

No. 18
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2008

Senate Chamber, Lansing, Thursday, February 21, 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 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

Reverend Edith Winter of First Congregational Church of Grand Junction offered the following invocation:

Each of us in our own way prays to a power beyond ourselves for the needs and concerns in our lives for each day. We ask for blessings on our work and on our relationships here in the Senate of Michigan and also on the other leaders and workers of our state and of our nation. We ask for grace that we all may work together for the common good. We ask for wisdom in the resolving of the tasks before us. We ask for forgiveness where we may have failed and healing that we may go forward.

We are thankful for the honor and privilege of service given to us by those we represent, keeping in mind that it is their will and not ours alone that brings us together.

May we be granted wisdom; may we be granted courage; may our feet be set on lofty places; that we may face this time—this day, this session; that we fail not person nor Thee. May what we do be honorable and acceptable and bring glory to the Almighty Power who guides us in all we do.

May we be blessed and be a blessing to all in the service. Amen.

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

Motions and Communications

Senators Clarke, McManus, Brown, Gleason and Pappageorge entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday February 20:
House Bill Nos. 4525 4526 4527 4528 5568 5600

The Secretary announced that the following official bills and joint resolution were printed on Wednesday, February 20, and are available at the legislative website:

Senate Bill Nos. 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132
1134
House Bill Nos. 5754 5755 5756 5757 5758 5759 5760 5761 5762 5763 5764 5765 5766 5767
5768 5769 5770 5771 5772
House Joint Resolution QQ

By unanimous consent the Senate proceeded to the order of

Messages from the House

The House of Representatives returned, in accordance with the request of the Senate

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 bill was placed on the order of Third Reading of Bills.

By unanimous consent the Senate returned to the order of

Messages from the Governor

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

Senate Bill No. 436

Senate Bill No. 222

Senate Bill No. 229

Senate Bill No. 232

Senate Bill No. 238

Senate Bill No. 240

The motion prevailed.

The following message from the Governor was received:

Date: February 20, 2008

Time: 9:25 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 92 (Public Act No. 8), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 12101, 12102, 12103, 12105, 12107, 12111, 12112, and 12113 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12107, 324.12111, 324.12112, and 324.12113), sections 12101 and 12102 as amended by 2001 PA 165, sections 12103 and 12112 as amended by 2007 PA 75, and sections 12105 and 12107 as amended by 1998 PA 140, and by adding section 12102a.

(Filed with the Secretary of State on February 20, 2008, at 9:45 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

By unanimous consent the Senate proceeded to 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.

Senator Cropsey moved to reconsider the vote by which the bill was passed.

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

The question being on the passage of the bill,

Senator Birkholz offered the following amendments:

1. Amend page 2, following line 20, by inserting:

“(G) A MOTOR VEHICLE EQUIPPED WITH A VIDEO DISPLAY TO COMMUNICATE VEHICLE, DRIVER, OR SAFETY CONDITIONS.”.

2. Amend page 2, line 22, after “dashboard” by inserting a comma and **“CENTER CONSOLE, INSTRUMENT PANEL, REARVIEW MIRROR,”.**

The amendments were 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. 67

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: President

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

Senate Bill No. 291

Senate Bill No. 292

Senate Bill No. 660

Senate Bill No. 661

Senate Bill No. 531

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 291, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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. 68

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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 292, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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. 69**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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 660, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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. 70**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: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 661, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 16t and 43 of chapter XVII (MCL 777.16t and 777.43), section 16t as amended by 2004 PA 112 and section 43 as amended by 2002 PA 666.

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. 71**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: President

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Cropsey’s statement is as follows:

I want all members of the Senate to know and I think it is important that every member of this Senate realize that on the past three bills and on this bill, what we are doing is going to be increasing the number of people going to prison. Did you catch that? We will be increasing the number of people going to prison.

Now I chair the Corrections budget. I am voting for these bills and I am going to vote for this bill, but it is important to realize that people are saying we need to put more people out on the street who are in prison. As a Senate, we are saying there is a crime problem and there is a very serious crime problem. If we would put more people out on the street, we will increase the crime problem.

But let me give you an idea on this package of bills. One prosecutor, the prosecutor in Calhoun County said if this package of bills had been passed within the last two years, there were 32 prosecutions that he would have under this package of bills. That is one medium-sized county in this state. Keep this in mind, too, that in the past year, in a city of 57,000, the city of Saginaw, there had been 162 people who have been hit by bullets, much of it, if not most of it, is gang-related violence.

Folks, we have a huge, huge crime problem in this state. We have a very violent population in certain parts of this state, and it is not just your traditional major inner-city areas. Who would have thought 20, 30, or 40 years ago that the city of Holland, Michigan, would have a major gang problem in the city? Holland, Tulip Time Festivals. Now I am making the point so that we realize that not only in these bills, but as we go into the budget bills, we have got more felons running on our streets probably than ever before. I want everybody to realize—and this point was made in the Corrections subcommittee a week ago—that we are incarcerating felons, violent felons at about half the rate of the national average. But yet, we have people in our state government and people outside of our state government who are trying to tell us we have too many people in prison and we need to let people go.

By passing this legislation, this Senate is sending a very clear, strong message to the people of this state that we are tired of crime. We are tired of people going into our prison system and coming out of our prison system and re-victimizing folks, and we are going to be making the commitment that if you do a violent felony and you victimize people, you are going to go away and spend part of your time in prison.

Folks, that is going to cost money, but is that important? Yes, it is very important because that is our No. 1 function of state government to make sure that the violent felons are not preying on the people, the law-abiding people of this state. Do I encourage your vote on this bill? You betcha, but just remember it is one thing to say at this point and to vote for it, but when the Corrections budget comes up, that better be a priority that we need to take a look at too.

Senator Scott's statement is as follows:

You know, just after hearing from my two colleagues on the other side of the aisle and the one who is sponsoring this bill, I will support this bill. But let me just remind my colleagues that, you know, the reason why we are even thinking about letting prisoners out—the ones who will not be a menace to society when they come out—is because we need money in this state.

Well, if we would just spend more money on our young people and open these recreation centers and give them some activities to do and encourage them, then we would not spend all this money on prisons because we would have cultivated their minds at an early age and given them something to do.

So I just want to remind my colleagues that if we spend more money on the front end, then we won't have to be spending these monies on these gangs and that—not as much anyway.

The following bill was read a third time:

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.

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. 72

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: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of
Messages from the House

Senator Cropsey moved that rule 3.202 be suspended to permit immediate consideration of the following bill:
Senate Bill No. 97

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

Senate Bill No. 97, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5h.

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 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5l.

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

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

Roll Call No. 73

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: President

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.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 155, entitled

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 House of Representatives has concurred in the Senate amendment to the House substitute (H-1).
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 630, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 93.

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

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.

Senate Bill No. 682, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 8302, 8303, 8310, 8317, 8325, and 8715 (MCL 324.1301, 324.8302, 324.8303, 324.8310, 324.8317, 324.8325, and 324.8715), section 1301 as amended by 2004 PA 381, section 8302 as amended by 2002 PA 418, section 8303 as amended by 2004 PA 24, section 8310 as amended by 2004 PA 325, section 8317 as amended by 2007 PA 78, and section 8715 as amended by 2000 PA 100, and by adding section 8310a.

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

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

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, Lieutenant Governor Cherry, designated Senator Scott as Chairperson.

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

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.

Substitute (S-1).

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

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

Senate Bill No. 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 2007 PA 94.

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. 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.

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.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 654, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2005 PA 143 and section 1a as added by 1997 PA 99, and by adding sections 2a and 2b.

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

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

Senate Bill No. 654

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Scott as Chairperson.

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

Senate Bill No. 654, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2005 PA 143 and section 1a as added by 1997 PA 99, and by adding sections 2a and 2b.

Substitute (S-3).

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

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

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

Senate Bill No. 654

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

The following bill was read a third time:

Senate Bill No. 654, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2005 PA 143 and section 1a as added by 1997 PA 99.

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. 74

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: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

House Bill No. 4525, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2005 PA 143.

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. 4526, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

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. 4527, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

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. 4528, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2006 PA 298.

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. 5568, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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. 5600, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 4, 8a, 8d, 8e, and 10 (MCL 125.2683, 125.2684, 125.2688a, 125.2688d, 125.2688e, and 125.2690), section 3 as amended by 2006 PA 304, section 4 as amended by 2006 PA 440, section 8a as amended by 2006 PA 476, section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2007 PA 186.

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.

Statements

Senators Scott, Schauer 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:

I want to start off my statement today by saying happy birthday to the Honorable Barbara Jordan, who was born on this day in 1936, a lady whom I really revered, just a wonderful woman. May God have her rest in peace.

Howard Thurman, the noted African-American author, preacher, and civil rights leader, said, "We will not be guaranteed against failure, but we will learn that we may fail again and again and yet be assured always that we are not mistaken in what we affirm with all our hearts and minds."

I take great heart from that statement, for I am learning that while I have failed again and again in getting my message across to you, please be assured that I am not mistaken in what I affirm with all my heart and mind. That is, all Michigan residents deserve to be treated with the dignity and respect that accompany equality—equality in insurance ratings across our state.

I am not mistaken. I am committed and dedicated to my affirmations, and I will not accept failure. I will continue to work for justice and equality as long as my heart is still pumping and my mind is still clear.

Senator Schauer's statement is as follows:

I rise to make a statement of sadness, yet excitement, about another member of our staff family, Elizabeth Kerr, who I recommended her hire to then-leader Bob Emerson. She came on as a writer; is now and has been for one year our deputy communications director.

Elizabeth Kerr is an incredibly talented, dynamic, creative, hardworking person who is leaving us to become the communications director of the Michigan Democratic Party. So you are still going to have to deal with Elizabeth Kerr. She is someone whom we greatly value and has lent incredible energy to our entire team and really to this body; probably some consternation to the other side from time to time.

I ask you to join me in honoring a great person; someone we will miss seeing in this chamber, and we all join in wishing you well, Liz.

Senator Kahn's statement is as follows:

I rise today in regard to the gang bills that we have just passed in a bipartisan fashion here today in the Senate. These bills deal with the crime throughout our state; not just in urban areas, but rural areas as well. They deal with the destruction of the fabric of our society that crime and gang crime, in particular, poses for our children, for our adults, for our seniors, for our schools, for our businesses, for our urban centers, and again, for our rural centers.

In my community, Saginaw, we have had children of one year of age shot and killed because of their proximity to gang members. We have had children of 15 years of age shot in a school because they testified in a gang-related homicide trial.

Sixty percent of our homicides have been gang-related, and year after year, we have seen similar sorts of saddening and frightening statistics. I am just delighted that we as a chamber have come together on these bills. I thank, in particular, the Senator from the 5th District for helping me improve these bills. I look forward to them now going over to the other chamber with the sense that we worked on these in a bipartisan fashion.

I hope that we can find the time to come together and talk to our colleagues in the other chamber about quickly moving these bills because they benefit us all.

Committee Reports

The Committee on Banking and Financial Institutions reported

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.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

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.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

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.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

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.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

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.

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.

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Stamas, Clarke and Olshove

Nays: None

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

The Committee on Banking and Financial Institutions reported

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.

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Banking and Financial Institutions reported

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).

With the recommendation that the bill pass.

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Sanborn, Stamas, Clarke and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Wednesday, February 20, 2008, at 9:00 a.m., Room 210, Farnum Building

Present: Senators Richardville (C), Sanborn, Stamas, Clarke and Olshove

Excused: Senators Cassis and Hunter

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submitted the following:

Meeting held on Tuesday, February 19, 2008, at 1:00 p.m., Michigan State University, Radiology Building, 184 Service Road, East Lansing

Present: Senators Stamas (C), George, Hardiman, McManus, Barcia, Anderson and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Natural Resources submitted the following:

Meeting held on Wednesday, February 20, 2008, at 8:30 a.m., Room 405 Capitol Building

Present: Senators McManus (C), Jelinek and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Environmental Quality submitted the following:

Meeting held on Wednesday, February 20, 2008, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Garcia (C), Cropsey and Brater

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, February 20, 2008, at 1:00 p.m., Room 110, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Judiciary and Corrections submitted the following:

Meeting held on Wednesday, February 20, 2008, at 3:15 p.m., Rooms 402 and 403, Capitol Building

Present: Senator Cropsey (C), Kahn and Brater

Scheduled Meetings

Appropriations -

Subcommittees -

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, The Tassell M-TEC, 622 Godfrey Avenue, SW, Grand Rapids; and Wednesday, March 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

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

Economic Development - Wednesday, February 27, 8:30 a.m., Room 110, Farnum Building (373-2768)

Environmental Quality Department - Wednesdays, 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 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 - 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)

Economic Development and Regulatory Reform - 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)

Homeland Security and Emerging Technologies - Tuesday, February 26, 1:00 p.m., Room 100, Farnum Building (373-5932)

Legislative Council - Thursday, February 28, 11:00 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

Transportation - Tuesday, February 26, 1:00 p.m., Room 110, Farnum Building (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:03 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Tuesday, February 26, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate