

No. 16
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Tuesday, February 19, 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 not present.

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

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

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

Senator James A. Barcia of the 31st District offered the following invocation:

Dear God, we want to thank You for the many blessings You bestow on this body. It is only with Your guidance that we can resolve the formidable issues facing this great state. Please grant us the wisdom to address the difficult decisions before us and to provide the opportunities necessary for our communities to flourish.

We pray, Lord, for a quick resolution to the Mideast crisis and for the many men and women who serve to safeguard our cherished freedoms. We wish them all Godspeed for their safe return. Amen.

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

Recess

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

The motion prevailed, the time being 10:04 a.m.

10:23 a.m.

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

During the recess, Senators Patterson, Brown, Bishop, Kuipers, George, Jansen, Van Woerkom, Jelinek, Garcia, Pappageorge, Cassis, Hardiman, Birkholz, Allen, McManus, Kahn, Stamas and Cherry entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Anderson moved that Senator Gleason be temporarily excused from today's session.

The motion prevailed.

Senator Anderson moved that Senator Thomas be excused from today's session.

The motion prevailed.

The following communication was received:

Department of Treasury

February 7, 2008

Section 6 (5) of Public Act 94 of 1999 requires that the Michigan Merit Award Board report on the Michigan Merit Award Program. The Merit Award Board has been inactive since 2004; therefore, the Office of Scholarships and Grants is reporting this data on behalf of the Board.

Attached are the following items from section 6(5):

- a) A list of approved postsecondary educational institutions for the current and immediately preceding fiscal years.
- b) The number of Michigan merit award scholarships awarded and the total amount of Michigan merit award scholarship money paid in the immediately preceding fiscal year.
- c) A projection of revenues and expenditures from the trust fund for the current fiscal year and the next ten fiscal years.
- d) The dollar amount of the Michigan merit award scholarships available under sections 7 and 7a in the current fiscal year, the amount of any adjustments to the dollar amount under sections 7(4) and 7a(2) from the beginning of the immediately preceding fiscal year, and any adjustments to the dollar amount projected for the remainder of the current fiscal year or for the next fiscal year.
- e) All of the following results, scores, or ranges of scores:
 - i) used as qualifying results in the immediately preceding fiscal year,
 - ii) determined by the board as qualifying results in the current fiscal year,
 - iii) projected by the board as qualifying results for the next fiscal year.
- f) For the immediately preceding fiscal year, the number of pupils who took the assessment tests, the number of pupils by subject area who received qualifying results, the number of graduating high school seniors who met the requirements for a Michigan merit award scholarship, and the total number of pupils who met the requirements for a Michigan merit award scholarship.

g) The number of persons participating in and the amount awarded in the immediately preceding fiscal year under the tuition incentive program described in section 310 of 2003 PA 144 or a successor to that program.

If you need further assistance, please feel free to contact Ms. Anne Wohlfert, Director, Office of Scholarships and Grants at 517-373-0458 or e-mail at wohlferta@michigan.gov.

Sincerely,
Thomas F. Saxton
Deputy State Treasurer

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, February 14:
House Bill Nos. 4730 4868 4894 5319 5341 5463 5666

The Secretary announced that the following official bills were printed on Thursday, February 14, and are available at the legislative website:

Senate Bill Nos.	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101
	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	
House Bill Nos.	5722	5723	5724	5725	5726	5727	5728	5729	5730	5731	5732	5733		

The Secretary announced that the following official bills and joint resolution were printed on Friday, February 15, and are available at the legislative website:

Senate Bill Nos.	1115	1116	1117	1118										
House Bill Nos.	5734	5735	5736	5737	5738	5739	5740	5741	5742	5743	5744	5745	5746	5747
	5748	5749	5750	5751	5752	5753								
House Joint Resolution	PP													

By unanimous consent the Senate proceeded to the order of
Messages from the Governor

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

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

The motion prevailed.

The following message from the Governor was received on February 15, 2008, and read:

EXECUTIVE ORDER
No. 2008-3

Amendment of Executive Order 2003-2

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

WHEREAS, it is appropriate to amend the provisions of Executive Order 2003-2 to more completely recognize the constitutional role and responsibilities of the Civil Service Commission;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that Section II(f) of Executive Order 2003-2 is amended to read as follows:

“(f) This order is not intended to amend or modify the Michigan Campaign Finance Act or rules relating to political activity promulgated by the Civil Service Commission. This order does not apply to activities authorized by the Civil Service Commission. Nothing in this order shall be construed to diminish or limit the power of the Civil Service Commission to exercise authority granted to the Commission under Section 5 of Article XI of the Michigan Constitution of 1963.”

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of February, in the year of our Lord, two thousand eight.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

February 15, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to state office under Section 213 of the Worker's Disability Compensation Act of 1969, 1969 PA 317, MCL 418.213 and Executive Order 2003-18, MCL 445.2011:

Worker's Compensation Board of Magistrates

Ms. Lisa A. Klaeren of 6248 Valley Forge Drive, Kalamazoo, Michigan 49009, county of Kalamazoo, succeeding William A. Baillargeon, who has resigned, appointed for a term commencing March 9, 2008 and expiring January 26, 2011.

Sincerely,
Jennifer M. Granholm
Governor

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

Messages from the House

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

Senate Bill No. 123

Senate Bill No. 155

Senate Bill No. 565

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

Senate Bill No. 123, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 106, 133, 141, 143, 151, 404, 405, 407, 413, 421, 441, 446, 451, 521, 525, 901, 1103, and 1144 (MCL 450.2106, 450.2133, 450.2141, 450.2143, 450.2151, 450.2404, 450.2405, 450.2407, 450.2413, 450.2421, 450.2441, 450.2446, 450.2451, 450.2521, 450.2525, 450.2901, 450.3103, and 450.3144), sections 1103 and 1144 as added by 1984 PA 209, and by adding section 406a.

The House of Representatives has amended the bill as follows:

1. Amend page 6, line 22, after "**BY**" by inserting "**ANY PROVISIONS OF**".
2. Amend page 7, line 9, after "**SHAREHOLDER**" by striking out "**AND**" and inserting "**OR**".

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the amendments made to the bill by the House,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 54

Yeas—36

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Basham	Cropsey	Kahn	Schauer
Birkholz	Garcia	Kuipers	Scott

Bishop
Brater
Brown
Cassis

George
Gilbert
Hardiman
Hunter

McManus
Olshove
Pappageorge
Patterson

Stamas
Switalski
Van Woerkom
Whitmer

Nays—0

Excused—2

Gleason

Thomas

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Gleason entered the Senate Chamber.

Senate Bill No. 155, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 15g of chapter XVII (MCL 777.15g), as amended by 2007 PA 220.

The question being on concurring in the substitute made to the bill by the House,

Senator Brown offered the following amendment to the substitute:

1. Amend page 2, following line 7, enacting section 1, after “June 1,” by striking out “2009” and inserting “2008”.

The amendment to the substitute was adopted.

The question being on concurring in the House substitute, as amended,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 55**Yeas—37**

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

Nays—0**Excused—1**

Thomas

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the title as amended.

Senate Bill No. 565, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 110 and 111 (MCL 750.110 and 750.111), section 110 as amended by 1994 PA 270.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 9, after "effect" by striking out the balance of the enacting section and inserting "June 1, 2008."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 56**Yeas—37**

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

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. 1076

House Bill No. 5032

House Bill No. 4684

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1076, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2006 PA 659.

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. 57

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 5032, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 102, 103, 202, 208, 301, 401, 407, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3407, 125.3601, 125.3604, 125.3606, and 125.3702), section 102 as amended by 2007 PA 219.

The question being on the passage of the bill,

Senator Van Woerkom offered the following amendment:

1. Amend page 15, following line 5, by inserting:

“Sec. 501. (1) The local unit of government may require the submission and approval of a site plan before authorization of a land use or activity regulated by a zoning ordinance. The zoning ordinance shall specify the body or official responsible for reviewing site plans and granting approval.

(2) If a zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of **IS AGREED TO BY** the landowner and the body or official that initially approved the site plan.

(3) The procedures and requirements for the submission and approval of site plans shall be specified in the zoning ordinance. Site plan submission, review, and approval shall be required for special land uses and planned unit developments. ~~Decisions~~

(4) **A DECISION** rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in the zoning ordinance, other **STATUTORILY AUTHORIZED AND PROPERLY ADOPTED** local unit of government planning documents, other applicable ordinances, and state and federal statutes.

(5) ~~(4)~~ A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other **STATUTORILY AUTHORIZED AND PROPERLY ADOPTED** local unit of government planning documents, other applicable ordinances, and state and federal statutes.”.

The amendment was adopted, a majority of the members serving 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. 58

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor.

Senator Van Woerkom offered to amend the title to read as follows:

A bill to amend 2006 PA 110, entitled “An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 102, 103, 202, 208, 301, 401, 407, 501, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3407, 125.3501, 125.3601, 125.3604, 125.3606, and 125.3702), section 102 as amended by 2007 PA 219.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 4684, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 707, 801, 901, 906, and 1025 (MCL 436.1707, 436.1801, 436.1901, 436.1906, and 436.2025), section 906 as amended by 2000 PA 431 and section 1025 as amended by 2002 PA 725.

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. 59

Yeas—37

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

Nays—0

Excused—1

Thomas

Not Voting—0

In The Chair: Richardville

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

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

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

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 Jansen 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:

House Bill No. 5035, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8517 (MCL 324.8517), as added by 1998 PA 276.

Senate Bill No. 843, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 17.

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 amendments, the following bill:

Senate Bill No. 471, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

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

1. Amend page 5, line 26, after “operate.” by inserting “**IF THE APPLICANT CAN PRESENT DOCUMENTATION TO THE COMMISSION DEMONSTRATING THAT HE OR SHE HAS CONTACTED THE HOLDER OF AN ESCROWED LICENSE IN WRITING AND HAS NOT RECEIVED A WRITTEN RESPONSE WITHIN 30 DAYS AFTER THE DATE OF THE WRITTEN CONTACT, THE COMMISSION SHALL NOT CONSIDER THE ESCROWED LICENSE READILY AVAILABLE TO THAT APPLICANT.**”

2. Amend page 5, following line 26, by inserting:

“(10) **THE CLARIFICATION IN SUBSECTION (9) AS TO A DETERMINATION OF WHETHER AN ESCROWED OR QUOTA LICENSE IS READILY AVAILABLE APPLIES ONLY TO AN APPLICATION SUBMITTED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND DOES NOT APPLY TO A COMPLETED APPLICATION SUBMITTED OR APPROVED UNDER THIS SECTION BEFORE JANUARY 1, 2008.**” and renumbering the remaining subsection.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 5034, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8501 (MCL 324.8501), as amended by 2006 PA 503.

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 proceeded to the order of

Introduction and Referral of Bills

Senators Cropsey, Gilbert, Jelinek, Birkholz, Barcia, Allen, Van Woerkom and Hardiman introduced

Senate Bill No. 1119, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

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

Senators Gilbert, Jelinek, Birkholz, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1120, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2007 PA 103.

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

Senators Birkholz, Gilbert, Jelinek, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1121, entitled

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

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

Senators Patterson, Gleason, Gilbert, Jelinek, Birkholz, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1122, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2006 PA 476.

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

Senators Van Woerkom, Gilbert, Jelinek, Birkholz, Barcia, Allen, Cropsey and Hardiman introduced

Senate Bill No. 1123, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

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

Senators Switalski, Gleason, Gilbert, Jelinek, Birkholz, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1124, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2002 PA 150.

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

Senators Patterson, Gilbert, Jelinek, Birkholz, Barcia, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1125, entitled

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

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

Senators Kahn, Jelinek, Birkholz, Barcia, Van Woerkom, Cropsey and Hardiman introduced
Senate Bill No. 1126, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 79. The bill was read a first and second time by title and referred to the Committee on Agriculture.

Senators Gleason, Jelinek and Barcia introduced

Senate Bill No. 1127, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36110, 36112, and 36113 (MCL 324.36110, 324.36112, and 324.36113), section 36110 as amended by 1996 PA 233 and sections 36112 and 36113 as added by 1995 PA 59.

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

Senators Richardville, Gleason, Jelinek, Birkholz, Barcia, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1128, entitled

A bill to provide for the publication of certain information regarding the establishing of alternative fuels facilities in this state; to provide for certain powers and duties for certain state agencies; and to make available to the public certain information.

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

Senators Birkholz, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1129, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

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

Senators Brown, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1130, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," (MCL 290.641 to 290.650d) by adding section 5a. The bill was read a first and second time by title and referred to the Committee on Agriculture.

Senators Olshove, Gilbert, Jelinek, Birkholz, Barcia, Allen, Van Woerkom, Cropsey and Hardiman introduced

Senate Bill No. 1131, entitled

A bill to amend 1990 PA 134, entitled "Motor fuel distribution act," by amending the title and section 2 (MCL 445.1802) and by adding section 5a.

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

Senators Jelinek, Gilbert, Birkholz, Barcia, Allen, Cropsey and Hardiman introduced

Senate Bill No. 1132, entitled

A bill to amend 2006 PA 272, entitled "Renewable fuels commission act," by amending sections 3 and 6 (MCL 290.583 and 290.586).

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

Senator Richardville introduced

Senate Bill No. 1133, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44 (MCL 125.1444), as amended by 2004 PA 549.

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

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

House Bill No. 4596, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 6, 7, 8, and 25 (MCL 445.1656, 445.1657, 445.1658, and 445.1675), sections 6, 7, and 8 as amended by 1996 PA 210 and section 25 as amended by 1998 PA 371.

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 Banking and Financial Institutions.

House Bill No. 4730, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

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. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 4q and 4r (MCL 117.4q and 117.4r), section 4q as added by 2003 PA 316 and section 4r as added by 2003 PA 317.

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 Local, Urban and State Affairs.

House Bill No. 4894, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 73105 (MCL 324.73105), as added by 1995 PA 58.

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 Natural Resources and Environmental Affairs.

House Bill No. 5174, entitled

A bill to allow certain active duty service members to terminate motor vehicle leases; to provide for the rights and responsibilities of the lessees and lessors to those terminated motor vehicle leases; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide penalties; and to provide for the disposition of civil fines.

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

The bill was read a first and second time by title and referred to the Committee on Senior Citizens and Veterans Affairs.

House Bill No. 5186, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5305 (MCL 700.5305), as amended by 2000 PA 464, and by adding section 5319.

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

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

House Bill No. 5187, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5422 and 5423 (MCL 700.5422 and 700.5423), section 5423 as amended by 2005 PA 204.

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

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

House Bill No. 5188, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5410 (MCL 700.5410).

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

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

House Bill No. 5287, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2007 PA 179.

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 Banking and Financial Institutions.

House Bill No. 5288, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 2a.

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 Banking and Financial Institutions.

House Bill No. 5289, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 2c.

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 Banking and Financial Institutions.

House Bill No. 5290, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 11 and 12 (MCL 445.1661 and 445.1662), section 11 as amended by 2002 PA 391.

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 Banking and Financial Institutions.

House Bill No. 5291, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 14 (MCL 445.1664).

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 Banking and Financial Institutions.

House Bill No. 5319, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 141b (MCL 125.541b), as added by 1992 PA 144.

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 Local, Urban and State Affairs.

House Bill No. 5341, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4e.

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. 5463, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 410 (MCL 208.1410).

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

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

House Bill No. 5476, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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

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

House Bill No. 5666, 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 section 14 (MCL 207.564), as amended by 2007 PA 146.

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

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Richardville moved that the Committee on Transportation be discharged from further consideration of the following bill:

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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

Senator Richardville 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:

House Bill No. 5021

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 Assistant President pro tempore, Senator Sanborn, designated Senator Jansen as Chairperson.

After some time spent therein, the Committee arose; and, the Assistant President pro tempore, Senator Sanborn, having resumed the Chair, the Committee of the Whole reported back to the Senate, favorably and with amendment, the following bill:

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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

1. Amend page 1, line 6, after "**THE**" by inserting "**MOTOR**".

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

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:

House Bill No. 5021

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

The following bill was read a third time:

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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. 60**Yeas—37**

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

Nays—0**Excused—1**

Thomas

Not Voting—0

In The Chair: Sanborn

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Scott, Garcia and Barcia 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:

A man of no greater stature than Martin Luther King himself observed, “The price one has to pay in public life is that of being misquoted, misrepresented, and misunderstood.” I am certain that is one statement that none in this room can oppose. In my 30-plus-year career, I have certainly fallen victim, and I know you all have as well. Some of it we cannot correct, and some is not worth correcting. However, lest anyone misquote, misrepresent, or misunderstand my mission on insurance reform, let me clearly state it once again. I believe in fairness and justice. I believe that all Michigan residents should be treated equally when it comes to determining insurance rates in our state. And I believe this chamber should be responsible for standing up and doing the right thing in reforming that system.

Senator Garcia's statement is as follows:

I rise to bring the chamber's attention to the fact that today is the 63rd anniversary of the invasion of the island of Iwo Jima in the South Pacific during World War II. The United States Marines landed 60,000 troops to take that island from the Japanese which was attacking our forces on the island of Saipan, and it was the last-ditch effort of the Japanese to make us pay and keep us from landing on the islands of Japan itself. We suffered 25,000 casualties; the Japanese lost almost all 21,000 of their troops defending the island, as they were killed in action. It was a terrible battle, one of great sacrifices that the Marines made on behalf of our country.

Today over in the House Chamber, they are going to remember this day and memorialize it. They are also bringing in one of my constituents whose name is Clay Reeves. He is a United States Marine who fought on that island, was wounded, and decorated for his actions during that battle.

I just want to bring to the members' attention that today in history the Battle of Iwo Jima began and was eventually successful the following month.

Senator Barcia's statement is as follows:

I just wanted to announce to my colleagues and possibly to the Secretary of the Senate that I have been called for jury duty in the Bay County Circuit Court. Each night after 5:00 p.m., I am to call to determine whether or not I am to be on a panel available for selection the following morning.

I have always tried to be conscientious about my attendance, both in terms of casting votes as well as attending Senate sessions. I just want to indicate that if I am drawn to serve my community as a member of a jury in the Circuit Court, I may have an issue where I would have to miss session.

Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 531, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40111c.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1037, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52706 (MCL 324.52706), as amended by 2006 PA 179.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1078, entitled

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

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Patterson

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1079, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 104a.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Patterson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1080, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 9 and 9b (MCL 117.9 and 117.9b), section 9 as amended by 2004 PA 137 and section 9b as added by 1982 PA 465, and by adding sections 9c, 9d, and 9e.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Patterson

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1081, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 6 of chapter XIV (MCL 74.6) and by adding sections 6b, 6c, and 6d to chapter XIV.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson and Prusi

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1082, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4 and 5 (MCL 78.4 and 78.5), section 4 as amended by 2003 PA 304, and by adding section 5b.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Patterson

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1083, entitled

A bill to amend 1968 PA 191, entitled "An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

With the recommendation that the bill pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Patterson

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submitted the following:
Meeting held on Wednesday, February 13, 2008, at 1:00 p.m., Room 110, Farnum Building
Present: Senators Birkholz (C), Van Woerkom, Patterson, Basham and Prusi

The Committee on Education reported

Senate Bill No. 836, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166b (MCL 388.1766b), as amended by 1999 PA 119.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Van Woerkom, Cassis, Whitmer and Gleason

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
Meeting held on Thursday, February 14, 2008, at 2:30 p.m., Room 110, Farnum Building
Present: Senators Kuipers (C), Van Woerkom, Cassis, Whitmer and Gleason

The Committee on Finance reported

Senate Bill No. 150, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 2000 PA 195.

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

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

Senate Bill No. 652, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 260, 261, and 269 (MCL 206.260, 206.261, and 206.269), section 260 as amended by 1996 PA 484, section 261 as amended by 2000 PA 195, and section 269 as added by 2004 PA 313.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

House Bill No. 4433, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 3, 31, and 32 (MCL 205.703, 205.731, and 205.732), section 3 as amended by 1992 PA 172, and by adding section 47.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

House Bill No. 4434, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 26, 49, and 61 (MCL 205.726, 205.749, and 205.761), sections 26 and 49 as amended by 1980 PA 437 and section 61 as amended by 1992 PA 172.

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4435, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 22 (MCL 205.722).

With the recommendation that the bill pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4436, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 62 (MCL 205.762), as amended by 1995 PA 232.

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

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: Senator McManus

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

The Committee on Finance reported

House Bill No. 4437, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by repealing section 66 (MCL 205.766).

With the recommendation that the bill pass.

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

Nancy Cassis

Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, February 14, 2008, at 1:34 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:

Meeting held on Wednesday, February 13, 2008, at 12:30 p.m., Room 405, Capitol Building

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

Excused: Senator Barcia

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, February 13, 2008, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Excused: Senator George

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, February 13, 2008, at 3:08 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senator Sanborn

COMMITTEE ATTENDANCE REPORT

The Subcommittee on State Police and Military Affairs submitted the following:

Meeting held on Thursday, February 14, 2008, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Garcia (C) and Barcia

Excused: Senator Cropsey

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:
Meeting held on Thursday, February 14, 2008, at 3:10 p.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Kahn (C), Pappageorge, George, Stamas, Cherry and Switalski
Excused: Senator Barcia

Scheduled Meetings

Agriculture - Thursday, February 21, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -**Subcommittees -**

Capital Outlay - Thursday, February 21, 9:00 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-8080)

Community Colleges - Friday, February 22, 2:00 p.m., Mid Michigan Community College, 5805 E. Pickard Road, Mt. Pleasant; Monday, February 25, 1:30 p.m., Grand Rapids Community College, Main Building, 5th Floor, Board Room, 143 Bostwick Avenue, NE, Grand Rapids; and Wednesday, March 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Health Department - Thursdays, February 21 and February 28, 1:00 p.m., and March 13, 2:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Wednesdays, February 20, 1:00 p.m., February 27, March 5 and March 12, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Higher Education - Friday, February 22, 10:30 a.m., Alma College, Tyler-Van Dusen Campus Center, 614 W. Superior Street, Alma; Monday, February 25, 10:00 a.m., Grand Valley State University, Cook-DeVos Center for Health Sciences, 301 Michigan Street, NE, Grand Rapids; and Monday, March 3, 10:00 a.m., University of Michigan-Dearborn, Professional Education Center, 4901 Evergreen Road, Dearborn (373-2768)

Human Services Department and Families and Human Services - Tuesday, February 26, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Judiciary and Corrections - Wednesdays, February 20, February 27, March 5 and March 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

K-12, School Aid, Education - Tuesdays, February 26, March 4 and March 11, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Wednesday, February 20, 8:30 a.m., and Tuesdays, February 26 and March 11, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768)

Retirement - Tuesday, February 26, 12:00 noon, Room 810, Farnum Building (373-2768)

State Police and Military Affairs - Thursday, February 21, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Banking and Financial Institutions - Wednesday, February 20, 9:00 a.m., Room 210, Farnum Building (373-3543)

Economic Development and Regulatory Reform - Wednesday, February 20, 1:00 p.m., Rooms 402 and 403, Capitol Building and Friday, February 22, 11:00 a.m., Northwest Activities Center, 18100 Meyers Road, Detroit (373-7670)

Families and Human Services and Human Services Department Appropriations Subcommittee - Tuesday, February 26, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Legislative Council - Thursday, February 28, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Natural Resources and Environmental Affairs - Wednesday, February 20, 1:00 p.m., Room 110, Farnum Building (373-3447)

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

The Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Wednesday, February 20, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

