

No. 31
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, April 13, 2011.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Senator Patrick J. Colbeck of the 7th District offered the following invocation:

Dear God, we ask for Your guidance in today's proceedings, both inside this chamber and outside this chamber. Help us to see those whom we work with as You see them. Help us to see ourselves as You see us. Please guide us so that our thoughts, words, and our actions may all be in accordance with Your will.

God, please be with all those who are suffering right now, who are dealing with family illnesses and other issues associated with their families. Help us not to forget what really matters most in our lives as we go through the important business of the Senate. Help us always to stay focused on Your will for our lives.

God, please help us so that Your light and Your truth will shine on all of our activities of this day. We ask this in Jesus' name. Amen.

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

Motions and Communications

Senators Hood, Marleau, Schuitmaker, Kahn and Green entered the Senate Chamber.

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

April 12, 2011

Pursuant to MCL 388.1301, I am appointing Senator Phil Pavlov to serve on the Education Commission of the States for a term from January 1, 2011 to December 31, 2014.

If you have any questions, please do not hesitate to contact Teri L. Ambs in my office at 373-3543.

April 12, 2011

Pursuant to MCL 324.32202, I am appointing Senator Tom Casperson to serve on the Great Lakes Commission for a term from January 1, 2011 to December 31, 2014.

If you have any questions, please do not hesitate to contact Teri L. Ambs in my office at 373-3543.

April 12, 2011

Pursuant to MCL 4.1401, I am appointing Senators Tonya Schuitmaker and Vincent Gregory to serve on the Michigan Law Revision Commission for a term from January 1, 2011 to December 31, 2014.

If you have any questions, please do not hesitate to contact Teri L. Ambs in my office at 373-3543.

April 12, 2011

Pursuant to MCL 397.14, I am appointing Senators Dave Robertson and Steve Bieda to serve on the Michigan Library Board of Trustees for a term from January 1, 2011 to December 31, 2014.

If you have any questions, please do not hesitate to contact Teri L. Ambs in my office at 373-3543.

Respectfully yours,
Randy Richardville
Senate Majority Leader

The communications were referred to the Secretary for record.

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

April 8, 2011

Enclosed is a copy of the following audit report:

Performance audit of Selected Activities of the Bureau of Regulatory Services, Department of State.
Auditor General

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

Senator Meekhof moved that Senator Emmons be temporarily excused from today's session.

The motion prevailed.

Senator Hunter moved that Senators Johnson and Hopgood be temporarily excused from today's session. The motion prevailed.

Senator Emmons entered the Senate Chamber.

Senator Meekhof moved that the rules be suspended and that the following resolution, now on Committee Reports, be placed on the Resolutions calendar for consideration today:

Senate Resolution No. 24

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

Senator Meekhof moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 265

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, April 12:

House Bill Nos. 4192 4369 4389

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, March 30, for his approval the following bills:

Enrolled Senate Bill No. 206 at 11:05 a.m.

Enrolled Senate Bill No. 189 at 11:07 a.m.

Enrolled Senate Bill No. 188 at 11:09 a.m.

Messages from the Governor

The following messages from the Governor were received:

Date: April 12, 2011
Time: 8:55 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 188 (Public Act No. 17), being

An act to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prohibit certain individuals from engaging in certain activities within a student safety zone; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions," by amending sections 2, 3, 4, 4a, 5, 5a, and 5b (MCL 28.722, 28.723, 28.724, 28.724a, 28.725, 28.725a, and 28.725b), section 2 as amended by 2005 PA 301, section 3 as amended by 1999 PA 85, section 4 as amended by 2004 PA 240, section 4a as amended and section 5b as added by 2004 PA 237, section 5 as amended by 2006 PA 402, and section 5a as amended by 2005 PA 322, and by adding section 3a.

(Filed with the Secretary of State on April 12, 2011, at 11:40 a.m.)

Date: April 12, 2011
Time: 9:04 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 189 (Public Act No. 18), being

An act to amend 1994 PA 295, entitled "An act to require persons convicted of certain offenses to register; to prohibit certain individuals from engaging in certain activities within a student safety zone; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe fees, penalties, and sanctions," by amending sections 6, 7, 8, 8c, 8d, 9, and 10 (MCL 28.726, 28.727, 28.728, 28.728c, 28.728d, 28.729, and 28.730), section 6 as amended by 1996 PA 494, section 7 as amended by 2004 PA 237, section 8 as amended and sections 8c and 8d as added by 2004 PA 240, section 9 as amended by 2005 PA 132, and section 10 as amended by 2006 PA 46, and by adding section 8a; and to repeal acts and parts of acts.

(Filed with the Secretary of State on April 12, 2011, at 11:42 a.m.)

Date: April 12, 2011
Time: 9:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 206 (Public Act No. 19), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 538.

(Filed with the Secretary of State on April 12, 2011, at 11:44 a.m.)

Respectfully,
Rick Snyder
Governor

Third Reading of Bills

Senator Hopgood entered the Senate Chamber.

The following bill was read a third time:

Senate Bill No. 259, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7212 (MCL 333.7212), as amended by 2010 PA 171.

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. 90

Yeas—37

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Jones	Proos	Young
Green			

Nays—0

Excused—1

Johnson

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

Senator Johnson entered the Senate Chamber.

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

Senate Bill No. 56

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 56, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 1059.

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. 91**Yeas—38**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Johnson	Proos	Young
Green	Jones		

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

Senators Bieda, Booher, Brandenburg, Caswell, Colbeck, Emmons, Gregory, Hansen, Hildenbrand, Hood, Hopgood, Hune, Hunter, Jansen, Johnson, Jones, Kahn, Kowall, Marleau, Moolenaar, Nofs, Pappageorge, Pavlov, Proos, Rocca, Schuitmaker, Smith, Warren, Whitmer and Young were named co-sponsors of the bill.

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

The motion prevailed.

Senator Gleason's statement is as follows:

I spoke yesterday on behalf of this legislation, and I would like to speak again today. I would like to particularly thank the leadership for understanding the importance. Many times we have a chance to name a highway or another public-use instrument after an individual. This request was asked for many months ago. Mark Ingram, over a year ago, won the Heisman Trophy and won the national title at the University of Alabama. The African American Sports Hall of Fame has asked that this section of highway be named after him. They have a high purpose for this request.

Mark Ingram is going to graduate one year early from the University of Alabama. He can serve a major purpose. African-American males in the Flint schools graduate at a rate of about 25 percent, which tells you that 75 percent do not graduate. Many young men today look at a professional athletic career as a path to riches in their lives.

Mark Ingram can serve as a mentor to the young men in the Flint schools that he graduated from; that you can be the best on the field, but you can even be better in the classroom. Flint students need this recognition.

Now I think it's important; there is a longer story to this. Mark Ingram attended Grand Blanc High School, a fairly affluent suburban school, and then he transferred to an inner-city school, Flint Southwestern High School, where he graduated. So his path has been firmly secured. That is why I am thanking the leadership for giving us a chance to name a highway after him at the request of the African American Sports Hall of Fame.

It is nice to have a young person who rises up from the inner city, and we can say this is what we want our children to be like. His grandfather graduated from Michigan State University and played professional football, including the Detroit Lions. His dad graduated and played professional football with the New York Giants.

But their task today is not based on athletics but academics. So I look forward to one day, Lieutenant Governor, having this bill on the Governor's desk and have full support that we in this chamber and at the other end of this building will think that it is important that athletics are secondary to academics.

Thank you, Mr. Lieutenant Governor and Senators, for a chance to speak on this legislation.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Moolenaar as Chairperson.

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

Senate Bill No. 109, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57v.

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. 265, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2009 PA 146.

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.

Resolutions

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

Senate Resolution No. 36

The resolution consent calendar was adopted.

Senators Kowall and Bieda offered the following resolution:

Senate Resolution No. 36.

A resolution to commemorate the sesquicentennial of Michigan's participation in the American Civil War on behalf of the Union, democracy, freedom, and human rights.

Whereas, Michigan's commemoration of the American Civil War occurs from April 2011 into 2015; and

Whereas, Michigan's commemoration of the Civil War sesquicentennial is led by the Michigan Historical Commission and the Michigan Historical Center, in partnership with various groups and associations, such as the Sons of Union Veterans of the Civil War; and

Whereas, This commemoration preserves the vital legacy of our forbearers who fought steadfastly to save the Union, preserve American democracy, and protect freedom and human rights for all people, founded on antislavery heritage of the Northwest Ordinance of 1787 and the Michigan Constitution; and

Whereas, Michigan sent 50 percent of its military-age male population to fight in the war, including specialized regiments of sharpshooters and engineers. This was more cavalry per capita than any other Northern state and comprised individuals of diverse ethnic origin, including Native Americans and African Americans; and

Whereas, Michiganders served in legendary military units such as the Iron Brigade, the Stonewall Regiment, and the Michigan Cavalry Brigade; and

Whereas, Michigan's Civil War-era female population made invaluable contributions to the Union cause by working on the home front, supporting troops through commissions and societies, and in some cases, serving in military capacities; and

Whereas, Michigan lost over 14,000 soldiers and sailors in the conflict, whose selfless sacrifice should forever be remembered and extolled; and

Whereas, Appropriately recognizing the sesquicentennial of the Civil War will increase awareness of Michigan's great heritage and enhance the state's culture and quality of life; now, therefore, be it

Resolved by the Senate, That we hereby commemorate the sesquicentennial of Michigan's participation in the American Civil War. We encourage all Michiganders to take direct and active part in the sesquicentennial of the Civil War. We further ask that all units of state and local government, colleges, libraries, museums, and media outlets encourage, foster, and participate in Civil War sesquicentennial observances in Michigan to enrich the knowledge and appreciation of this great chapter in our state's history; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Historical Center, the National Park Service, the American Association for State and Local History, the Michigan Sons of Union Veterans, and the Military Order of the Loyal Legion of the United States.

Senators Booher, Brandenburg, Caswell, Hansen, Hopgood, Jones, Marleau, Richardville, Rocca and Schuitmaker were named co-sponsors of the resolution.

Senators Pappageorge, Anderson, Schuitmaker, Marleau, Brandenburg, Hildenbrand, Kahn, Booher, Jones, Pavlov, Nofs, Gregory, Hune and Robertson offered the following resolution:

Senate Resolution No. 37.

A resolution designating April 2011 as Michigan Student Athlete Cardiac Awareness Month.

Whereas, The state of Michigan has lost at least 47 students to sudden cardiac arrest and related causes since December 1999. Most recently, on March 3, 2011, Fennville High School star basketball player Wes Leonard collapsed shortly after scoring the winning basket in overtime; and

Whereas, One of those students lost was 15-year-old Kimberly Anne Gillary, who suffered a sudden cardiac arrest in a high school water polo game on April 1, 2000; and

Whereas, The Gillary family founded the Kimberly Anne Gillary Foundation in April 2000 in Kimberly's memory to donate automated external defibrillators (AEDs) to Michigan high schools, as well as advocate cardiac screening and testing of all Michigan high school student athletes; and

Whereas, As of March 1, 2011, the Kimberly Anne Gillary Foundation has raised more than \$1.12 million and has donated more than 550 AEDs to Michigan high schools; and

Whereas, There have been at least two lives saved using AEDs donated by the Kimberly Anne Gillary Foundation. On October 24, 2007, the life of 17-year-old Ashley Palmer was saved at Davison High School due to the quick thinking and training of Davison High School staff members. On April 22, 2009, 67-year-old Larry Ratkowski, while a spectator at a Hamilton High School baseball game, was saved due to the quick thinking and training of the principal, the athletic trainer, one of the students, and a deputy sheriff; and

Whereas, In large part, as a result of the efforts of the Kimberly Anne Gillary Foundation, approximately 75 percent of the high schools in Michigan now have at least one AED, and staff members are trained in CPR and the use of an AED. There is an increased awareness of the importance of more effective pre-participation cardiac screening of our high school student athletes and having AEDs readily accessible in our Michigan high schools; now, therefore, be it

Resolved by the Senate, That April 2011 be hereby designated as Michigan Student Athlete Cardiac Awareness Month; and be it further

Resolved, That the people of the state of Michigan are encouraged to become more aware of the importance of improved pre-participation screening of our student athletes, including the preparedness of our citizenry and public employees to respond to the sudden cardiac arrest of our sons and daughters while entrusted to our public schools in the course of their education; and be it further

Resolved, That the State Board of Education be urged to include provisions in policies and regulations for AED training in student health education courses and for regular AED drills, so that students and staff will be better prepared to use AEDs to save lives in schools and other public places; and be it further

Resolved, That the State Board of Education advise schools to facilitate the education of students and their families to identify situations where students may be at risk; and be it further

Resolved, That copies of this resolution be transmitted to the Kimberly Anne Gillary Foundation and the State Board of Education as a symbol of our support.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The resolution was adopted.

Senators Bieda, Hansen, Hopgood, Kowall and Richardville were named co-sponsors of the resolution.

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

Senate Resolution No. 37 recognizes the month of April as Michigan Student Athlete Cardiac Awareness Month. Since December 1999, the state of Michigan has lost at least 47 students to sudden cardiac arrest (SA) and related causes. Most recently, Fennville High School basketball player, Wes Leonard, collapsed and died shortly after scoring his team's winning basket on March 3. In April 2000, another young Michigan resident, 15-year-old Kimberly Gillary, suffered a sudden cardiac arrest in a high school water polo game and died two days later after being taken off of life support.

Kimberly's parents, Randy and Susan, founded the Kimberly Anne Gillary Foundation in their daughter's memory. The foundation donates automated external defibrillators to Michigan high schools and advocates cardiac screening and testing for all student athletes. As of March 1, 2011, the foundation has raised more than \$1 million and has donated more than 550 of these devices to Michigan high schools.

Randy and Susan and their family are here today to support the resolution and to help raise awareness of this important issue. I ask that you support Senate Resolution No. 37, as well as join with me in the welcoming of Randy and Susan and their daughters, Emily and Jennifer, to the Michigan Senate. They are in the east Gallery.

Senate Resolution No. 24.

A resolution to memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone.

The question being on the adoption of the resolution,

The resolution was adopted.

Senator Meekhof moved that rule 3.902 be suspended to allow the guest of Senator Schuitmaker admittance to the Senate floor.

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

Introduction and Referral of Bills

Senators Hildenbrand and Proos introduced

Senate Bill No. 322, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2008 PA 498.

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

Senators Proos and Hildenbrand introduced

Senate Bill No. 323, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 34d, 35, and 37 (MCL 211.34d, 211.35, and 211.37), section 34d as amended by 2007 PA 31, section 35 as amended by 2002 PA 620, and section 37 as amended by 2009 PA 49.

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

Senators Pappageorge, Warren, Casperson, Anderson, Schuitmaker, Marleau, Brandenburg, Hildenbrand, Jones, Pavlov, Gregory, Hune, Proos, Jansen and Robertson introduced

Senate Bill No. 324, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2010 PA 346.

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

Senators Warren, Pappageorge, Anderson, Casperson, Schuitmaker, Marleau, Brandenburg, Hildenbrand, Booher, Jones, Pavlov, Gregory, Hune, Proos, Jansen and Robertson introduced

Senate Bill No. 325, entitled

A bill to establish the Michigan Alzheimer’s association fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

House Bill No. 4192, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

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 Health Policy.

House Bill No. 4369, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

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 Health Policy.

House Bill No. 4389, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16185 (MCL 333.16185), as added by 2006 PA 25.

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 Health Policy.

Statements

Senators Bieda, Schuitmaker, Hood and Proos asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Bieda’s statement is as follows:

Today I rise in recognition of Autism Awareness Month. Earlier this morning, we handed out a ribbon, one of which I am proud to wear today, which has a puzzle pattern on it. You may be wondering a little bit about what this represents. The puzzle pattern on the ribbon represents the mystery and complexity of autism. The different colors and shapes represent the diversity of people and families living with this disorder. The brightness of the ribbon signals hope—hope through research and increasing awareness of people like you.

Currently in Michigan, there are 7,259 children with autism. It touches a whole range of economic, occupational, and geographical areas of our state. Today and in the month of April and I hope every day that you will remember and recognize our fellow citizens who have the challenges of autism in our society.

Senator Schuitmaker's statement is as follows:

With me today I have a wonderful young gentleman who has helped me out in my office. I would like the members to help thank him for his services to my office and the constituents of the 20th District and the state of Michigan. With me today is Yuri Demidko, and I would just welcome and thank him immensely. Today is his last day, and I thank him.

Senator Hood's statement is as follows:

In the *Detroit Free Press*, there was an article picked up by the *Lansing State Journal* and other press agencies across the state stating Michiganders 67 years and older are spared pension taxes. My question today is to the groups or bodies or persons or whomever were in the process of creating this. As I received phone calls yesterday in my office from individuals who are 55, 62 years old asking me if when they reach 67 years and receive a pension, would they not be taxed. I would like to know if whether or not, once again, when they reach 67 years old, their pensions will be taxed.

Senator Proos' statement is as follows:

Mr. President, my colleagues should probably take note of a pretty serious situation that occurred very recently. It is national news. Selfless Michigan is blessed with many great people, many of whom are great young people who were just in the Gallery representing blossomtime—blossomtime excitement as spring arises in southwest Michigan, the fruit belt of our great nation.

Unfortunately, we also have the news of a young man from Niles who was killed in action in Afghanistan. It was national news, folks. Unfortunately, Benjamin Rast, 23 years old, a Marine reservist from Texas and a Brandywine High School graduate in 2006, was killed. I am certain that we as a state will take a moment and as a Senate will take a moment to honor another fallen from our greatest ranks. I did want to say something because it is national news right now.

This reservist from Niles, a medic, apparently, as the investigation continues in the United States military, was killed by friendly fire from an unmanned drone.

My colleagues in this Senate have stood up at podiums like this and have given memorial remarks with family members here. While the family members are not here right now, they are preparing for a memorial service to be held at his high school, Brandywine High School just outside of Niles, in just a couple of days, on Friday, with his burial in Niles on Saturday.

I think it is a reminder with all of the challenges that we have in our great nation and in our great state, in each of our communities, particularly as we work so very hard and diligently through these budget troubles that we have; that we do take a moment to remember the purpose of why we are here; and we take a moment to recall the brave young men and women who volunteer their service, and in some cases, give of their greatest measure—their lives—for our protection.

As I mentioned in the opening of my remarks, we smile at the beautiful young faces of the men and women who represent the blossomtime festivities in southwest Michigan. Senator Schuitmaker and I just welcomed them on the Senate floor. Those young faces will be graduating, yet again, and many of those men and women will enter into our armed services of their own volition in an all-volunteer force, putting themselves in harm's way. I am sure we will have a moment to recognize Benjamin Rast, the Marine reservist from Texas originally from Niles and a 2006 Brandywine High School graduate, who died on April 6 in Afghanistan from friendly fire.

I'd ask that as we go through these challenging times ahead and as we remember and we see all of those voices on the lawn today, each of them have benefited and each of us have benefited from those who have given their greatest measure—their lives.

Committee Reports

The Committee on Veterans, Military Affairs and Homeland Security reported

Senate Bill No. 214, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

With the recommendation that the bill pass.

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

John R. Moolenaar
Chairperson

To Report Out:

Yeas: Senators Moolenaar, Pappageorge, Emmons and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Veterans, Military Affairs and Homeland Security submitted the following:

Meeting held on Tuesday, April 12, 2011, at 1:02 p.m., Room 210, Farnum Building

Present: Senators Moolenaar (C), Pappageorge, Emmons and Gregory

Excused: Senator Smith

The Committee on Transportation reported

Senate Bill No. 265, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2009 PA 146.

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.

Thomas A. Casperson

Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov and Gleason

Nays: Senator Hood

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

The Committee on Transportation reported

House Bill No. 4004, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 2008 PA 570.

With the recommendation that the bill pass.

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

Thomas A. Casperson

Chairperson

To Report Out:

Yeas: Senators Casperson, Kowall, Brandenburg, Pavlov, Gleason and Hood

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Tuesday, April 12, 2011, at 12:30 p.m., Room 100, Farnum Building

Present: Senators Casperson (C), Kowall, Brandenburg, Pavlov, Gleason and Hood

The Committee on Judiciary reported

Senate Resolution No. 24.

A resolution to memorialize Congress and the United States Drug Enforcement Agency to make it illegal to possess, use, or sell the drugs MDPV and mephedrone.

(For text of resolution, see Senate Journal No. 24, p. 329.)

With the recommendation that the resolution be adopted.

Rick Jones

Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, April 12, 2011, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Thursday, March 31, 2011, at 10:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Caswell (C), Jansen and Gregory

Excused: Senator Proos

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Wednesday, April 6, 2011, at 10:30 a.m., Room 100, Farnum Building

Present: Senators Green (C), Walker, Booher and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Wednesday, April 6, 2011, at 1:30 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Green (C), Walker, Booher and Hopgood

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Tuesday, April 12, 2011, at 11:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Walker (C), Caswell, Pappageorge and Hopgood

COMMITTEE ATTENDANCE REPORT

The Committee on Energy and Technology submitted the following:

Meeting held on Tuesday, April 12, 2011, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Nofs (C), Proos, Jones, Schuitmaker, Walker, Hopgood, Bieda and Young

Excused: Senator Marleau

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Agriculture and Rural Development submitted the following:

Meeting held on Tuesday, April 12, 2011, at 3:00 p.m., Room 210, Farnum Building

Present: Senators Green (C), Moolenaar and Hopgood

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary submitted the following:

Meeting held on Wednesday, April 13, 2011, at 9:00 a.m., Room 100, Farnum Building

Present: Senators Proos (C) and Schuitmaker

Excused: Senator Johnson

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

Corrections Department - Thursday, April 14, 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Thursday, April 14, 3:30 p.m. or later following the Natural Resources Department Appropriations Subcommittee meeting, Rooms 402 and 403, Capitol Building (373-2768)

General Government - Tuesday, April 19, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Human Services Department - Thursday, April 14, 2:30 p.m., Room 210, Farnum Building (373-2768)

K-12, School Aid, Education - Tuesday, April 19, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Thursday, April 14, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

State Police and Military Affairs - Thursday, April 14, 1:00 p.m., Room 405, Capitol Building (373-2768)

Transportation - Thursday, April 14, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Michigan Law Revision Commission - Tuesday, April 19, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, April 14, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, April 14, 12:30 p.m., Room 210, Farnum Building (373-5323)

Regulatory Reform - Thursday, April 14, 1:30 p.m., Room 110, Farnum Building (373-5307)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 10:44 a.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, April 14, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

