

No. 75
STATE OF MICHIGAN
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REGULAR SESSION OF 2008

Senate Chamber, Lansing, Tuesday, September 16, 2008.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Senator John Pappageorge of the 13th District offered the following invocation:

Lord, thank You for having given us the opportunity to serve the citizens of Michigan. Please let us not forget the importance of this mission, and help us to work together with civility and, yes, humor and goodwill toward each other, as we work out legislation that would best serve our constituents and the citizens of Michigan.

We ask this in Jesus' name. Amen.

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

Senators Brown and McManus entered the Senate Chamber.

Recess

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

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

11:42 a.m.

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

During the recess, Senators Anderson, Hardiman, Cropsey, Kuipers, Allen, Thomas, Stamas, Gilbert, Clarke, Jansen, Garcia, George, Bishop, Van Woerkom, Jelinek, Birkholz, Cassis, Richardville and Kahn entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

Senator Cropsey moved that Senator McManus be temporarily excused from today's session.

The motion prevailed.

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

The motion prevailed.

The following communication was received:

Joint Committee on Administrative Rules

Waiver of Remaining Session Days

September 11, 2008

The Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days, pursuant to MCL 24.245a(1), for the proposed rule set dated April 21, 2008 as follows: Department of Environmental Quality—Air Quality Division—Air Pollution Control—Part 18.

Prevention of Significant Deterioration of Air Quality (2007-017 EQ) (JCAR # 08-43).

According to MCL 24.245a(2), if the Committee waives the remaining session days, the State Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,
Senator John Pappageorge
Chair

Representative Dudley Spade
Alternate Chair

The communication was referred to the Secretary for record.

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submitted the following:

Meeting held on Thursday, September 13, 2008, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Pappageorge (C), Van Woerkom, Kuipers, Barcia and Clarke

Absent: Senator Barcia

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

Senator McManus entered the Senate Chamber.

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

Senate Bill No. 776

Senate Bill No. 1097

Senate Bill No. 1106

Senate Bill No. 1095

The motion prevailed.

The following messages from the Governor were received and read:

September 15, 2008

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to office under Section 2 of 1960 PA 77, MCL 390.952:

Michigan Higher Education Assistance Authority

Reverend Bruce A. McCoy of 2745 Birchcrest Drive, S.E., #708, Grand Rapids, Michigan 49506, county of Kent, succeeding Nathaniel Smith-Tyge, who has resigned, representing citizens of the state with an interest in higher education, for a term commencing September 15, 2008 and expiring May 22, 2009.

Ms. Ederl E. Moore of 11335 Mettetal Street, Detroit, Michigan 48227, county of Wayne, succeeding Jack D. Minore, whose term has expired, representing citizens of the state with an interest in higher education, for a term commencing September 15, 2008 and expiring May 22, 2012.

Mr. Howard J. Thomas of 1906 Evergreen Drive, Royal Oak, Michigan 48073, county of Oakland, succeeding Gina M. Torielli, whose term has expired, representing private colleges, for a term commencing September 15, 2008 and expiring May 22, 2012.

September 15, 2008

I respectfully submit to the Senate pursuant to Article V, Section 6 of the Michigan Constitution of 1963, the following appointments to office under Section 11 of the Hospital Finance Authority Act, 1969 PA 38, MCL 331.41:

State Hospital Finance Authority

Ms. Marylee Davis, Ph.D., of 6371 Island Lake Drive, East Lansing, Michigan 48823, county of Ingham, succeeding Dorothy E. Deremo, who has resigned, representing the general public, for a term commencing September 15, 2008 and expiring March 1, 2010.

Mr. Jayprakash B. Shah of 182 Dourdan Place, Bloomfield Hills, Michigan 48304, county of Oakland, succeeding Lois Shulman, whose term has expired, representing the general public, for a term commencing September 15, 2008 and expiring March 1, 2010.

September 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 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1421:

Michigan State Housing Development Authority

Ms. Tonya V. Gatson of 555 Brush Avenue, Apt. 1814, Detroit, Michigan 48226, county of Wayne, succeeding Dorothy R. Stockbridge, whose term has expired, representing residents of public housing, for a term commencing September 15, 2008 and expiring March 10, 2010.

September 15, 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 2 of the Michigan Tourism Policy Act, 1945 PA 106, MCL 2.102:

Michigan Travel Commission

Ms. Rochelle A. Cotey of 201 East Varnum Street, Munising, Michigan 49862, county of Alger, reappointed for a term expiring August 20, 2012.

Mr. Kenneth L. Hayward of 1366 Silkwood, Okemos, Michigan 48864, county of Ingham, reappointed to represent owners and operators of for-profit businesses from the private sector of travel, tourism, and recreation industry, for a term expiring August 20, 2012.

Mr. Arthur L. Tebo of 01580 North Shore Drive, P.O. Box 519, Walloon Lake, Michigan 49796, county of Charlevoix, reappointed to represent owners and operators of small businesses, for a term expiring August 20, 2012.

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 Cherry 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. 1414, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5124.

Senate Bill No. 1415, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

Senate Bill No. 1451, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

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

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

Senate Bill No. 1461, entitled

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

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

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. 1462, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 20b, 20c, and 642a.

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 Switalski entered the Senate Chamber.

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

Senate Bill No. 973

Senate Bill No. 1418

Senate Bill No. 1419

Senate Bill No. 1420

Senate Bill No. 1421

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 973, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435), as amended by 2007 PA 216.

The question being on the passage of the bill,

Senator Cassis offered the following amendment:

1. Amend page 8, line 6, after "228." by striking out the balance of the subsection.

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

Senator Cassis offered the following amendments:

1. Amend page 10, line 4, after the first "**OR**" by striking out "**(22)**" and inserting "**(21)**".

2. Amend page 12, line 25, by striking out "**(21), (22), AND (23)**" and inserting "**(20), (21), AND (22)**".

3. Amend page 13, line 1, after the first "**SUBSECTION**" by striking out "**OR SUBSECTION (20)**".

4. Amend page 15, line 20, by striking out all of subsections **(20)** and **(21)** and renumbering the remaining subsections.

5. Amend page 19, line 10, by striking out "**(23)(B)**" and inserting "**(21)(B)**".

6. Amend page 19, line 22, after "**THROUGH**" by striking out "**(24)**" and inserting "**(22)**".

7. Amend page 19, line 25, after "**ADDITIONAL**" by striking out the balance of the subsection and inserting "**CREDIT ISSUED UNDER SUBSECTION (19).**".

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Cassis offered the following amendments:

1. Amend page 14, line 9, after “**CREDIT.**” by inserting “**BEFORE APPROVING A CREDIT UNDER THIS SUBDIVISION, THE DIRECTOR OF THE DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES OR HIS OR HER DESIGNEE SHALL CONSIDER WHETHER THE REHABILITATION OF THE HISTORIC RESOURCE WILL RESULT IN A NET REVENUE GAIN IN STATE AND LOCAL TAXES ONCE THE HISTORIC REHABILITATION IS COMPLETE.**”.

2. Amend page 14, line 26, after “**CREDIT.**” by inserting “**BEFORE APPROVING A CREDIT UNDER THIS SUBDIVISION, THE DIRECTOR OF THE DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES OR HIS OR HER DESIGNEE SHALL CONSIDER WHETHER THE REHABILITATION OF THE HISTORIC RESOURCE WILL RESULT IN A NET REVENUE GAIN IN STATE AND LOCAL TAXES ONCE THE HISTORIC REHABILITATION IS COMPLETE.**”.

The amendments were 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. 539

Yeas—35

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

Nays—3

Cassis	Gilbert	Patterson
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Excused—0

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1418, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 7, and 8 (MCL 722.623, 722.627, and 722.628), section 3 as amended by 2006 PA 583, section 7 as amended by 2006 PA 621, and section 8 as amended by 2008 PA 46.

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. 540

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.

The following bill was read a third time:

Senate Bill No. 1419, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 20 (MCL 552.520), as added by 1996 PA 366.

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. 541

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.

The following bill was read a third time:

Senate Bill No. 1420, entitled

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

The 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. 542

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.

The following bill was read a third time:

Senate Bill No. 1421, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8e.

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. 543

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 proceeded to the order of

Statements

Senators Scott, Birkholz and Kahn 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:

Gordon Parks, you may recall, was a groundbreaking American photographer, musician, poet, novelist, journalist, activist, and film director. He is probably best remembered for his photo essays in *Life* magazine and as the director of the 1971 film *Shaft*. Gordon Parks said, "The one who takes a chance, who walks the line between known and unknown, who is not afraid of failure, will succeed." You and I both can learn from that.

You are taking a chance every day in deciding what is right for Michigan citizens. You are constantly walking the line between the known and the unknown as you weigh the benefits and risks of your legislative decisions. I take a chance every day as I stand before you and speak on behalf of Michigan drivers and homeowners. I risk being the object of your scorn and ridicule. I risk being rejected yet again in my requests for fair insurance reform, and I risk facing defeat.

I, too, walk the line between the known status quo and the unknown. However, I am not afraid of failure, and I will succeed—but only when you move my bills.

The President, Lieutenant Governor Cherry, resumed the Chair.

Senator Birkholz's statement is as follows:

I have the distinct honor and privilege today to present a resolution, and I've asked our good Majority Leader, Senator Bishop, to be here with us to honor and say a huge "thank you" to Julie Gales, who has just recently retired from our great government here. She has done so many good things for us, often in the background. Many of you, when I passed around the resolution for sponsorship said to me, "I think I know her." Well, that is because she has always worked in the background in science and technology and provided us with so much good information as we have made decisions here in the Legislature.

I want you to know that her daughter Emma, her Montessori school class is watching us on television today to see her mother being honored by the Michigan Senate. I just want to share words from Senate Resolution No. 216.

"Whereas, In 1987, Julie Gales, a graduate geology student from the University of Michigan, joined the staff of the Legislative Service Bureau's Legislative Science Office to investigate the suitability of the salt mine underneath Detroit as a deep geologic repository for hazardous waste. Her service on this project required several trips down the 1,000-foot open elevator to explore the underground mine, confer with expert geologists on the conditions of the mine, and report back to the Legislature with her findings. This project began a tenure of dedication that has served the Michigan Legislature and our entire state in many ways over more than two decades; and

Whereas, After earning her master's degree, Julie Gales accepted a full-time position with the Legislative Service Bureau, where she has continued to provide objective, nonpartisan research on a number of geologic issues of interest to the Legislature. Since that time, she has provided essential support to legislative discussions on numerous issues, including severed mineral rights; drilling under the Great Lakes; groundwater contamination, modeling, and withdrawals; contaminated site cleanups; copper mining; leaking underground storage tanks; injection wells; sand dunes, critical dunes, and sand mining; and countless other issues. Julie Gales has made complex scientific information useful to legislators and staff with wide-ranging backgrounds as they draft legislation, oversee state programs, and work with dynamic public policy issues. Apart from her knowledge, Julie's impeccable sense of professionalism and personal commitment have earned her the trust of legislators and staff alike who have come to rely upon her ability to ask the right questions and deliver thorough, timely, and relevant information; and

Whereas, In addition to her direct impact on the legislative process, Julie Gales has been a valued leader at the Legislative Service Bureau. As a senior member of the Bureau's Science and Technology Division, she has guided other analysts on their research and presentation of the relevant information to legislators and staff. In recent years, she has played a key role in reorganizing the Bureau's research functions to work more efficiently and later became the assistant division director for the Research Services Division. In all facets of her career, Julie Gales' uncommon set of analytic skills and public policy savvy has provided a model for others to emulate; now, therefore, be it

Resolved by the Senate, That we honor Julie Gales as she brings to a close her 21 years of dedication with the Legislative Service Bureau; and be it further

Resolved, That copies of this resolution be transmitted to Julie Gales and her family as evidence of our esteem."

Senator Kahn's statement is as follows:

I rise today to speak to the package of bills that we passed today—the DHS package—and, in particular, to Senate Bill No. 1421 which I had the honor to author. These bills are part of a package of legislation dealing with protecting little ones, like these children who were just introduced, like the children we have in our homes, and the grandchildren whom we love.

My particular direct connection, the particular event that pulls at my heart, is the mother of Nicholas Braman, Becky Jasinski, a hardworking accountant, who lives in my district. I had an afternoon in which I shared tears with her and learned that her son Nicholas was induced to commit suicide; part of a murder-suicide pact that her father, who had been convicted of cattle-prodding two of his other children and awaiting sentencing, killed himself, his second wife, and his son.

The department understood that there were things that could have been done better, and they deserve great credit for rising to the occasion to admit that there were, in fact, things that could have been done better. They also deserve credit for working to find ways to improve the performance of DHS in protecting children. They worked with the chair of the committee, Senator Jansen, in producing these bills.

The bill in question deals with the mechanics of how we go about protecting vulnerable children. It requires that the department work through a checklist of requirements to see that the foster home is safe, the child is safe; and prior to a placement being made or allowed or continued, that, in fact, the primary interest, the child's interest is well served.

This bill, now having passed unanimously, I will give a call to Becky Jasinski to let her know that the bill now moves over to the House, where I hope our legislative brethren will quickly take it up; that it can quickly reach the Governor's desk, and we can quickly extend the protection we hope to give to children.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators George, Pappageorge and Brown introduced

Senate Bill No. 1492, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 601d.

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

Senators George, Pappageorge and Brown introduced

Senate Bill No. 1493, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2004 PA 26.

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

Senators George, Pappageorge and Brown introduced

Senate Bill No. 1494, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 37 (MCL 256.657).

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

Senators Birkholz, Van Woerkom, Switalski and Brater introduced

Senate Bill No. 1495, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 50.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Clarke, Thomas, Hunter, Scott and Clark-Coleman introduced

Senate Bill No. 1496, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Senators McManus and Van Woerkom introduced

Senate Bill No. 1497, entitled

A bill to create certain agriculture innovation loan programs; to create certain boards and authorities and define their powers and duties; to authorize the making of loan guarantees by certain private entities; to enhance value-added agricultural processing, commercialization of agriculture technologies, processes, or products, and farming operations within this state; to provide for certain powers and duties for certain private entities, state agencies, commissions, and departments; to authorize loan guarantees and expenditures from the funds; to finance the development of value-added agricultural processing, commercialization of agriculture technologies, processes, or products, and farming operations within this state; to provide for the issuance and purchase of notes and bonds; to provide for the establishment of funds; and to prescribe penalties and remedies.

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

Senators Cherry, Hardiman, Prusi, Brater, Gleason and Olshove introduced

Senate Bill No. 1498, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 1998 PA 86.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Cherry, Brater, Olshove, Jacobs and Gleason introduced

Senate Bill No. 1499, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Kuipers, Kahn, Gilbert and George introduced

Senate Bill No. 1500, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2912i.

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

Senators Kahn, Gilbert, Van Woerkom, Hardiman, Jansen, Birkholz, Garcia and Gleason introduced

Senate Bill No. 1501, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 25j.

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

Senators Gilbert, Kahn, Van Woerkom, Hardiman, Jansen, Birkholz, Garcia and Gleason introduced

Senate Bill No. 1502, entitled

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending section 3 (MCL 432.203), as amended by 1997 PA 69, and by adding section 9e.

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

Senators Garcia, Barcia, George, Van Woerkom, Brown and Kahn introduced

Senate Bill No. 1503, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88b (MCL 125.2088b), as amended by 2008 PA 175, and by adding section 88r.

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

Senators Schauer, Anderson, Clark-Coleman, Barcia, Olshove, Switalski, Scott and Jacobs introduced

Senate Bill No. 1504, entitled

A bill to amend 1984 PA 331, entitled "Michigan consumer protection act," by amending sections 3, 7, and 8 (MCL 445.903, 445.907, and 445.908), section 3 as amended by 2006 PA 508.

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

Senators Anderson, Schauer, Clark-Coleman, Barcia, Olshove, Switalski, Scott and Jacobs introduced

Senate Bill No. 1505, entitled

A bill to amend 1984 PA 274, entitled "Michigan antitrust reform act," by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243.

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

Senators Pappageorge and Switalski introduced

Senate Bill No. 1506, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 2002 PA 498.

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

Senator Kahn introduced

Senate Bill No. 1507, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16511 (MCL 333.16511), as amended by 2006 PA 397.

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

House Bill No. 6032, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 4, 5, 6, 7, 11, and 16 (MCL 207.772, 207.774, 207.775, 207.776, 207.777, 207.781, and 207.786), section 2 as amended by 2008 PA 228, section 4 as amended by 2008 PA 4, sections 6 and 7 as amended by 2005 PA 338, and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

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

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

House Bill No. 6222, 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 16a (MCL 207.566a), as added by 1996 PA 94.

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

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

House Bill No. 6243, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

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. 6263, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

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.

Committee Reports

The Committee on Appropriations reported

Senate Resolution No. 200.

A resolution to memorialize Congress and the President to support additional funding to expand Amtrak's capacity and routes in Michigan.

(For text of resolution, see Senate Journal No. 53, p. 1068.)

With the recommendation that the following substitute (S-1) be adopted and that the resolution then be adopted:

A resolution to memorialize Congress and the President to support additional funding to expand Amtrak's capacity and routes in Michigan.

Whereas, Ridership has increased 47 percent on all three Michigan Amtrak routes in the last six years. The Wolverine route, from Pontiac through Detroit to Chicago, increased its passenger load 2.5 percent in 2007 alone. The state-supported Blue Water route between Port Huron and Chicago saw increased ridership of 3 percent in 2007. Ridership on the state-supported Pere Marquette route between Grand Rapids and Chicago increased 2.8 percent. All three corridors experienced sold-out trains in 2007, some on a regular basis, which may have limited their true earning potential. The trains contributed \$500,000 of unanticipated ticket income to the state of Michigan; and

Whereas, The trend of increasing passenger numbers continues in 2008. Over the first ten months of the fiscal year, Pere Marquette ridership is up 9.8 percent and Blue Water ridership has increased 6.5 percent. Revenues have grown as well, from 4.5 to 9.2 percent. These trends over the last six years suggest continued record numbers of passengers but less than potential revenue because of limited capacity, as witnessed by frequent sold-out conditions; and

Whereas, Amtrak employs 114 Michigan residents and pays over \$6.6 million annually in salaries and wages. Amtrak contracts with Michigan businesses for more than \$5.7 million in goods and services.

Whereas, Michigan residents continue to face increasing fuel prices, traffic congestion, and limited access to public transportation. We believe the time has come to generate additional economic growth and public transportation alternatives for Michigan and its residents by increasing passenger rail capacity and service; now, therefore, be it

Resolved by the Senate, That we memorialize Congress and the President to support additional funding for passenger rail cars on Michigan's three train routes, to consider increasing capacity and routes in Michigan, and to consider the restoration of a second, mid-day passenger train from Chicago to Grand Rapids; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Governor of Michigan, the Surface Transportation Board, the United States Department of Transportation, the Michigan Department of Transportation, and Amtrak.

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Appropriations reported

Senate Bill No. 1398, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2007 PA 69.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Hardiman, Cropsey, George, Brown, Stamas, Switalski, Brater, Cherry, Clark-Coleman and Scott

Nays: Senators Kahn and Anderson

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 1464, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2007 PA 71.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Cropsey, George, Jansen, Brown, Stamas, Switalski, Brater, Cherry and Scott

Nays: Senators Kahn and Anderson

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 1465, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2007 PA 70.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Cropsey, George, Brown, Stamas, Switalski, Brater, Cherry, Clark-Coleman and Scott

Nays: Senators Kahn and Anderson

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, September 10, 2008, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building
Present: Senators Jelinek (C), Pappageorge, Hardiman, Kahn, Cropsey, Garcia, George, Jansen, Brown, Stamas, Switalski, Anderson, Brater, Cherry, Clark-Coleman and Scott

Excused: Senators McManus and Barcia

The Committee on Health Policy reported

Senate Bill No. 956, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), as amended by 2006 PA 672.

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

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

Thomas M. George
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 1366, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7333 (MCL 333.7333), as amended by 2006 PA 451.

With the recommendation that the bill pass.

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

Thomas M. George
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Wednesday, September 10, 2008, at 3:10 p.m., Senate Hearing Room, Ground Floor, Boji Tower

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

Excused: Senators Patterson and Allen

The Committee on Finance reported

Senate Bill No. 1479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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 and Jansen

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1480, entitled

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

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 and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1481, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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 and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 1482, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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 and Jansen

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, September 11, 2008, at 11:40 a.m., Room 110, Farnum Building

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

The Committee on Agriculture reported

House Bill No. 5745, 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.

With the recommendation that the bill pass.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5748, 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.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5769, 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).

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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5874, 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.

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.

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer
Nays: None
The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 5877, 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.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer
Nays: None
The bill was referred to the Committee of the Whole.

The Committee on Agriculture reported

House Bill No. 6133, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2006 PA 382.

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

Gerald Van Woerkom
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz, Gleason and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Joint meeting held on Thursday, September 11, 2008, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Jansen (C), Hardiman and Jacobs

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Joint meeting held on Thursday, September 11, 2008, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hardiman (C), Kahn and Jansen

Excused: Senators Scott and Barcia

Scheduled Meetings

Agriculture - Thursday, September 18, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Wednesday, September 17, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

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

Campaign and Election Oversight - Wednesday, September 17, 12:30 p.m., Room 405, Capitol Building (373-1725)

Commerce and Tourism - Wednesday, September 17, 9:00 a.m., Room 100, Farnum Building (373-2413) (CANCELED)

Education - Wednesday, September 17, 2:30 p.m., Room 210, Farnum Building (373-6920)

Energy Policy and Public Utilities - Thursday, September 18, 1:00 p.m., Room 210, Farnum Building (373-7350)

Legislative Commission on Government Efficiency - Friday, September 26, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Legislative Commission on Statutory Mandates - Tuesday, September 30, 12:00 noon, Oakland County Executive Office Building, Conference Center/West Oakland Room, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Michigan Law Revision Commission - Wednesday, September 24, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Natural Resources and Environmental Affairs - Wednesday, September 17, 1:00 p.m., Room 110, Farnum Building (373-3447)

State Drug Treatment Court Advisory Committee - Tuesday, September 23, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 12:26 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, September 17, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate