and sidewalks within the city of Lansing remain partially blocked by fallen trees and other storm debris resulting in impeded emergency access;

WHEREAS, the remaining storm debris within the city of Lansing poses a significant threat to public health and safety, and creates potentially hazardous traffic conditions;

WHEREAS, the city of Lansing has declared a local state of emergency and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the city of Lansing has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in the city of Lansing in Ingham County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the city of Lansing, Ingham County, and may call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 13, 2008, and read:

EXECUTIVE ORDER
No. 2008-6

**Declaration of State of Emergency
Allegan County**

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the county of Allegan suffered widespread and severe damage from the winds and heavy rains of this storm including damage to over 41 residences, as well as to roads, a number of culverts, and public drains;

WHEREAS, numerous streets and roads within the county of Allegan remain impassable due to the flooding damage and impede emergency service access;

WHEREAS, remaining storm debris within public drains poses a threat to public health and safety;

WHEREAS, residences along Lakeshore Drive have been evacuated and remain inaccessible due to roadway erosion and broken gas lines;

WHEREAS, the county of Allegan has declared a local state of emergency for the city of Fenton and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Allegan has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in Allegan County.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Allegan County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.

3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land

Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 13, 2008, and read:

EXECUTIVE ORDER
No. 2008-7

**Declaration of State of Emergency
Eaton County**

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, numerous structures within the county of Eaton suffered property damage from this storm including damage to 49 residences and one commercial building;

WHEREAS, 13 roads within the county remain closed due to flooding and washouts and impede emergency service access;

WHEREAS, remaining storm debris poses a significant threat to public health and safety;

WHEREAS, the county of Eaton has declared a local state of emergency for the county of Eaton and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Eaton has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in Eaton County.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Eaton County,

and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.

3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 13, 2008, and read:

EXECUTIVE ORDER
No. 2008-8

**Declaration of State of Emergency
City of Saginaw, Saginaw County**

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the city of Saginaw suffered widespread and severe damage from this storm including damage to over 16 residences and two commercial buildings;

WHEREAS, 500 blocks and approximately 600 sites within the city of Saginaw including streets, alleys, and sidewalks have been blocked by as many as 1000 fallen trees and other storm debris resulting in greatly impeded emergency access;

WHEREAS, remaining storm debris within the city of Saginaw poses a significant threat to public health and safety;

WHEREAS, the county of Saginaw has declared a local state of emergency for the city of Saginaw and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Saginaw has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in the city of Saginaw in Saginaw County.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the city of Saginaw, Saginaw County, and may call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.

3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 16, 2008, and read:

EXECUTIVE ORDER
No. 2008-9

**Activation of National Guard to Cities of Lansing and
Saginaw and to Counties of Allegan, Eaton, and Mason**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, under Section 12 of Article V of the Michigan Constitution of 1963, the Governor is the Commander-in-Chief of the state armed forces and may call them out to execute the laws;

WHEREAS, Section 151 of the Michigan Military Act, 1967 PA 150, MCL 32.551, authorizes the Governor to order to active state service any members of the organized militia for service in aid of civil authority in times of public danger, disaster, crisis, catastrophe, or other public emergency within this state;

WHEREAS, due to recent severe storms that caused significant damage to buildings, trees, electrical power lines, roads, and drains in the cities of Lansing and Saginaw and in the counties of Allegan, Eaton, and Mason, the Governor, by Executive Orders 2008-4, 2008-5, 2008-6, 2008-7, and 2008-8, declared states of emergency in such jurisdictions;

WHEREAS, by Executive Orders 2008-4, 2008-5, 2008-6, 2008-7, and 2008-8, the Governor ordered the Emergency Management and Homeland Security Division of the Department of State Police to coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the cities of Lansing and Saginaw and the counties of Allegan, Eaton, and Mason, and to call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan;

WHEREAS, in order to protect and preserve public health and safety, additional assistance appears necessary, including supplementation of local debris removal capabilities in situations where debris poses a direct threat to the public health and safety;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order:

1. The Adjutant General is directed to order to active state service, units and individuals of the Michigan National Guard which in his discretion he deems appropriate to meet general mission assignments as determined by the Emergency Management and Homeland Security Division of the Department of State Police.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts, including such units and individuals of the Michigan National Guard which may be activated to state service, to assist the cities of Lansing and Saginaw and the counties of Allegan, Eaton, and Mason, and other units of government affected pursuant to the Michigan Emergency Management Plan.

3. The Michigan National Guard is activated until such time as determined by the Adjutant General after consultation with the Emergency Management and Homeland Security Division of the Department of State Police.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:

Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 16, 2008, and read:

EXECUTIVE ORDER
No. 2008-10

Amendment of Executive Order 2008-4

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, on June 13, 2008, a state of emergency was declared for the county of Mason by Executive Order 2008-4;

WHEREAS, it is necessary and desirable to amend the first paragraph of Executive Order 2008-4;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that the first paragraph of Executive Order 2008-4 be amended to read as follows:

“WHEREAS, on June 12, 2008, a series of severe storms moved across northwestern lower Michigan, spawning at least one tornado and causing significant damage to buildings, trees, electrical power lines, roads, culverts, a municipal sewer system, and public drains;”.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on June 16, 2008, and read:

EXECUTIVE ORDER
No. 2008-11

Amendment of Executive Order 2008-6

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, on June 13, 2008, a state of emergency was declared for the county of Allegan by Executive Order 2008-6;

WHEREAS, it is necessary and desirable to amend the sixth paragraph of Executive Order 2008-6;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that the sixth paragraph of Executive Order 2008-6 be amended to read as follows:

“WHEREAS, the county of Allegan has declared a local state of emergency and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;”.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

HEALTH; ABORTION; PROHIBIT PARTIAL-BIRTH ABORTIONS

June 13, 2008

I disapprove of Enrolled Senate Bill 776 and return the bill without signature. I do so for the same reason that I vetoed similar legislation during my first year as governor. I will not support a late term abortion ban that fails to protect both the life and the health of mothers. Medical professionals oppose this legislation because it does not contain a valid exception for the health of the mother. They believe that medical decisions of this nature should be made by women and their doctors, not politicians. I agree.

Since my previous veto, my administration has worked to implement a Blueprint to Prevent Unintended Pregnancies. This effort includes the Plan First program that provides access to critical family planning services for low-income women, the Talk Early, Talk Often program that helps middle school parents talk with their children about abstinence and

sexuality, and a provider task force that develops tools to help counsel women and men on how to avoid unplanned pregnancies.

Efforts like these have had a positive impact, as evidenced by data showing a reduction in the number of abortions in Michigan in 2007.

Although public opinion on abortion continues to be sharply divided, I hope we can agree on the importance of working together to avoid unwanted pregnancies. I will continue to lead in these efforts and urge proponents from both sides of the debate to join me.

Sincerely,
Jennifer M. Granholm
Governor

This bill was returned from the Governor on June 13, 2008, at 3:02 p.m.

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

The motion prevailed.

Messages from the House

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

Senate Bill No. 53

House Bill No. 4120

House Bill No. 4507

Senate Bill No. 388

Senate Bill No. 868

Senate Bill No. 239

The motion prevailed.

Senate Bill No. 1093, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Sak, Bauer and Booher as conferees to join with Sens. Hardiman, Garcia and Clark-Coleman.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1094, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. McDowell, Cushingberry and Caswell as conferees to join with Sens. Kahn, Pappageorge and Cherry.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1095, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has appointed Reps. Alma Smith, Bennett and Proos as conferees to join with Sens. Cropsey, Kahn and Brater.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1096, entitled

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

The House of Representatives has appointed Reps. Gillard, Cushingberry and Caswell as conferees to join with Sens. Jelinek, Brown and Switalski.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1097, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. Bennett, Espinoza and Proos as conferees to join with Sens. Garcia, Cropsy and Brater.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1099, entitled

A bill to make appropriations for certain state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The House of Representatives has appointed Reps. Byrnes, Cushingberry and Caul as conferees to join with Sens. George, Hardiman and Barcia.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The House of Representatives has appointed Reps. Lahti, Gillard and Booher as conferees to join with Sens. McManus, Jelinek and Brater.

The bill was referred to the Conference Committee on June 13, 2008.

Senate Bill No. 1107, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 104b, 105, 105c, 107, 147, 151, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 107, and 151 as amended by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, section 18b as added by 2000 PA 297, section 20d as amended by 1997 PA 93, section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, and section 147 as amended by 2007 PA 92, and by adding sections 11n, 22e, 32e, 57a, 99m, and 99n; and to repeal acts and parts of acts.

The House of Representatives has appointed Reps. Gillard, Cushingberry and Caswell as conferees to join with Sens. Jelinek, Brown and Switalski.

The bill was referred to the Conference Committee on June 13, 2008.

House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Vagnozzi, Jackson and Amos as conferees.

The message was referred to the Secretary for record.

House Bill No. 5807, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Espinoza, McDowell and Hansen as conferees.

The message was referred to the Secretary for record.

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Gonzales, Gillard and Agema as conferees.

The message was referred to the Secretary for record.

House Bill No. 5809, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Hammel, Bauer and Brandenburg as conferees.

The message was referred to the Secretary for record.

House Bill No. 5810, entitled

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

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. Gillard, Byrnes and Moss as conferees.

The message was referred to the Secretary for record.

House Bill No. 5811, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The House of Representatives has nonconcurred in the Senate substitute (S-1) and appointed Reps. LeBlanc, Espinoza and Nofs as conferees.

The message was referred to the Secretary for record.

House Bill No. 5812, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The House of Representatives has nonconcurring in the Senate substitute (S-1) and appointed Reps. LeBlanc, Espinoza and Nofs as conferees.

The message was referred to the Secretary for record.

House Bill No. 5814, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The House of Representatives has nonconcurring in the Senate substitute (S-1) and appointed Reps. Spade, Cushingberry and Shaffer as conferees.

The message was referred to the Secretary for record.

House Bill No. 5816, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The House of Representatives has nonconcurring in the Senate substitute (S-1) and appointed Reps. Cheeks, Cushingberry and Hansen as conferees.

The message was referred to the Secretary for record.

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 Brater as Chairperson.

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

Senate Bill No. 1318, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money

raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1k.

Senate Bill No. 1253, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.96) by adding section 7.

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

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

Senate Bill No. 494, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1h (MCL 247.651h), as added by 1997 PA 79.

Substitute (S-1).

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

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

Senate Bill No. 1320, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to

authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11c (MCL 247.661c), as amended by 2002 PA 498.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1277, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 209 (MCL 418.209), as added by 1985 PA 103.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

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. 370

Senate Bill No. 371

House Bill No. 4817

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 370, 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, 2a, 5f, 12, and 12b (MCL 28.422, 28.422a, 28.425f, 28.432, and 28.432b), section 2 as amended by 2004 PA 101, section 2a as added by 2000 PA 381, section 5f as amended by 2002 PA 719, 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 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. 402

Yeas—36

Allen
Anderson
Barcia
Basham
Birkholz

Cherry
Clark-Coleman
Clarke
Cropsey
Garcia

Hunter
Jacobs
Jansen
Jelinek
Kahn

Prusi
Richardville
Sanborn
Schauer
Scott

Bishop
Brater
Brown
Cassis

George
Gilbert
Gleason
Hardiman

Kuipers
McManus
Olshove
Pappageorge

Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—2

Patterson

Stamas

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. 371, 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 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. 403

Yeas—36

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis

Cherry
Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Gleason
Hardiman

Hunter
Jacobs
Jansen
Jelinek
Kahn
Kuipers
McManus
Olshove
Pappageorge

Prusi
Richardville
Sanborn
Schauer
Scott
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—2

Patterson

Stamas

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4817, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 2004 PA 49 and section 742 as amended by 2000 PA 268.

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. 404

Yeas—34

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

Nays—2

Cropsey	Gilbert
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Excused—2

Patterson	Stamas
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Not Voting—0

In The Chair: Richardville

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

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

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Kahn and Van Woerkom introduced

Senate Bill No. 1383, entitled

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

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

Senator Kahn introduced

Senate Bill No. 1384, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," (MCL 38.1301 to 38.1408) by adding section 104b.

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

Senators Whitmer, Pappageorge, Basham, Switalski, Kuipers, Gleason and Hardiman introduced

Senate Bill No. 1385, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," (MCL 28.171 to 28.176) by adding section 5.

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

Senators Whitmer, Pappageorge, Basham, Switalski, Kuipers, Gleason and Hardiman introduced

Senate Bill No. 1386, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," (MCL 28.171 to 28.176) by adding section 5.

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

Senators Whitmer, Pappageorge, Basham, Switalski, Kuipers, Gleason and Hardiman introduced

Senate Bill No. 1387, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 3a (MCL 28.173a), as added by 2001 PA 88.

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

Senators Kuipers and Hardiman introduced

Senate Bill No. 1388, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2 and 6 (MCL 28.172 and 28.176), section 2 as amended by 2001 PA 88 and section 6 as amended by 2003 PA 76.

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

Senator Kuipers introduced

Senate Bill No. 1389, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 23 to chapter XVI.

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

Senators Cassis and Garcia introduced

Senate Bill No. 1390, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3240 (MCL 600.3240), as amended by 2006 PA 579.

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

Senators Brown, Jelinek, Pappageorge and Garcia introduced

Senate Bill No. 1391, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4a (MCL 445.574a), as added by 1998 PA 473.

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

Senators Richardville, Jelinek, Pappageorge, Garcia and Brown introduced

Senate Bill No. 1392, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

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

Senators Allen, Jelinek, Pappageorge, Garcia and Brown introduced

Senate Bill No. 1393, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4b (MCL 445.574b), as added by 1998 PA 473.

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

Senators Jelinek, Pappageorge, Garcia and Brown introduced

Senate Bill No. 1394, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 2 (MCL 445.572), as amended by 1998 PA 473.

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

Senators Jelinek, Pappageorge, Garcia and Brown introduced

Senate Bill No. 1395, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20113 (MCL 324.20113), as amended by 1996 PA 383.

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

House Bill No. 4593, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2006 PA 158.

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 Education.

House Bill No. 6205, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

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

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

Statements

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

The motion prevailed.

Senator Cropsey's statement is as follows:

Today there was released a report of the National Legal Aid & Defender Association that the State Senate had passed a resolution asking for a study to be done, and I believe the cost of this study was picked up by the State Bar of Michigan. The name of the study is "A Race to the Bottom." I think it is an important study that we do need to look at and we do need to consider. I just wanted to make the comment, though, that this should be a part of a much broader issue that we are studying about.

The police groups and many of the local stakeholders came together some time ago and came out with a blueprint for public safety, and one of the concerns that was recommended said that we need to look at indigent criminal defense. Keep in mind also that as we look at this issue, there are several people who have constitutional rights when the criminal trials are going on. Obviously, the sheriffs, the prosecutors, and the judges all have a very key part to play in the prosecution of justice. Another key part has been the defendants in the criminal justice system, and that has been known, I believe, since the founding of our nation.

But then not too long ago in our State Constitution, we also made sure that victim rights were also protected by our own State Constitution. I think that this study needs to be taken in the context that we are looking at several of the different rights. We are looking at public safety overall, and where improvements can be made, we will continue to make those improvements.

I just wanted to welcome this study, and at the same time, take a look at the study more in-depth to find out what the strengths are and what the weaknesses are of this study.

Senator Scott's statement is as follows:

The Nigerian contemporary playwright Tess Onwueme once observed, "People create social conditions and people can change them." Well, isn't that the truth. To take her observation a step further, people created this mess we're in regarding insurance in Michigan, and people can change it.

We've already heard from the consumers. They're mad as heck. We've heard from experts both inside and outside of the industry, and they say it's unfair. We've heard from newspaper editors, medical experts, and colleagues who agree there's a problem.

So if people created this social condition, you are the people who can change it. How can we start? You can move my bills.

Senator Gleason's statement is as follows:

I rise today to once again speak on behalf of Michigan workers. Too routinely now, we are reading in the headlines about Michigan manufacturing jobs being shut down and lost forever. We know that we have the highest-qualified, the highest-scale, the highest-motivated, and now, unfortunately, probably the most highly-endangered work force in the world regarding manufacturing jobs, particularly in the automobile industry. Once again now Flint, Michigan, the Motor City Capital of the World at one time, is losing a whole shift. Now that is not news to lose another shift in Michigan manufacturing plants.

I speak today in regard to the workers. Too many times we read about 10,000 workers losing their jobs; 19,000 workers yet losing their jobs. I think we have to get back to once again understanding the sensitivity of the individuals and the families who are losing their work, their employment, their health care, and their pensions. I know that we have the highest-skilled work force in the country. It has been reaffirmed on many occasions. We look at the foreign markets coming to our country—Toyota, Honda, and others—making vehicles utilizing this highly-skilled work force, and yet, we just see our own home-country, homegrown jobs being discarded every single day.

We as a nation and a state must understand the more personal aspect of this. We have not seen an increase in the unemployment compensation for these workers, who put together the vehicles that are presented to them on the assembly lines. They put these vehicles together using the specifications and requirements from the automaker themselves, yet at the end of any particular work day, they can be given their pink slips to say to go home; your job is lost forever.

As a state, I think we must shore up the opportunities that these men and women across Michigan need. Let's spend more money on retraining. Let's give them the unemployment compensation that they earned working day in and day out in these factories. But we are standing by as a state. Flint, Michigan, has lost nearly 80,000 manufacturing factory jobs, and I know Saginaw and other manufacturing centers across the state have like numbers.

Let's help these workers out. They are just doing what they are asked, putting together vehicles that have been presented to them to be produced. When you look at the truck plant in Flint, Michigan, I don't think any of us would argue with the fact that they are trying to build a product that is unsaleable today; the gas guzzlers that these workers have been

asked to put together that they can't sell now. They are being punished personally for trying to produce a product that cannot sell. So we must encourage those who manufacture products in Michigan to get saleable products to market. But we must not let the families who produce these vehicles day after day, hour after hour, shift after shift be punished.

Mr. Chairman, I would ask that once again we review and offer an opportunity to compensate these families who have done what they have been asked for decades and are now out on the streets.

I ask that my remarks be recorded in the Journal. I hope that we put the Michigan workers on the front line of our concerns again.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 493, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16342 and part 176.

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

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

Thomas M. George
Chairperson

To Report Out:

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

Nays: Senator Allen

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

The Committee on Health Policy reported

Senate Bill No. 921, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

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

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

Thomas M. George
Chairperson

To Report Out:

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

Nays: Senator Allen

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

The Committee on Health Policy reported

Senate Bill No. 1167, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16265, 16315, 16335, 17801, 17820, 17821, and 17822 (MCL 333.16265, 333.16315, 333.16335, 333.17801, 333.17820, 333.17821, and 333.17822), section 16315 as amended by 2007 PA 166, section 16335 as added by 1993 PA 80, section 17801 as amended by 1987 PA 213, sections 17820 and 17821 as amended by 2006 PA 387, and section 17822 as amended by 2005 PA 281, and by adding sections 17808, 17823, 17824, 17825, 17849, 17850, 17854, 17856, 17862, 17864, 17866, 17868, 17870, 17872, 17878, 17882, and 17884.

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

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

Thomas M. George
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, June 11, 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 Appropriations reported

House Bill No. 4840, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 85.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

House Bill No. 4847, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

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

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Barcia and Brater

Nays: Senators Anderson, Cherry and Clark-Coleman

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

The Committee on Appropriations reported

House Bill No. 6094, entitled

A bill to authorize the state administrative board to exchange certain real property in Ingham county; to prescribe conditions for the exchange; and to provide for disposition of revenue derived from the exchange.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Nays: Senator Jansen

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, June 11, 2008, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry and Clark-Coleman

Excused: Senator Scott

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1309, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 461. With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen and Gilbert

Nays: Senator Thomas

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1310, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16631. With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1344, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1205 (MCL 500.1205), as amended by 2001 PA 228.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1351, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 526.

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

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1352, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 413.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.
The committee further recommends that the bill be given immediate effect.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 5681, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 106, 404, 505, 548, 611, 901, and 922 (MCL 450.2106, 450.2404, 450.2505, 450.2548, 450.2611, 450.2901, and 450.2922), sections 106, 404, and 901 as amended by 2008 PA 9 and section 611 as amended by 1984 PA 209.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 5925, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 111, 525, 537, 603, 607, 906, and 1027 (MCL 436.1111, 436.1525, 436.1537, 436.1603, 436.1607, 436.1906, and 436.2027), section 525 as amended by 2006 PA 539, sections 537 and 607 as amended by 2005 PA 269, section 906 as amended by 2008 PA 11, and section 1027 as amended by 2001 PA 46, and by adding section 534.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and Regulatory Reform submitted the following:

Meeting held on Wednesday, June 11, 2008, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Sanborn (C), Richardville, Allen, Gilbert, Thomas, Hunter and Jacobs

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1077, entitled

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

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

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.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81115, 81129, 81131, 81133, and 81147 (MCL 324.81115, 324.81129, 324.81131, 324.81133, and 324.81147), sections 81115 and 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, section 81133 as amended by 1998 PA 86, and section 81147 as amended by 2004 PA 587.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 6014, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80205 and 80215 (MCL 324.80205 and 324.80215), section 80205 as amended by 2007 PA 8 and section 80215 as added by 2000 PA 229; and to repeal acts and parts of acts.

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

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Patterson, Basham and Prusi

Nays: Senator Van Woerkom

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

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:

Meeting held on Wednesday, June 11, 2008, at 1:00 p.m., Room 110, Farnum Building

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

The Committee on Finance reported

Senate Bill No. 880, entitled

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

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.

Nancy Cassis
Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

Nays: None

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

The Committee on Finance reported

Senate Bill No. 881, entitled

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

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.

Nancy Cassis

Chairperson

To Report Out:

Yeas: Senators Cassis, Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

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 Finance submitted the following:

Meeting held on Thursday, June 12, 2008, at 11:09 a.m., Room 110, Farnum Building

Present: Senators Cassis (C), Gilbert, McManus, Jansen, Prusi, Jacobs and Whitmer

The Committee on Energy Policy and Public Utilities reported

Senate Bill No. 7, entitled

A bill to establish minimum efficiency standards for certain products sold or installed in the state; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

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

Bruce Patterson

Chairperson

To Report Out:

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

Nays: Senators Brown and Kuipers

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

The Committee on Energy Policy and Public Utilities reported

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.

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.

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Richardville, Olshove, Prusi and Thomas

Nays: Senators Brown, Birkholz and Kuipers

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

The Committee on Energy Policy and Public Utilities reported

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.

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.

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Richardville, Olshove, Prusi and Thomas

Nays: Senators Brown, Birkholz and Kuipers

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

The Committee on Energy Policy and Public Utilities reported

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.

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.

Bruce Patterson
Chairperson

To Report Out:

Yeas: Senators Patterson, Richardville, Olshove, Prusi and Thomas

Nays: Senators Brown, Birkholz and Kuipers

The bill and the substitute 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, June 12, 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 Committee on Senior Citizens and Veterans Affairs submitted the following:

Meeting held on Wednesday, June 11, 2008, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Allen (C), Pappageorge, Garcia and Basham

Excused: Senator Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, June 12, 2008, at 9:00 a.m., Room 110, Farnum Building

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

Scheduled Meetings

Agriculture - Thursday, June 19, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Wednesday, June 18, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Capital Outlay - Thursday, June 26, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Higher Education - Wednesday, June 25, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Campaign and Election Oversight - Wednesday, June 18, 12:30 p.m., Room 405, Capitol Building (373-1725)

Commerce and Tourism - Wednesday, June 18, 9:00 a.m., Room 100, Farnum Building (373-2413)

Economic Development and Regulatory Reform - Wednesday, June 18, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Health Policy - Wednesday, June 18, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Legislative Commission on Government Efficiency - Friday, June 27, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Legislative Commission on Statutory Mandates - Wednesday, June 25, 2:00 p.m., Oakland County Executive Office Building, Conference Center/West Oakland Room, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Michigan Capitol Committee - Thursday, June 19, 8:00 a.m., Room 426, Capitol Building (373-5527)

Natural Resources and Environmental Affairs - Wednesday, June 18, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 1:25 p.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, June 18, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate