

**No. 33**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**94th Legislature**  
**REGULAR SESSION OF 2008**

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Senate Chamber, Lansing, Thursday, March 27, 2008.

10:00 a.m.

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

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

Allen—present  
Anderson—present  
Barcia—present  
Basham—present  
Birkholz—present  
Bishop—present  
Brater—present  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present

Garcia—present  
George—present  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—present  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Olshove—present

Pappageorge—present  
Patterson—present  
Prusi—present  
Richardville—present  
Sanborn—present  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—present  
Van Woerkom—present  
Whitmer—present

Pastor Phil Boender of Fellowship Christian Reformed Church of Grand Rapids offered the following invocation:

Father God, we come to You and we thank You for this day. We thank You for Your many blessings to us, and we acknowledge Your presence in this place this morning. We praise You for being an awesome God, a loving God, a holy God, and a just God. During this Easter season, we praise You that You are a risen Savior as well.

Lord, we come to You and we thank You for this place. We thank You for our nation, and we ask Your continued blessings upon her and her leadership. We think of our President and Vice President and leaders as well, but at this moment, our thoughts turn toward Michigan. We thank You for this state. We pray for her today; her areas of need. We praise You for the areas of blessing and we are grateful to You for those.

We ask, Lord, that You would bless our Governor, our Representatives, and especially today we pray for our Senators. We pray that You would grant them wisdom and discernment, guidance, and courage in their duties today and this week and the weeks and months and even years to come. Lord, we pray for our economy. We pray for industry, agriculture, and commerce. We think of education too, Lord. We ask Your blessing upon our teachers, students, and administrators. Lord, our thoughts also go toward those in our state who have loved ones serving overseas. We think of our troops, even those in harm's way. We ask that You would watch over them and keep an eye on them and cover them with Your care. Be with their families too.

Lord, we thank You for families. Make our Michigan families strong, and may our families be a cornerstone of society. We think of individual families represented here today too. We ask Your blessing on it all. We praise You for being our God, and we ask again for Your blessing.

This is our prayer in Jesus' name. Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator Whitmer entered the Senate Chamber.

The following communications were received and read:

Office of the Auditor General

March 25, 2008

Enclosed is a copy of the following audit report:

Performance audit of Prisoner Medical and Dental Services, Department of Corrections.

March 25, 2008

Enclosed is a copy of the following audit report:

Performance audit of the Bureau of Information Security, Department of State.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

The following communication was received:

Department of State Police

March 21, 2008

Attached is the report required by PA 76 of 2007, Sec. 3(2), regarding the actual cost of fingerprinting.

If you have any questions, please contact me at (517) 336-6692.

Sincerely,

Shawn W. Sible, Director

Budget and Financial Services Division

The communication was referred to the Secretary for record.

The following communication was received:

Department of Transportation

March 24, 2008

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2008.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,  
Kirk T. Steudle  
Director

The communication was referred to the Secretary for record.

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, March 26, for her approval the following bills:

**Enrolled Senate Bill No. 1183 at 10:26 a.m.**

**Enrolled Senate Bill No. 1173 at 10:28 a.m.**

**Enrolled Senate Bill No. 1174 at 10:30 a.m.**

The Secretary announced that the following official bills were printed on Wednesday, March 26, and are available at the legislative website:

**Senate Bill Nos. 1231 1232**

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bill:

**Senate Bill No. 1192, entitled**

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

The motion prevailed, a majority of the members serving voting therefor, and the bill was placed on the order of General Orders.

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

**Senate Bill No. 1192**

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

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

**Senate Bill No. 1223**

**Senate Bill No. 1224**

**Senate Bill No. 1225**

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

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

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

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

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

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 10:08 a.m.

10:53 a.m.

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

During the recess, Senator Whitmer introduced the Lansing Catholic High School Boys Basketball Team, Class B State Champions, and Coach Darren Zwick; and presented them with a Special Tribute.

Coach Zwick responded briefly.

During the recess, Senators Kahn, Kuipers, Thomas, Brater, Prusi, Clarke, Hunter, Garcia, Cherry, Schauer, Brown and McManus entered the Senate Chamber.

By unanimous consent the Senate proceeded 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. 1000**

**Senate Bill No. 1040**

**Senate Bill No. 1041**

**Senate Bill No. 1117**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1000, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 257.

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. 212**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senators Anderson, Barcia, Basham, Bishop, Brown, Cherry, Clarke, Gleason, Hardiman, Hunter, Jacobs, Kahn, McManus, Olshove, Patterson, Richardville, Sanborn, Schauer, Scott and Van Woerkom were named co-sponsors of the bill.

Senators Birkholz and Brater asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Birkholz’s first statement is as follows:

I would like to encourage members to support this legislation, Senate Bill No. 1000, which is before us today. It helps to move Michigan forward in the renewable energy area, and we are working hard with many companies and many entrepreneurs to bring businesses to this state to allow for the increased production of renewables. This bill will allow that without putting a strict mandate on the people, but it will require our government, the state of Michigan, when they go out to bid for energy to look for renewable products instead of just bidding in the regular market as it exists today.

So I encourage a “yes” vote, and I thank the good chair of our committee as well as the members of the energy committee who have been working hard with me on this issue.

Senator Brater’s statement is as follows:

I really do appreciate the good work of the good Senator from the west coast of Michigan on energy and other environmental issues. I know her heart is in the right place, and I know she sees this as a first step in a process. To all the committee members who are working on this issue, I appreciate the hard work that you are doing. I just felt that I needed to stand up because I’m getting e-mails from energy-efficiency advocates saying, “How low can these Senators set the bar?” So I think it needs to go on the record very strongly that we see this only as a first step.

It’s a very low hanging piece of fruit here that we’re taking today, but hopefully, it is the first step in a process that will create some real opportunities for creating renewable energy in the state of Michigan by setting some aggressive goals and, in my preference, mandates, although I know that’s an issue that we will have to deal with. To deal with the utilities that are setting bars in front of people who are trying to create renewable energy and actually charging people to put it on the grid, there are many, many people in this state who are seeing this as urgent that we move ahead. It’s a very important and economic development issue for this state, as well as environmental, that we expand this conversation and take more aggressive steps quickly so that companies who actually want to create jobs by building renewable energy infrastructure in our state will be invited and welcomed here. It is an urgent matter both environmentally to get control of global warming and also to create an environment for more jobs coming into our state.

Senator Birkholz’s second statement is as follows:

In response to the good Senator from Ann Arbor, I, too, appreciate her work in this area, but I would like to point out that we do intend—this is the first step—to get to energy efficiencies. There are more bills that are in the committee. We intend to move ahead on several of those, but I also want to point out that this bill sets a higher bar than the current bills on the other side of the dome. We will encourage a growing infrastructure by setting this RPS standard by requiring 10 percent by 2020.

The following bill was read a third time:

**Senate Bill No. 1040, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 253.

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. 213**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senators Barcia, Brown, Cherry, Clarke, George, Gleason, Hunter, Jacobs, Kahn, Olshove, Pappageorge, Patterson, Schauer and Van Woerkom were named co-sponsors of the bill.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

The following bill was read a third time:

**Senate Bill No. 1041, entitled**

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding section 10dd.

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. 214**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Senators Barcia, Cherry, Clarke, Cropsey, Gleason, Hunter, Jacobs, Jansen, McManus, Olshove, Patterson, Richardville and Schauer were named co-sponsors of the bill.

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

The motion prevailed.

Senator Richardville’s statement is as follows:

This legislation is intended to encourage Michigan residents to purchase electric energy through renewable sources as well as to promote transparency between a supplier and an electric consumer in terms of actual production costs associated with such renewable energy sources. The need for such openness is evident through a recent report through Standard & Poor’s, which cites one of the major problems with states promoting renewable energy use as the backlash that they received by residents because of a lack of transparency between the implementation of renewable energy sources and their increased monthly bills.

The primary aspect of Senate Bill No. 1041 is that it would require all electric energy suppliers in the state to provide their customers with a clean, renewable energy program. Specifically, an electric supplier would have to include on each customer’s bill the price differential for each kilowatt hour of electricity purchased from the renewable energy program compared to the purchase of nonrenewable electricity. In addition, an electric energy supplier would have to inform each customer on the bill that an income tax credit was available for the purchase of clean and renewable energy.

Thank you, Mr. President. I ask for your support and those of the rest of the chamber.

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

The following bill was read a third time:

**Senate Bill No. 1117, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 365.

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. 215**

**Yeas—30**

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

**Nays—8**

Brater	Clark-Coleman	Scott	Thomas
Cherry	Prusi	Switalski	Whitmer

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senators Anderson, Barcia, Brown, Clarke, Cropsey, Gleason, Jansen, Kuipers, McManus, Pappageorge and Sanborn were named co-sponsors of the bill.

By unanimous consent the Senate returned 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 and read:

March 26, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 35 of the Michigan Employment Security Act, 1936 (Ex Sess) PA 1, MCL 421.35:

**Michigan Employment Security Board of Review**

Mr. Mark E. Kaufmann of 42 South Summit Street, Ypsilanti, Michigan 48197, county of Washtenaw, reappointed to represent employee interests in this state, for a term expiring December 31, 2011.

Mr. Neal A. Young of 1136 Cadillac Drive, S.E., Grand Rapids, Michigan 49506, county of Kent, reappointed to represent employer interests in this state, for a term expiring December 31, 2011.

Sincerely,

Jennifer M. Granholm

Governor

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

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Clarke 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. 816, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 19 (MCL 125.2169), as amended by 1993 PA 333.

**Senate Bill No. 1192, entitled**

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

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

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

**House Bill No. 5607, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80114a.

Substitute (S-1).

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

1. Amend page 2, line 1, by striking out all of subdivision (C) and inserting:

**“(C) THE INDIVIDUAL IS OPERATING A NONCOMMERCIAL VESSEL AT SLOW—NO WAKE SPEED USING AN ELECTRIC MOTOR THAT IS RATED AT 100 POUNDS OF THRUST OR LESS.”.**

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**Senate Bill No. 146, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2 and 4 (MCL 207.552 and 207.554), section 2 as amended by 2005 PA 267 and section 4 as amended by 2004 PA 437.

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 rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1192**

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

The following bill was read a third time:

**Senate Bill No. 1192, entitled**

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 216**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

Senator Cropsey moved that the Committee on Appropriations be discharged from further consideration of the following bills:

**House Bill No. 5344, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

**House Bill No. 5531, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11j, 22a, 22b, 22d, 32b, 32c, 51a, 51c, 99c, and 104 (MCL 388.1611, 388.1611j, 388.1622a, 388.1622b, 388.1622d, 388.1632b, 388.1632c, 388.1651a, 388.1651c, 388.1699c, and 388.1704), as amended by 2007 PA 137, and by adding sections 31h, 32e, 54c, 99h, 99m, 99n, and 99p.

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

**House Bill No. 5344****House Bill No. 5531**

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

By unanimous consent the Senate returned to the order of  
**General Orders**

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

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

**Recess**

Senator Cropsey moved that the Committee of the Whole recess subject to the call of the Chairperson.

The motion prevailed, the time being 11:36 a.m.

11:50 a.m.

The Committee of the Whole was called to order by the Chairperson, Senator Clarke.

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

**House Bill No. 5531, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11j, 22a, 22b, 22d, 32b, 32c, 51a, 51c, 99c, and 104 (MCL 388.1611, 388.1611j, 388.1622a, 388.1622b, 388.1622d, 388.1632b, 388.1632c, 388.1651a, 388.1651c, 388.1699c, and 388.1704), as amended by 2007 PA 137, and by adding sections 31h, 32e, 54c, 99h, 99m, 99n, and 99p.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:  
**House Bill No. 5344, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts. Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

- 1. Amend page 2, line 22, by striking out “40,383,900” and inserting “40,383,800”.
- 2. Amend page 2, line 26, by striking out “137,144,500” and inserting “137,144,400”.
- 3. Amend page 3, line 3, by striking out “58,800,100” and inserting “58,800,000”.
- 4. Amend page 6, following line 7, by inserting:

“(8) GRANTS

Real-time water quality monitoring.....		250,000
GROSS APPROPRIATION.....	\$	250,000

Appropriated from:

Special revenue funds:

Settlement funds.....		250,000
State general fund/general purpose .....	\$	0”.

- 5. Amend page 13, following line 4, by inserting:

“Business incubator - Washtenaw County.....		500,000
Business incubator - Macomb County .....		500,000”.

- 6. Amend page 13, line 5, by striking out “3,500,000” and inserting “4,500,000”.
- 7. Amend page 13, line 7, by striking out “3,500,000” and inserting “4,500,000” and adjusting the subtotals, totals, and section 201 accordingly.
- 8. Amend page 13, following line 21, by inserting:

“**DEPARTMENT OF COMMUNITY HEALTH**

Sec. 301. (1) From the funds appropriated in part 1 for long-term care services, the department of community health shall contract with a stand-alone psychiatric facility that provides at least 20% of its total care to Medicaid recipients to provide access to Medicaid recipients who require specialized Alzheimer’s disease or dementia care.

(2) The department of community health shall report to the senate and house appropriations subcommittees on community health and the senate and house fiscal agencies on the effectiveness of the contract required under subsection (1) to improve the quality of services to Medicaid recipients.”.

- 9. Amend page 18, following line 20, by inserting:

“Sec. 601. It is the intent of the legislature that the department of treasury implement a cigarette stamping program utilizing new digital stamping technology.”.

- 10. Amend page 14, following line 5, by inserting:

“**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Sec. 451. The appropriation in part 1 for real-time water quality monitoring is a grant to Macomb County and Huron-Erie corridor to support a real-time water quality monitoring program in the St. Clair watershed. Not later than September 30, 2008, grant recipients shall report to the department of environmental quality on the program’s implementation and status. The department of environmental quality shall forward the report to the state budget director, the senate and house appropriations subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies. Funding is contingent upon development of a department of environmental quality approved plan for long-term funding of operation and maintenance of the real-time monitoring system for the Huron-Erie corridor.”.

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

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

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**House Bill No. 5344**

**House Bill No. 5531**

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

The following bill was read a third time:

**House Bill No. 5344, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; 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. 217**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5531, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 11j, 22a, 22b, 22d, 51a, 51c, 56, 62, and 104 (MCL 388.1611, 388.1611j, 388.1622a, 388.1622b, 388.1622d, 388.1651a, 388.1651c, 388.1656, 388.1662, and 388.1704), as amended by 2007 PA 137, and by adding section 32e.

The question being on the passage of the bill,

Senators Cassis and Switalski offered the following amendment:

1. Amend page 30, following line 15, by inserting:

**“SEC. 99H. (1) FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$300,000.00 FOR 2007-2008 FOR COMPETITIVE GRANTS TO DISTRICTS THAT PROVIDE PUPILS IN HIGH SCHOOL WITH EXPANDED OPPORTUNITIES TO IMPROVE MATHEMATICS, SCIENCE, AND TECHNOLOGY SKILLS BY PARTICIPATING IN EVENTS HOSTED BY A SCIENCE AND TECHNOLOGY DEVELOPMENT PROGRAM KNOWN AS FIRST (FOR INSPIRATION AND RECOGNITION OF SCIENCE AND TECHNOLOGY) ROBOTICS COMPETITION.**

**(2) A DISTRICT APPLYING FOR A GRANT SHALL SUBMIT AN APPLICATION TO THE DEPARTMENT IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT. TO BE ELIGIBLE FOR A GRANT, A DISTRICT SHALL DEMONSTRATE IN ITS APPLICATION THAT THE DISTRICT HAS ESTABLISHED A PARTNERSHIP FOR THE PURPOSES OF THE PROGRAM WITH AT LEAST 1 SPONSOR, BUSINESS ENTITY, HIGHER EDUCATION INSTITUTION, OR TECHNICAL SCHOOL.**

**(3) EACH GRANT RECIPIENT SHALL PROVIDE A LOCAL MATCH FROM PRIVATE OR LOCAL FUNDS FOR THE FUNDS RECEIVED UNDER THIS SECTION. THE AMOUNT OF THE LOCAL MATCH SHALL BE AT LEAST EQUAL TO 50% OF THE COSTS OF PARTICIPATING IN AN EVENT.**

**(4) GRANT AWARDS SHALL BE MADE IN A MANNER DETERMINED BY THE DEPARTMENT. HOWEVER, THE DEPARTMENT SHALL SET MAXIMUM GRANT AMOUNTS IN A MANNER THAT MAXIMIZES THE NUMBER OF HIGH SCHOOLS THAT WILL BE ABLE TO PARTICIPATE.**

**(5) FUNDS RECEIVED UNDER THIS SECTION MAY BE USED FOR EVENT REGISTRATIONS, MATERIALS, TRAVEL COSTS, AND OTHER EXPENSES ASSOCIATED WITH THE PREPARATION FOR AND ATTENDANCE AT FIRST ROBOTICS COMPETITIONS.**

**(6) NOTWITHSTANDING SECTION 17B, PAYMENTS TO ELIGIBLE DISTRICTS UNDER THIS SECTION SHALL BE PAID ON A SCHEDULE DETERMINED BY THE DEPARTMENT.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Scott offered the following amendment:

1. Amend page 16, following line 21, by inserting:

**“SEC. 31H. FROM THE APPROPRIATION IN SECTION 11, THERE IS ALLOCATED FOR 2007-2008 AN AMOUNT NOT TO EXCEED \$100,000.00 FOR PAYMENT TO AN INTERMEDIATE DISTRICT THAT INCLUDES A DISTRICT THAT IS A SCHOOL DISTRICT OF THE FIRST CLASS UNDER THE REVISED SCHOOL CODE TO SUPPORT AFTER-SCHOOL TUTORING FOR AT-RISK GIRLS IN GRADES 1 TO 8. FUNDS ALLOCATED UNDER THIS SECTION MAY BE USED TO CONTRACT WITH AN AGENCY OTHER THAN A DISTRICT FOR A PROGRAM OR SERVICES DESCRIBED IN THIS SECTION.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Clark-Coleman offered the following amendment:

1. Amend page 16, line 21, by inserting:

**“Sec. 32b. (1) From the funds appropriated under section 11, there is allocated an amount not to exceed \$1,750,000.00 \$2,500,000.00 for 2007-2008 for competitive grants to intermediate districts for the creation and continuance of great start communities or other community purposes as identified by the early childhood investment corporation. These dollars may not be expended until both of the following conditions have been met:**

**(a) The early childhood investment corporation has identified matching dollars of at least an equal amount.**

**(b) The membership of the executive committee includes 1 member appointed by the senate majority leader, 1 member appointed by the senate minority leader, 1 member appointed by the speaker of the house of representatives, and 1 member appointed by the minority leader of the house of representatives. Not later than 60 days after the convening of each legislative session in each odd numbered year, each legislative leader shall appoint a member of the executive committee. A member appointed in this manner shall continue to serve on the executive committee through the next regular legislative session unless he or she voluntarily resigns or is otherwise unable to serve. When a vacancy occurs as a result of a voluntary resignation or inability to serve, the legislative leader who had appointed the member shall make an appointment to fill that vacancy not later than 60 days after the date the vacancy occurs.**

**(2) The early childhood investment corporation shall award grants to eligible intermediate districts in an amount to be determined by the corporation.**

**(3) In order to receive funding, each intermediate district applicant shall agree to convene local great start collaboratives to address the availability of the 6 components of a great start system in its communities: physical health, social-emotional health, family supports, basic needs, economic stability and safety, and parenting education and early education and care, to ensure that every child in the community is ready for kindergarten. Specifically, each grant will fund the following:**

**(a) A community needs assessment and strategic plan for the development of a comprehensive system of early childhood services and supports, accessible to all children from birth to kindergarten and their families.**

**(b) Identification of local resources and services for children with disabilities, developmental delays, or special needs and their families.**

**(c) Coordination and expansion of high-quality early childhood and childcare programs.**

**(d) Evaluation of local programs.**

**(4) Not later than December 1, 2007 for the 2006-2007 fiscal year grants under this section, and not later than December 1, 2008 for the 2007-2008 grants under this section, the department shall provide to the house and senate appropriations subcommittees on state school aid, the state budget director, and the house and senate fiscal agencies a report detailing the amounts of grants awarded under this section, the grant recipients, the activities funded by each grant under this section, and an analysis of each grant recipient's success in addressing the development of a comprehensive system of early childhood services and supports.**

**(5) Notwithstanding section 17b, payments under this section may be made pursuant to an agreement with the department.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

The amendment was not adopted, a majority of the members serving not voting therefor.

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. 218****Yeas—38**

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

**Nays—0****Excused—0****Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts;”.

The Senate agreed to the full title.

Senators Scott, Clark-Coleman and Schauer asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott’s statement is as follows:

This amendment restores the \$100,000 for Mercy Education Project. I say restored because this money was previously appropriated by this chamber and enacted upon in the ’07 school aid budget. This important and successful program was expecting to receive this money to assist in its efforts in providing tutoring for at-risk girls from grades 1 through 8. The program also works with young women in attaining their GED and preparing them for the working world and successful futures and also for older women. But this one particularly is for grades 1 through 8. I would hope that my colleagues would support this. As we know, if we can encourage these young girls at an early age to go to school, do well, they will raise families, and they will teach their children also how important it is that they don’t drop out of school.

I think this is a real important amendment and, certainly, because it was already appropriated. This is some funding that they should have received in the ’07 budget.

Senator Clark-Coleman’s statement is as follows:

I have two lovely grandsons. They started preschool at 2 1/2 years old. Now they are two of the fortunate ones who were able to start preschool at an early age. They started preschool at an early age because their parents could afford to pay to send them. When they started kindergarten, they were both able to read. What do you think this does? This puts them way ahead of the children who were never able to go to preschool. It puts them at a disadvantage for the ones who were never able to go to preschool. We shouldn’t be allowing a certain class of people to have that much advantage over other children because they don’t have the resources to be able to send their children to preschool. We should level the playing field so that all of our young children, regardless of whether their parents have resources or not, should be allowed to have an opportunity to go to preschool so that when they get to kindergarten, they are able to compete with the children who have the resources.

I'm saying to you, dig deep within your souls, dig deep within your hearts and allow all children to be able to go to preschool to be able to compete on a level playing field so that we don't have the winners and the losers. My grandchildren are winners, but I want all young folks to be winners.

My amendment would increase funding for the Early Childhood Investment Corporation, a corporation of collaborative grants. These grants move Michigan toward a comprehensive, early childhood system. Quality preschool experiences provide a strong foundation for school readiness and should be a priority investment in Michigan so that children, when they enter kindergarten, can all compete and all do well. If they do well in preschool—we all know that kindergarten through third grade, if you haven't conquered those grades, then kids start to fall and drop through the cracks and all those kind of things. We need to give our young kids every opportunity to be able to succeed. Let's just dig within our souls and give all children, rich or poor, the same kind of resources, the same kind of opportunities, and the same kind of chances to be successful when they start school.

Senator Schauer's statement is as follows:

I stand before you with Minority Floor Leader Buzz Thomas and a very important member of our staff, Juliette Murdock, who is leaving us here in the Michigan Senate. Juliette is someone whom I had the pleasure to find. She was working in Washington, D.C., for Congressman Sander Levin. I was looking in my office for a director of constituent services and Juliette came back to Michigan and worked in my office for about a year and a half or so. She did an incredible job in serving my constituents. Then she, after beginning a Master of Public Administration program, decided that she wanted to become a policy analyst. She then became an analyst for the Senate Democratic Caucus in the areas of human services, transportation, and banking and financial institutions.

Juliette has been offered an incredible opportunity with the Detroit Youth Foundation. Detroit is her hometown. So she'll be leaving us to work for the Detroit Youth Foundation and helping kids. Juliette, it has been an honor to have you working with us. You have helped the people of our state immeasurably. We are going to miss you, but you know that we are going to have a chance to continue to work together. I hope that we can help you from the Legislature in your new endeavors.

Colleagues, I ask you to join me in expressing our thanks here in the Michigan Senate for the great work of Juliette Murdock.

#### Recess

Senator Cropsey moved that the Senate recess until 2:15 p.m.

The motion prevailed, the time being 12:58 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

#### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 2:16 p.m.

3:17 p.m.

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

By unanimous consent the Senate proceeded to the order of

#### Resolutions

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

**Senate Concurrent Resolution No. 22**

**Senate Resolution No. 154**

**Senate Concurrent Resolution No. 27**

**Senate Resolution No. 156**

The motion prevailed.

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

**Senate Resolution No. 167**

The resolution consent calendar was adopted.

Senator McManus offered the following resolution:

**Senate Resolution No. 167.**

A resolution declaring April 2008 as Michigan Wine Month.

Whereas, Michigan's excellent wines are an important part of the state's agricultural diversity; and

Whereas, Michigan's grape-growing industry began in the southwestern part of Michigan in the mid-nineteenth century and today has grown to include 56 wineries and an additional 19 tasting rooms located throughout the state; and

Whereas, Vineyards and wineries are an important component of Michigan's agricultural tourism industry; and

Whereas, The four federally-recognized viticulture areas in Michigan—Fennville, Lake Michigan Shore, Leelanau Peninsula, and Old Mission Peninsula—are the result of the moderating influence of Lake Michigan, excellent drainage, and light soil conditions, which are similar to conditions in the five wine regions in Europe; and

Whereas, Vintners in Michigan have cultivated a wide variety of grapes, which allows them to produce a wide selection of quality wines, many of which have received national and international awards—includes reds, whites, blushes, sparkling, and nonalcoholic juices; and

Whereas, Michigan vintners are supportive of the "wine in moderation" concept and promote the health aspect of wine, as well as the idea that wine is a food and should be enjoyed and complemented with other foods; now, therefore, be it

Resolved by the Senate, That the members of this legislative body declare April 2008 as Michigan Wine Month; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Agriculture as a token of our support.

Senators Anderson, Barcia, Birkholz, Clarke, Gleason, Jacobs, Jelinek, Kahn, Pappageorge and Van Woerkom were named co-sponsors of the resolution.

Senators Kuipers, Cropsey, Bishop, Jelinek, Kahn, George, Garcia, Allen, Van Woerkom, Stamas, Gilbert, Brown, Hardiman, Birkholz, McManus, Pappageorge, Whitmer, Cherry and Anderson offered the following resolution:

**Senate Resolution No. 168.**

A resolution to encourage school districts to adopt and implement character education programs that address the causes of and remedies to bullying.

Whereas, Students need a safe and civil school environment in which to learn. Bullying disrupts a student's opportunity to learn and a school's ability to educate students in a safe environment; and

Whereas, Standards for student behavior must be set to produce an atmosphere that encourages students to grow in self-discipline. Character education programs include an anti-bullying curriculum that teaches students how to recognize and react to bullying as well as to develop character traits that reinforce self-discipline. Through character education programs, students learn to assume responsibility for their behavior and its consequences. Students learn to develop self-respect and a proper regard for the rights and welfare of other students and school personnel; and

Whereas, Character education programs in schools help define and develop anti-bullying behavior and create a safe and civil school environment in which to learn; now, therefore, be it

Resolved by the Senate, That we encourage school districts to adopt and implement character education programs that address the causes of and remedies to bullying; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Superintendent of Public Instruction, the State Board of Education, and all of Michigan's public school districts.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Education.

The motion prevailed.

Senators Barcia, Clarke and Gleason were named co-sponsors of the resolution.

Senator Thomas moved that Senator Brater be excused from the balance of today's session.

The motion prevailed.

Senator Cropsey offered the following resolution:

**Senate Resolution No. 169.**

A resolution recognizing April 9, 2008, as Homeschoolers Day in the state of Michigan.

Whereas, Homeschooling is the fastest-growing educational trend in the United States, growing by an estimated 15 percent per year of the last several years with 2 million to 2.4 million children nationwide in a homeschool program; and

Whereas, The state of Michigan recognized in 1963 that parents and legal guardians have a natural and fundamental right to direct the care, education, and upbringing of their children; and

Whereas, Homeschooling provides young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, Homeschooling parents see themselves as the primary educators and know that parental supervision and involvement play a major role in the education of students; and

Whereas, Homeschooling parents know that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Homeschooling parents are dedicated to producing academically-strong students who also commit themselves to service, with studies demonstrating that homeschool students have a stronger understanding and higher participation rate in the governmental system and elections, and a significantly higher percentage are involved in community organizations; and

Whereas, Homeschoolers come from a diverse number of socioeconomic backgrounds and are from a variety of races, sex, and creeds; now, therefore, be it

Resolved by the Senate, That the members of this legislative body recognize April 9, 2008, as Homeschoolers Day in the state of Michigan.

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

Senator Cropsey moved that the rule be suspended.

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

The resolution was adopted.

Senators Allen, Barcia, Birkholz, Brown, Cassis, Cherry, Garcia, Gilbert, Gleason, Hardiman, Hunter, Jansen, Jelinek, Kuipers, McManus, Pappageorge, Patterson, Richardville, Stamas, Thomas, Van Woerkom and Bishop were named co-sponsors of the resolution.

### **Recess**

Senator Cropsey moved that the Senate recess subject to the call of the Chair.

The motion prevailed, the time being 3:22 p.m.

3:30 p.m.

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

By unanimous consent the Senate proceeded to the order of

### **Introduction and Referral of Bills**

Senators Thomas, Clark-Coleman, Scott, Clarke, Gleason, Prusi, Cherry, Olshove, Switalski and Barcia introduced **Senate Bill No. 1240, entitled**

A bill to regulate certain parking lots and provide for the posting of certain notices; to provide certain powers and duties for state agencies; to provide for rule-making authority; and to provide for remedies and penalties.

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

Senators Van Woerkom, Prusi, McManus and Stamas introduced

**Senate Bill No. 1241, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2004 PA 420.

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

Senators Jansen, Gilbert, Hardiman, Birkholz, Cassis, McManus, Richardville, Kahn and Pappageorge introduced

**Senate Bill No. 1242, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 281 (MCL 208.1281), as added by 2007 PA 145.

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

Senators Jansen, Hardiman, Birkholz and Kahn introduced

**Senate Bill No. 1243, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending the title and sections 2, 11, 58, 58a, 58b, and 58c (MCL 125.1402, 125.1411, 125.1458, 125.1458a, 125.1458b, and 125.1458c), the title as amended and sections 58, 58a, 58b, and 58c as added by 2004 PA 480 and section 11 as amended by 2004 PA 549, and by adding section 58e; and to repeal acts and parts of acts.

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

Senators McManus, Allen and Patterson introduced

**Senate Bill No. 1244, entitled**

A bill to amend 2000 PA 322, entitled "Julian-Stille value-added act," by amending the title and sections 1, 2, 2a, and 3 (MCL 285.301, 285.302, 285.302a, and 285.303), the title and section 2 as amended by 2006 PA 423 and section 2a as added by 2006 PA 424; and to repeal acts and parts of acts.

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

Senators Jacobs, Anderson, Cherry, Olshove, Gleason, Garcia, Clark-Coleman and Whitmer introduced

**Senate Bill No. 1245, entitled**

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1b (MCL 445.111b), as added by 2002 PA 612.

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

Senators Patterson, Richardville, Prusi, Olshove and Birkholz introduced

**Senate Bill No. 1246, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts;" (MCL 460.1 to 460.10cc) by adding section 10dd.

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

Senators Kuipers, Richardville, Whitmer, Jansen, Gilbert, Cropsey, Bishop, Pappageorge, McManus, Stamas, Barcia and Hardiman introduced

**Senate Bill No. 1247, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7oo.

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

### Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

Zora Neale Hurston, that fine Harlem Renaissance writer, wrote a book in 1937 called *Their Eyes Were Watching God*. While the book was controversial when it was first released, it became known as the most influential book for both African Americans and women.

In her book, she observes that, "Dreams can be mocked to death by time." And, believe me, those words strike close to my heart. My greatest fear is that my dreams will be mocked to death by time, for I know now that they are already mocked by many of my colleagues in this chamber. But I continue to appear before you as a reminder of my commitment to win this race against time and to ultimately leave my office with my dreams fulfilled. The time is now. So, once again, I implore you to move my bills.

Senator Allen's statement is as follows:

We have great joy in the office of the 37th District. One of our staff members in three days will be departing to point south and in seven days will be wed in happy matrimony. I want to thank and wish Mr. Agostinelli and his wife-to-be Susie Finnegan for their marital bliss.

Joe has done a phenomenal job in these last weeks helping with the Michigan Economic Growth Authority, rewrite the film commission, our tourism package, and in downtowns. We wish this couple a joyous future and a wonderful celebration over the spring break.

Senator Patterson's statement is as follows:

I recently had an opportunity to read a book prepared by Arthur C. Brooks. He's a noted professor at Syracuse University, and he came upon some findings. The findings of his book, which I will identify by title later, indicate that although liberal families' incomes average 6 percent higher than those of conservative families, conservative head of households give on average 30 percent more to charity than the average liberal-headed household.

It goes on to find that conservatives also donate more time and give more blood. Further, it's found that residents of states that voted for John Kerry in 2004 gave smaller percentages of their incomes to charity than residents of states that voted for George W. Bush. Further, it found that people who reject the idea that government has a responsibility to reduce income and equality gave on average four times more money to charity than those who accept the proposition that government has such a responsibility.

Mr. Brooks demonstrates a correlation between charitable giving and the values that lie beneath liberal and conservative labels. Two influences on charitable behavior are religion and attitudes about the proper role of government in our individual lives.

I would commend into your consideration for further findings, Mr. Brooks' book which title is *Who Really Cares: The Surprising Truth About Compassionate Conservatism*.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bills:

#### **Senate Bill No. 790, entitled**

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

#### **Senate Bill No. 791, entitled**

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

#### **Senate Bill No. 1065, entitled**

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

#### **House Bill No. 4215, entitled**

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

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of General Orders, be placed on the General Orders calendar for consideration today:

#### **Senate Bill No. 790**

#### **Senate Bill No. 791**

**Senate Bill No. 1065****House Bill No. 4215**

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

By unanimous consent the Senate returned to the order of  
**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Clarke 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 bill:

**House Bill No. 4215, entitled**

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

The bill was 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. 790, entitled**

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

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. 1065, entitled**

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

Substitute (S-2).

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. 791, entitled**

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

Substitute (S-3).

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

1. Amend page 1, line 7, after "**PROPERTY**" by inserting "**AND CLAIMS AN EXEMPTION FOR THAT PROPERTY UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC, AS A PRINCIPAL RESIDENCE**".

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

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

**Senate Bill No. 1223, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B.

Substitute (S-2).

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. 1224, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

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. 1225, entitled**

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

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 rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage at the head of the Third Reading of Bills calendar:

**Senate Bill No. 1223**

**Senate Bill No. 1224**

**Senate Bill No. 1225**

**Senate Bill No. 790**

**Senate Bill No. 1065**

**Senate Bill No. 791**

**House Bill No. 4215**

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

The following bill was read a third time:

**Senate Bill No. 1223, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B.

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. 219**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1224, entitled**

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

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. 220****Yeas—37**

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

**Nays—0****Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1225, entitled**

A bill to amend 2005 PA 226, entitled “Michigan tobacco settlement finance authority act,” by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

The question being on the passage of the bill,  
 Senator Cropsey moved that further consideration of the bill be postponed temporarily.  
 The motion prevailed.

Senators Basham and Clarke asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Basham’s statement is as follows:

I plan on supporting Senate Bill No. 1225. But in that discussion about Senate Bill No. 1225 and spending tobacco settlement moneys, I would hope that this legislative body—although we are trying to promote tourism in these bills, I’ve heard a lot of negative comments from folks from other states saying that Michigan needs to do more when it comes to secondhand smoke. I can see through the smoke when it comes to dealing with this bill. I said that I would support this bill and these bills dealing with tobacco settlement money.

I’ll speak specifically to Senate Bill No. 1225 dealing with tobacco settlement moneys. I think we should support Senate Bill No. 1225 dealing with bringing tourism into the state of Michigan, but we’re using moneys in this bill that could be used to promote healthy indoor air quality if we would think about passing legislation that would actually assist this bill.

Essentially, Mr. President, you know what I’m getting at. We need to pass smoke-free legislation in this state. We wouldn’t have to spend as many tourism dollars doing this type of stuff if we were a smoke-free state like 32 other states are.

Senator Clarke’s statement is as follows:

As the sponsor of this bill, I completely agree with the previous speaker.

The following bill was read a third time:

**Senate Bill No. 790, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 520 (MCL 206.520), as amended by 1995 PA 245.

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. 221**

**Yeas—32**

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

**Nays—5**

Cherry	Prusi	Scott	Switalski
Clark-Coleman			

**Excused—1**

Brater

**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. 1065, entitled**

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

The 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. 222****Yeas—34**

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

**Nays—3**

Cherry	Prusi	Switalski
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**Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

**Protests**

Senators Prusi and Cherry, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1065.

Senator Prusi moved that the statement he made during the discussion of the bill be printed as his reasons for voting “no.”

The motion prevailed.

Senator Prusi's statement, in which Senator Cherry concurred, is as follows:

I apologize for not jumping up on the previous bill and explaining why I was not in support of it or in support of this bill. It's not because I'm against giving relief in these cases. It's simply because once again we're making significant changes to the tax structure on the fly. We've had no committee testimony. We don't have anything but ballpark figures—\$20 million, \$200 million, \$60 million, \$165 million. I've heard five or six different figures bandied about here. I think that's a rather significant impact to the state's revenue stream.

Without proper testimony, without proper and due deliberation in committee, and for that reason, even though I may at some point like what is in these bills, I haven't even had a chance to weigh them or study them. I've not had a chance to take testimony from the people across the state of Michigan who might have an interest in this legislation.

At this point, I cannot support the bills, and that is as close to the subject as I can get.

The following bill was read a third time:

**Senate Bill No. 791, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 2000 PA 41, and by adding section 254.

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. 223**

**Yeas—32**

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

**Nays—5**

Cherry	Prusi	Switalski	Whitmer
Jacobs			

**Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senators Switalski and Pappageorge asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Switalski's first statement is as follows:

I've chosen this bill to speak on because this one is the most expensive of the three bills. My objections stand for each of the three bills. This bill costs about \$75 million by the estimate, and, as one of our colleagues estimated for us earlier under General Orders, next year could be as much as \$200 million.

Now all these bills added together could be about \$150 million in the first year. That is a significant amount of money. I would just ask what has happened to all my good fiscal conservative friends. Can we just walk in and slash away \$150 million in revenue without making any corresponding spending cuts? We are just putting ourselves into the same kind of deficit that we just took six years to get out of.

We had some good discussion earlier this year about how we really ought to keep to the pay-as-you-go principle, and I know that in the course of trying to establish priorities in a supplemental or in a budget bill, sometimes we'd have an amendment that would go a million over a target we're trying to shoot for. But we are onto a completely different level of magnitude here when we're taking away \$150 million without any committee hearings. Here we are in the last day of session before a break and we're going to shoot this through in the late afternoon with little discussion or little debate.

I would oppose this bill as I've opposed the others.

Senator Pappageorge's statement is as follows:

I would just point out to the previous speaker that when we are all done here, we are still \$147 million below the Governor's recommendation—No. 1. No. 2, there is a great deal of difference between static and dynamic forecasting. If you look at what the four bills do today over the next 33 months, they incentivize people to buy houses. That particular economic activity will be far more than the kind of money that we're talking about here. So to borrow a term from the other side of the aisle, consider this an investment.

Senator Switalski's second statement is as follows:

I would just say that at the time the Governor made her proposal in the first week of February, there have been significant changes in the estimate. The Senate Fiscal Agency came before the Appropriations Committee and said, "We need to revise that estimate \$383 million downward because the property taxes that are coming into this state for the state education tax and for the nonhomestead property tax are not growing 3 percent like we thought they were growing. They are either flat or even negative."

So when you cut out \$383 million from what the Governor proposed, that is why we went in and started making lower spending in our school aid budget and the other budgets that we put through. Now on top of that, this is another \$150 million cut. We can't absorb that.

The following bill was read a third time:

**House Bill No. 4215, entitled**

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

The 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. 224**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

By unanimous consent the Senate returned to consideration of the following bill:

**Senate Bill No. 1225, entitled**

A bill to amend 2005 PA 226, entitled “Michigan tobacco settlement finance authority act,” by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

(This bill was read a third time earlier today and consideration postponed. See p. 634.)

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. 225**

**Yeas—37**

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

**Nays—0**

**Excused—1**

Brater

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bills:

**Senate Bill No. 1198, entitled**

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

**Senate Bill No. 1217, entitled**

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

The motion prevailed, a majority of the members serving voting therefor, and the bills were placed on the order of General Orders.

Senator Cropsey moved that a respectful message be sent to the House of Representatives requesting the return of the following bill:

**Senate Bill No. 1188**

The motion prevailed.

**Committee Reports**

The Committee on Commerce and Tourism reported

**Senate Bill No. 1223, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**Senate Bill No. 1224, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**Senate Bill No. 1225, entitled**

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**House Bill No. 5865, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**House Bill No. 5866, entitled**

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

**House Bill No. 5867, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Gilbert, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, March 25, 2008, at 2:30 p.m., Room 100, Farnum Building

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

Excused: Senator Hunter

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Economic Development submitted the following:  
Meeting held on Wednesday, March 26, 2008, at 8:00 a.m., Room 110, Farnum Building  
Present: Senators Jansen (C), George, Stamas, Scott and Anderson

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

**Agriculture** - Wednesdays, April 16, April 23, April 30, May 7 and May 14, 3:00 p.m., Room 405, Capitol Building (373-2768)

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

**Transportation Department** - Thursday, April 17, 12:30 p.m., Room 405, Capitol Building; Friday, April 25, 10:30 a.m., Conference Room, Rapid Central Station, 250 Grandville Avenue SW, Grand Rapids; Friday, May 2, Conference Room, Rapid Commission Station for Oakland County, 31001 Lahser Road, Beverly Hills; and Thursday, May 15, 12:30 p.m., Room 405, Capitol Building (373-2768)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 4:46 p.m.

Pursuant to House Concurrent Resolution No. 79, the President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, April 15, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate