

No. 28
STATE OF MICHIGAN
Journal of the Senate
94th Legislature
REGULAR SESSION OF 2007

Senate Chamber, Lansing, Tuesday, March 27, 2007.

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—excused
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

Bishop Ira Combs, Jr., of The Greater Bible Way Temple of Jackson offered the following invocation:

Almighty and eternal God, Al Shadi, we bow our heads in humility and thanksgiving for the marvelous blessings You have bestowed upon this great nation. We earnestly pray for our men and women in uniform in Afghanistan, in Iraq, and around the world.

Despite our partisan loyalties, we acknowledge that there is decency in every public servant who is committed to servility, the great traditions of our noble democracy, and the resplendent virtues that have made America great. In these challenging times, we ask You, dear God, to guide these distinguished leaders of this great institution in their department of their civic duties and strengthen and preserve their precious families. Grant them the constitutional fortitude to make the difficult decisions that the good of the community might prevail.

And, finally, O Lord, grant that all pursue Your divine requirements for mankind to do justly, love mercy, and walk humbly with thy God, world without end. We ask blessings upon these leaders, their families, and their loved ones and our country. In the name of Christ. Amen.

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

Motions and Communications

Senator Cropsey moved that Senator Garcia be excused from today's session.
The motion prevailed.

The following communication was received and read:
Office of the Senate Majority Leader

February 21, 2007

Pursuant to Senate Rule 2.104(c), I am requesting that the Senate Appropriations Committee hold a hearing on the appointments of Ms. Jenny Kronk to the Lake Superior State University Board of Trustees and Mr. Stephen Adamini and Mr. Gilbert Ziegler to the Northern Michigan University Board of Control and make written recommendations to the Government Operations and Reform Committee on these appointments.

Sincerely,
Senator Michael D. Bishop, Chairman
Government Operations and Reform Committee

The communication was referred to the Secretary for record.

The following communication was received:
Office of Senator Ron Jelinek

March 23, 2007

On Thursday, March 22, 2007, the Senate Appropriations Committee approved the Governor's Executive Order 2007-3.

Sincerely,
Ron Jelinek, Chair
Senate Appropriations Committee

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 22:
House Bill Nos. 4100 4184 4272 4315 4472 4475

The Secretary announced that the following official bills were printed on Thursday, March 22, and are available at the legislative website:

Senate Bill Nos. 363 364 365 366 367
House Bill Nos. 4499 4500 4501 4502 4503 4504 4505 4506 4507 4508 4509 4512 4530

The Secretary announced that the following official bills were printed on Friday, March 23, and are available at the legislative website:

Senate Bill Nos. 368 369 370 371
House Bill Nos. 4510 4511 4513 4514 4515 4516 4517 4518 4519 4520 4521 4522 4523 4524
4525 4526 4527 4528 4529

Messages from the Governor

The following messages from the Governor were received:

Date: March 22, 2007

Time: 9:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 14 (Public Act No. 4), being

An act to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2e (MCL 21.142e), as amended by 2004 PA 342.

(Filed with the Secretary of State on March 22, 2007, at 10:15 a.m.)

Date: March 22, 2007

Time: 11:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 176 (Public Act No. 5), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

(Filed with the Secretary of State on March 23, 2007, at 4:06 p.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on March 22, 2007, and read:

EXECUTIVE ORDER

No. 2007-3

**Implementation of Expenditure Reductions Under
Section 20 of Article V of the Michigan Constitution of 1963**

WHEREAS, under Section 20 of Article V of the Michigan Constitution of 1963, the Governor, with the approval of the appropriating committees of the House of Representatives and the Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and the reductions shall be made in accordance with procedures prescribed by law;

WHEREAS, it appears that actual revenues for the fiscal period beginning on October 1, 2006 and ending on September 30, 2007, will fall below the revenue estimates on which appropriations for that period were based, the estimates having been determined by the Legislature as required under Section 31 of Article IV of the Michigan Constitution of 1963;

WHEREAS, pursuant to Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391, on the basis of written information from the State Budget Director and the State Treasurer, it appears that actual revenue will fall below such revenue estimates;

WHEREAS, there is an unanticipated loss of funding that the departments and agencies of state government do not expect to obtain or make up during the current fiscal year;

WHEREAS, expenditure reductions totaling \$274,245,000.00 general fund-general purpose and \$70,383,100.00 special purpose funds are necessary;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, and with the approval of a majority of members of each appropriations committee, order the following reductions in expenditures:

A. Portions of general fund-general purpose expenditures authorized by appropriations amounting to \$274,245,000.00 contained in the following public acts are reduced. Where the expenditure reductions of general fund-general purpose appropriations in this Order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 345	Agriculture	\$2,293,200
2006 PA 345	Attorney General	2,116,100
2006 PA 345	Civil Rights	360,900
2006 PA 345	Civil Service	466,100
2006 PA 341	Community Colleges	29,154,000
2006 PA 330	Community Health	33,160,000
2006 PA 331	Corrections	67,551,800
2006 PA 332	Education	313,800
2006 PA 343	Environmental Quality	2,729,700
2006 PA 345	Executive Office	43,000
2006 PA 340	Higher Education	73,390,900
2006 PA 345	History, Arts, and Libraries	886,600
2006 PA 345	Human Services	29,375,700
2006 PA 345	Labor and Economic Growth	1,461,200
2006 PA 345	Management and Budget	16,793,700
2006 PA 345	Michigan Strategic Fund	2,253,900
2006 PA 345	Military and Veterans Affairs	1,441,000
2006 PA 344	Natural Resources	469,900
2006 PA 345	State	616,200
2006 PA 345	State Police	7,311,700
2006 PA 345	Treasury	2,055,600
	TOTAL	274,245,000

The Department of Information Technology shall reduce user charges to state agencies consistent with reductions for information technology services and projects contained in Section B.

B. The reduction totals for the departments and agencies in Section A include the following appropriation items or are predicated upon the following actions:

1. Department of Agriculture

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
01120	Statistical reporting service	130,700
01220	Agricultural development	15,000
02320	Animal health and welfare	125,000
03120	Environmental stewardship	234,700
03908	Local conservation districts	758,400
30000	Information technology services and projects	1,200
		1,265,000

The amounts in Section 604 of Part 2 of Article 1 of 2006 PA 345 for local conservation districts are reduced to the following amounts: for each district, \$9,600.00; for equal distribution among multiple districts within a county, \$9,600.00.

The amount in Section 703 of Part 2 of Article 1 of 2006 PA 345 is reduced to \$15,000.00.

2. Department of Attorney General

Appropriation Number	Item	Reduction Amount
01040	Attorney general operations	1,000,000
06100	Information technology services and projects	<u>1,600</u>
		1,001,600

3. Department of Civil Rights

Appropriation Number	Item	Reduction Amount
01000	Civil rights operations	25,000
02100	Information technology services and projects	<u>700</u>
		25,700

4. Department of Civil Service

Appropriation Number	Item	Reduction Amount
09150	Information technology services and projects	1,000
19300	Executive direction	<u>174,300</u>
		175,300

5. Community Colleges – Delayed Payments

Appropriation Number	Item	Reduction Amount
07600	Alpena Community College	222,900
07605	Bay de Noc Community College	225,000
07610	Delta College	605,000
07620	Glen Oaks Community College	101,600
07625	Gogebic Community College	183,800
07630	Grand Rapids Community College	759,400
07635	Henry Ford Community College	924,100
07645	Jackson Community College	510,700
07650	Kalamazoo Valley Community College	523,600
07655	Kellogg Community College	410,800
07660	Kirtland Community College	125,000
07665	Lake Michigan College	221,500
07670	Lansing Community College	1,313,200
07675	Macomb Community College	1,402,200
07680	Mid Michigan Community College	186,800
07685	Monroe County Community College	182,300
07690	Montcalm Community College	131,400
07615	C.S. Mott Community College	663,100
07695	Muskegon Community College	376,900
07700	North Central Michigan College	127,700
07705	Northwestern Michigan College	384,400
07710	Oakland Community College	885,700
07715	St. Clair County Community College	297,000
07720	Schoolcraft College	517,900
07725	Southwestern Michigan College	278,200
07730	Washtenaw Community College	531,300
07735	Wayne County Community College	691,300
07740	West Shore Community College	<u>97,100</u>
		12,879,900

6. Community Colleges – Retirement Rate Reduction

Appropriation Number	Item	Reduction Amount
07600	Alpena Community College	167,300
07605	Bay de Noc Community College	140,000
07610	Delta College	828,800
07620	Glen Oaks Community College	98,100
07625	Gogebic Community College	115,200
07630	Grand Rapids Community College	1,303,400

07635	Henry Ford Community College	1,266,800
07645	Jackson Community College	322,500
07650	Kalamazoo Valley Community College	460,800
07655	Kellogg Community College	336,200
07660	Kirtland Community College	207,800
07665	Lake Michigan College	249,100
07670	Lansing Community College	1,244,500
07675	Macomb Community College	1,453,600
07680	Mid Michigan Community College	199,700
07685	Monroe County Community College	331,700
07690	Montcalm Community College	165,500
07615	C.S. Mott Community College	831,800
07695	Muskegon Community College	338,700
07700	North Central Michigan College	149,000
07705	Northwestern Michigan College	429,300
07710	Oakland Community College	1,872,600
07715	St. Clair County Community College	379,000
07720	Schoolcraft College	903,000
07725	Southwestern Michigan College	120,000
07730	Washtenaw Community College	1,044,000
07735	Wayne County Community College	1,182,500
07740	West Shore Community College	133,200
		<u>16,274,100</u>

7. Department of Community Health

Appropriation Number	Item	Reduction Amount
11232	Worker's compensation program	864,600
33500	Hospital services and therapy	2,181,000
33550	Health plan services	12,500,000
33680	Long-term care services	1,700,000
34500	Health information technology initiatives	7,250,000
80000	Information technology services and projects	2,700
		<u>24,498,300</u>

8. Department of Corrections

Appropriation Number	Item	Reduction Amount
02072	Training	2,500,000
03112	Worker's compensation	963,100
05083	Information technology services and projects	5,800
22261	Parole and probation special operations program	208,300
		<u>3,677,200</u>

The amount in Section 607(2) of 2006 PA 331 is reduced to \$291,700.00.

9. Department of Education

Appropriation Number	Item	Reduction Amount
01404	Best practices study	175,000
03801	Information technology services and projects	3,300
		<u>178,300</u>

10. Department of Environmental Quality

Appropriation Number	Item	Reduction Amount
01150	Information technology services and projects	700
06051	Water pollution control and drinking water revolving fund	1,600,000
		<u>1,600,700</u>

11. Higher Education – Delayed Payments

Appropriation Number	Item	Reduction Amount
01001	Central Michigan University	3,744,700
01501	Eastern Michigan University	3,553,100

02001	Ferris State University	2,274,800
02501	Grand Valley State University	2,945,400
04001	Lake Superior State University	587,700
03001	Michigan State University	13,281,200
03501	Michigan Technological University	2,237,200
04501	Northern Michigan University	2,109,100
03201	Oakland University	2,382,200
05001	Saginaw Valley State University	1,312,400
05501	University of Michigan - Ann Arbor	14,808,900
05801	University of Michigan - Dearborn	1,157,100
05701	University of Michigan - Flint	978,200
06501	Wayne State University	10,001,500
06001	Western Michigan University	5,130,700
03301	Agricultural experiment station	1,537,600
03401	Cooperative extension service	1,326,200
		<u>69,368,000</u>

12. Higher Education – Retirement Rate Reduction

Appropriation

Number	Item	Reduction Amount
01001	Central Michigan University	834,200
01501	Eastern Michigan University	665,900
02001	Ferris State University	704,600
04001	Lake Superior State University	143,700
03501	Michigan Technological University	369,200
04501	Northern Michigan University	417,200
06001	Western Michigan University	888,100
		<u>4,022,900</u>

13. Department of History, Arts, and Libraries

Appropriation

Number	Item	Reduction Amount
01100	Management services	18,900
02001	Administration (Michigan Council for Arts and Cultural Affairs)	62,500
03050	Library of Michigan operations	126,500
05000	Information technology services and projects	7,400
07516	Historical facilities system	14,000
		<u>229,300</u>

14. Department of Human Services

Appropriation

Number	Item	Reduction Amount
11350	Demonstration projects	575,000
14200	Medical consultation program	241,800
15100	AFC, children's welfare and daycare licensure	123,400
16100	Information technology services and projects	3,002,800
32500	Family independence program	6,576,000
32520	State disability assistance	213,500
32550	Day care services	1,139,300
32630	Indigent burial	738,700
62040	Contractual services, supplies, and materials	269,300
72360	Black child and family institute	50,000
72420	Youth in transition	122,000
72550	Foster care payments	1,226,200
81100	Domestic violence prevention and treatment	75,000
81200	Crisis prevention and elder law of Michigan food for the elderly project	160,000
83200	Legal support contracts	2,000,000
		<u>16,513,000</u>

The amount in Section 307(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$35,000.00.

The amount in Section 423(3) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 423(4) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 560 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 613 of Part 2 of Article 10 of 2006 PA 345 for the maximum allowable reimbursement limit for indigent burials is reduced to \$680.00 and distributions are reduced to the following amounts: for funeral directors, \$435.00; for cemeteries or crematoriums, \$145.00; and for the provider of the vault, \$100.00.

The amount in Section 668(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 905 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 906 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

15. Department of Labor and Economic Growth

Appropriation

Number	Item	Reduction Amount
18001	Fire protection grants	1,000,000
		<u>1,000,000</u>

16. Department of Management and Budget

Appropriation

Number	Item	Reduction Amount
00005	Information technology services and projects	75,800
01737	State building authority rent - universities	6,875,100
01739	State building authority rent - department of corrections	8,794,900
11000	Executive operations	17,500
12000	Administrative services	25,000
13000	Budget and financial management	61,700
16000	Business support services	72,500
		<u>15,922,500</u>

17. Michigan Strategic Fund

Appropriation

Number	Item	Reduction Amount
01000	Administration	12,500
01100	Job creation services	112,500
03010	Economic development job training grants	1,600,500
		<u>1,725,500</u>

18. Department of Military and Veterans Affairs

Appropriation

Number	Item	Reduction Amount
01011	Headquarters and armories	150,000
03500	Grand Rapids veterans' home	185,000
03700	D.J. Jacobetti veterans' home	134,500
03800	Information technology services and projects	600
		<u>470,100</u>

19. Department of Natural Resources

Appropriation

Number	Item	Reduction Amount
08914	Information technology services and projects	1,400
		<u>1,400</u>

20. Department of State

Appropriation

Number	Item	Reduction Amount
45500	Information technology services and projects	2,400
		<u>2,400</u>

21. Department of State Police

Appropriation

Number	Item	Reduction Amount
61000	Information technology services and projects	9,200
		<u>9,200</u>

22. Department of Treasury

Appropriation

Number	Item	Reduction Amount
01201	Information technology services and projects	5,400
01870	Collections	50,000

01960	Mail operations	50,000
02450	Revenue enhancement program	350,000
09455	Special census revenue sharing payments	892,400
		<u>1,347,800</u>

23. Retirement Rate Reduction – Defined Benefits – Rate Reduction

General fund/general purpose expenditures authorized by appropriations are reduced by the amounts listed for the following departments and agencies. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions for each department and agency, including federal and state restricted revenue reductions, as part of the financial transactions for the fiscal year ending September 30, 2007.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 345	Agriculture	736,300
2006 PA 345	Attorney General	807,400
2006 PA 345	Civil Rights	263,300
2006 PA 345	Civil Service	208,900
2006 PA 330	Community Health	6,225,800
2006 PA 331	Corrections	49,804,000
2006 PA 332	Education	101,900
2006 PA 343	Environmental Quality	809,500
2006 PA 345	Executive Office	43,000
2006 PA 345	History, Arts, and Libraries	512,700
2006 PA 345	Human Services	9,279,900
2006 PA 345	Labor and Economic Growth	329,200
2006 PA 345	Management and Budget	603,100
2006 PA 345	Michigan Strategic Fund	424,600
2006 PA 345	Military and Veterans Affairs	703,600
2006 PA 344	Natural Resources	343,300
2006 PA 345	State	449,900
2006 PA 345	State Police	6,761,900
2006 PA 345	Treasury	532,600
		<u>78,940,900</u>

24. Retirement Rate Reduction – Defined Benefits – Health Advance Subaccount Contribution

General fund/general purpose expenditures authorized by appropriations are reduced by the amounts listed for the following departments and agencies. The State Budget Director is authorized to take any and all actions necessary to properly record expenditure reductions for each department and agency, including federal and state restricted revenue reductions, as part of the financial transactions for the fiscal year ending September 30, 2007.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 345	Agriculture	291,900
2006 PA 345	Attorney General	307,100
2006 PA 345	Civil Rights	71,900
2006 PA 345	Civil Service	81,900
2006 PA 330	Community Health	2,435,900
2006 PA 331	Corrections	14,070,600
2006 PA 332	Education	33,600
2006 PA 343	Environmental Quality	319,500
2006 PA 345	History, Arts, and Libraries	144,600
2006 PA 345	Human Services	3,582,800
2006 PA 345	Labor and Economic Growth	132,000
2006 PA 345	Management and Budget	268,100
2006 PA 345	Michigan Strategic Fund	103,800
2006 PA 345	Military and Veterans Affairs	267,300
2006 PA 344	Natural Resources	125,200
2006 PA 345	State	163,900
2006 PA 345	State Police	540,600
2006 PA 345	Treasury	175,200
		<u>23,115,900</u>

C. Portions of expenditures authorized by appropriations financed with special purpose revenue amounting to \$50,383,100.00 contained in the following public acts are reduced as follows:

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2006 PA 340	Higher Education	\$6,000,000
2006 PA 345	Human Services	3,088,200
2006 PA 345	Labor and Economic Growth	10,660,000
2006 PA 345	State Police	4,000,000
2006 PA 345	Transportation	26,584,900
2006 PA 345	Treasury	50,000
	TOTAL	<u>50,383,100</u>

D. The reduction totals for the departments and agencies in Section C include the following items or are predicated upon the following expenditure reductions:

1. Higher Education – Michigan Merit Award Trust Fund

Appropriation		Reduction Amount
Number	Item	
80000	Michigan merit award program	<u>6,000,000</u>
		6,000,000

2. Human Services – Temporary Assistance for Needy Families – Federal Funds

Appropriation		Reduction Amount
Number	Item	
11350	Demonstration projects	149,200
32550	Day care services	126,500
72280	Child safety and permanency planning	1,200,000
72300	Child protection/community partners	220,000
81200	Crisis prevention and elder law of Michigan food for the elderly project	50,000
82380	Community services block grant	<u>500,000</u>
		2,245,700

The amount in Section 303(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 304 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$54,300.00.

The amount in Section 306 of Part 2 of Article 10 of 2006 PA 345 is reduced to \$75,000.00.

The amount in Section 565(1) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$0.00.

The amount in Section 658 of 2006 PA 345 Part 2 of Article 10 of is reduced to \$0.00.

3. Human Services – Child Care Development Fund – Federal Funds

Appropriation		Reduction Amount
Number	Item	
32550	Day care services	<u>262,500</u>
		262,500

The amount in Section 676(2) of Part 2 of Article 10 of 2006 PA 345 is reduced to \$12,500.00.

4. Human Services – Part B of Title IV of the Social Security Act – Federal Funds

Appropriation		Reduction Amount
Number	Item	
72290	Strong families/safe children	<u>580,000</u>
		580,000

5. Labor and Economic Growth – Temporary Assistance for Needy Families – Federal Funds

Appropriation		Reduction Amount
Number	Item	
08230	Welfare-to-work programs	<u>10,000,000</u>
		10,000,000

6. Labor and Economic Growth – Corporation Fees – State Restricted Funds

Appropriation		Reduction Amount
Number	Item	
07008	Commercial services	<u>660,000</u>
		660,000

7. State Police – Auto theft Prevention Fund

Appropriation		Reduction Amount
Number	Item	
51220	Auto theft prevention program	<u>4,000,000</u>
		4,000,000

8. Transportation – Comprehensive Transportation Fund

Appropriation		
Number	Item	Reduction Amount
40007	Specialized planning services and local studies	300,000
18000	Information technology services and projects	50,000
77610	Rail passenger service	813,500
78420	Freight preservation and development	500,000
77400	Intercity bus service development	200,000
77090	Terminal development	1,340,900
78430	Rail infrastructure loan	500,000
75260	Specialized services	29,800
75200	Bus capital	16,317,200
75400	Service initiatives	233,500
75300	Transportation to work	300,000
		20,584,900

9. Transportation – Transportation Economic Development Fund

Appropriation		
Number	Item	Reduction Amount
87210	Target industries/economic redevelopment	6,000,000
		6,000,000

10. Treasury – Michigan Merit Award Trust Fund

Appropriation		
Number	Item	Reduction Amount
03700	Michigan merit award administration	50,000
		50,000

E. Expenditures authorized under the following work project account, are reduced by \$20,000,000.00:

Appropriation Number (Appropriation Year)	Item	Reduction Amount
20501 (AY 06)	<u>Michigan Strategic Fund</u> Michigan Forest Finance Authority	\$20,000,000

The State Budget Director is authorized to take any and all actions necessary to implement the provisions of this Order to reduce during the fiscal year ending September 30, 2007 expenditures authorized by appropriations as specified above.

This Order is effective upon approval by the appropriations committees of the House of Representatives and the Senate, as provided under Section 20 of Article V of the Michigan Constitution of 1963 and Section 391 of The Management and Budget Act, 1984 PA 431, MCL 18.1391.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 22nd day of March, in the year of our Lord, two thousand and seven.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

March 26, 2007

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 4 of 1973 PA 196, MCL 15.344:

Board of Ethics

Mr. Mark R. Fox, a Democrat, of 1800 Yosemite Drive, Okemos, Michigan 48864, county of Ingham, succeeding Christine A. Derdarian, whose term has expired, for a term commencing March 26, 2007 and expiring February 7, 2011.

Sincerely,
Jennifer M. Granholm
Governor

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

Third Reading of Bills

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

Senate Bill No. 344

Senate Bill No. 345

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 344, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16 and 16z of chapter XVII (MCL 777.16 and 777.16z), section 16 as added by 1998 PA 317 and section 16z as amended by 2006 PA 655, by amending the headings of chapter XVII and part 2 of chapter XVII, and by adding sections 16aa and 16bb to chapter XVII.

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. 42

Yeas—36

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

Nays—0

Excused—1

Garcia

Not Voting—1

Scott

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 345, 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 9 (MCL 207.559), as amended by 2006 PA 436.

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. 43

Yeas—37

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

Nays—0

Excused—1

Garcia

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
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 Kuipers 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 without amendment, the following bill:

Senate Bill No. 209, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 2006 PA 378.

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

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

Senate Bill No. 94, entitled

A bill to provide for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers

and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; and to provide for the interrelation of this act with other acts.

Substitute (S-6).

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

1. Amend page 8, line 25, after “business” by inserting a comma and “including electricity or natural gas purchased for resale”.

2. Amend page 10, following line 4, by inserting:

“(c) Compensation of staffing companies. As used in this subdivision:

(i) “Compensation” includes all payroll tax and worker’s compensation costs.

(ii) “Staffing company” means a taxpayer whose business activities are included in industry group 736 under the standard industrial classification code as compiled by the United States department of labor.”.

3. Amend page 20, line 15, after “shall” by striking out the balance of the subsection and inserting “have no tax liability and no filing requirement under this act.”.

4. Amend page 20, following line 20, by inserting:

“Sec. 15. (1) An out-of-state person has nexus in this state if that person engages in any of the following activities:

(a) Has 1 or more employees who are residents of this state conducting business activity in this state.

(b) Owns, rents, leases, maintains, or has the right to use and uses tangible personal or real property that is permanently or temporarily physically located in this state.

(c) Has employees who own, rent, lease, use, or maintain an office or other establishment in this state.

(d) Has agents, representatives, independent contractors, brokers, or others acting on its behalf that own, rent, lease, use, or maintain an office or other establishment in this state, and the office or other establishment is used in the representation of the out-of-state person in this state and is significantly associated with the out-of-state person’s ability to establish and maintain a market in this state.

(e) Has goods delivered to this state in vehicles it owns, rents, leases, uses, or maintains or has goods delivered by a related party acting as a representative of the out-of-state person.

(f) Regularly and systematically conducts business activity in this state through its employees, agents, representatives, independent contractors, brokers, or others acting on its behalf, whether or not these individuals or organizations reside in this state.

(2) For purposes of subsection (1)(f), regular and systematic business activity including, but not limited to those activities listed under this subsection, exists if at least 10 days of business activity occur in this state during that person’s taxable year. If less than 10 days of business activity occur during that person’s taxable year, regular and systematic business activity may exist depending on the facts and circumstances of the taxpayer’s in-state business activity. Any of the following activities conducted by the taxpayer in this state for 2 or more days within a taxable year will be rebuttably presumed to constitute regular and systematic business activity:

(a) Soliciting sales.

(b) Making repairs or providing maintenance or service to property sold or to be sold.

(c) Collecting current or delinquent accounts related to sales of tangible personal property through assignment or otherwise.

(d) Installing or supervising installation at or after shipment or delivery.

(e) Conducting training for employees, agents, representatives, independent contractors, brokers, or others acting on its behalf, or for customers or potential customers.

(f) Providing customers any kind of technical assistance or service, including, but not limited to, engineering assistance, design service, quality control, product inspections, or similar services.

(g) Investigating, handling, or otherwise assisting in resolving customer complaints.

(h) Providing consulting services.

(i) Soliciting, negotiating, or entering into franchising, licensing, or similar agreements.

(3) Lawyers, accountants, investment bankers, and other similar professionals in this state who perform services for an out-of-state person in their professional capacity shall not be considered to be conducting in-state business activity on behalf of the out-of-state person.

(4) If none of the out-of-state person’s business activities in this state fall under the business activities described in subsection (2) and its only contacts with this state are limited to conducting any of the activities listed below, for less than 10 days, then those contacts will not be presumed to create nexus. If an activity is listed in subdivisions (a) through (f) below but also is described under subsection (2), then subsection (2) shall control. If an out-of-state person’s only in-state business activity is listed in subdivision (g), that activity shall not be considered as solicitation for the purposes of subsection (2). Conducting any of the activities listed below for more than 10 days does not necessarily create nexus. Whether nexus has been created will depend on the facts and circumstances of the following in-state business activities:

(a) Meeting with in-state suppliers of goods or services.

(b) In-state meeting with government representatives in their official capacity.

(c) Attending occasional meetings, including, but not limited to, board meetings, retreats, seminars, and conferences sponsored by others.

(d) Holding recruiting or hiring events.

(e) Advertising in this state through various media.

(f) Renting customer lists to or from an in-state entity.

(g) Attending or participating at a trade show at which no orders for goods are taken and no sales are made.

(5) Nexus shall be determined on a person-by-person basis. A taxpayer that is a member of a unitary business group or a consolidated taxpayer group not meeting the requirements of subsections (1) through (4) shall not be deemed to have nexus with this state based solely upon the in-state nexus of another member of the taxpayer's unitary business group or consolidated taxpayer group."

5. Amend page 65, line 26, after "to" by striking out "20%" and inserting "25%".

6. Amend page 69, following line 6, by inserting:

"Sec. 31. (1) An eligible taxpayer may claim a credit against the tax imposed by this act equal to 10% of the taxpayer's tax liability in the tax year that the credit is claimed under this section.

(2) An eligible taxpayer may claim the credit under this section on a form prescribed by the department.

(3) As used in this section:

(a) "Eligible taxpayer" means a taxpayer that is a restaurant that has imposed a smoking ban during the entire tax year for which the credit is claimed.

(b) "Restaurant" means a fixed or mobile establishment serving food to the public for consumption on the premises."

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

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

Senate Bill No. 95, entitled

A bill to provide for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of an income tax on certain commercial, business, and financial activities; to prescribe the powers and duties of certain public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; and to provide for the interrelation of this act with other acts.

Substitute (S-4).

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. 96, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9I.

Substitute (S-1).

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

Resolutions

Senators Basham, Jacobs, Anderson, Birkholz, Olshove, Clark-Coleman, Brater, Scott, Cherry, Barcia and Gleason offered the following resolution:

Senate Resolution No. 31.

A resolution to urge Congress and the President of the United States to take certain actions with regard to the sale, export, and storage of mercury and mercury compounds.

Whereas, Highly toxic mercury and mercury compounds in the environment pose a threat to present and future generations. As many as 10 percent of women of childbearing age in the United States carry mercury in their blood at levels that could put a baby at risk. As many as 630,000 children born annually in the United States are at risk of neurological problems related to mercury; and

Whereas, The most significant source of mercury exposure in the United States is the ingestion of contaminated fish. The Environmental Protection Agency reports that as of 2004, 44 states have fish advisories covering more than 13,000,000 lake acres and more than 75,000 river miles. Statewide advisories have been posted for freshwaters in 21 states and coastal waters in 12 states. Since fish are an essential and critical component of a nutritious diet worldwide, the long-term solution to minimize the risk of mercury exposure is not to reduce fish consumption, but rather to minimize global mercury use and releases, thereby reducing mercury levels in the environment; and

Whereas, Mercury pollution does not respect political boundaries, as emissions from a source are deposited locally, regionally, and globally. The Great Lakes are impacted by local, regional, and global emissions that travel thousands of miles before depositing in the world's largest freshwater resource; and

Whereas, The free trade of mercury and mercury compounds on the world market, at relatively low prices and in ready supply, encourages the continued use of mercury outside of the United States, often involving highly dispersive activities such as small-scale gold mining in developing countries. Although the intentional use of mercury is declining in the United States as a consequence of process changes in the manufacturing of products (including batteries, paints, switches, and measuring devices), those uses remain substantial in the developing world, where releases from the products are extremely likely due to the limited pollution control and waste management infrastructures in those countries; and

Whereas, The European Union is in the process of enacting legislation that will prohibit mercury exports by no later than 2011. As a net exporter of mercury and mercury compounds, the United States can significantly affect the free trade of mercury and mercury compounds through a ban on exports that could facilitate the switch to affordable mercury alternatives in the developing world. The Environmental Council of the States has adopted a resolution requesting the President of the United States to direct federal agencies involved in the long-term management of mercury to recommend a plan for long-term storage; now, therefore, be it

Resolved by the Senate, That we urge Congress to prohibit the sale, distribution, or transfer of mercury between governmental agencies and prohibit the export of mercury and mercury compounds, and urge the President to establish storage capacity for mercury and mercury compounds in excess of quantities necessary for domestic consumption; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Clarke, Kahn and Pappageorge were named co-sponsors of the resolution.

Senator Jelinek offered the following concurrent resolution:

Senate Concurrent Resolution No. 7.

A concurrent resolution to reject the compensation increase authorized for Civil Service employees by the Civil Service Commission for the 2007-2008 Fiscal Year.

Whereas, Article XI, Section 5 of the Michigan Constitution of 1963 provides that increases in rates of compensation in the state classified services authorized by the Civil Service Commission require prior notice to the Governor. The constitution also requires that the Governor transmit such increases to the Legislature as part of the Governor's budget; and

Whereas, Article XI, Section 5 of the *Constitution of the State of Michigan of 1963* reads, in part, as follows:

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year. Within 60 calendar days following such transmission, the legislature may, by a two-thirds vote of the members elected to and serving in each house, reject or reduce increases in rates of compensation authorized by the commission. Any reduction ordered by the legislature shall apply uniformly to all classes of employees affected by the increases and shall not adjust pay differentials already established by the civil service commission. The legislature may not reduce rates of compensation below those in effect at the time of the transmission of increases authorized by the commission.

; and

Whereas, On December 15, 2004, the Civil Service Commission approved a multi-year collective bargaining agreement with five state employee unions representing seven bargaining units for Fiscal Years 2006, 2007, and 2008; and

Whereas, The net additional cost of these pay increases to the Fiscal Years 2006 and 2007 state budgets was \$41.3 million and \$99.1 million, respectively; and

Whereas, On December 5, 2006, the Commission approved Fiscal Year 2008 pay increases for non-exclusively represented state classified employees, and on February 8, 2007, Governor Granholm transmitted the pay increases to the Legislature as part of her Executive Budget recommendation; and

Whereas, The net additional cost of these pay increases to the Fiscal Year 2008 budget is estimated to be \$109.9 million; and

Whereas, Michigan's hardworking families and private sector employees have faced layoffs, pay cuts, loss of benefits, and other employment concessions. From 2002 to 2006, Michigan lost 310,500 jobs, or 6.6 percent of our payroll employment. In January 2007, our unemployment rate was the highest in the nation at 6.9 percent. Michigan per capita personal income relative to the size of U.S. per capita personal income is at a historically low level. In 2005, Michigan per capita income marked its lowest level since 1933 (during the Great Depression); and

Whereas, The Governor states that Michigan faces a projected budget deficit of \$3 billion. In these difficult and uncertain economic times, it would be fiscally irresponsible and grossly unfair to raise taxes on Michigan's hardworking citizens while providing salary increases to state government employees; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature, pursuant to its constitutional authority, hereby rejects the compensation increases for Civil Service employees authorized by the Michigan Civil Service Commission for Fiscal Year 2007-2008; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and the Civil Service Commission.

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

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senators Jansen and Pappageorge were named co-sponsors of the concurrent resolution.

Introduction and Referral of Bills

Senator Switalski introduced

Senate Bill No. 372, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 2003 PA 17.

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

Senator Switalski introduced

Senate Bill No. 373, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 38 (MCL 38.38), as amended by 2002 PA 93.

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

Senator Switalski introduced

Senate Bill No. 374, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 112g, 112h, 112i, and 112j.

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

Senators Jelinek, Kahn and Jansen introduced

Senate Bill No. 375, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2005 PA 12.

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

Senators Allen, Richardville, Pappageorge, Kahn, Jelinek, Birkholz and George introduced

Senate Bill No. 376, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2006 PA 681.

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

Senators Olshove, Jacobs, Basham, Brater, Cherry and Patterson introduced

Senate Bill No. 377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21525. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Switalski introduced

Senate Bill No. 378, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 31a and 34 (MCL 791.231a and 791.234), section 31a as added by 1992 PA 181 and section 34 as amended by 2006 PA 167, and by adding section 31b. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Whitmer, Jacobs, Clark-Coleman and Brater introduced

Senate Bill No. 379, entitled

A bill to amend 1972 PA 348, entitled "An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties," (MCL 554.601 to 554.616) by adding section 1c. The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Pappageorge, Kahn and Jansen introduced

Senate Bill No. 380, entitled

A bill to amend 1973 PA 196, entitled "An act to prescribe standards of conduct for public officers and employees; to create a state board of ethics and prescribe its powers and duties; and to prescribe remedies and penalties," by amending section 2 (MCL 15.342), as amended by 1984 PA 53.

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

Senators Scott and Clark-Coleman introduced

Senate Bill No. 381, entitled

A bill to repeal 1999 PA 212, entitled "An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion," (MCL 15.601 to 15.603).

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. 4100, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

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 Government Operations and Reform.

House Bill No. 4184, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315.

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. 4272, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3b of chapter XI (MCL 771.3b), as amended by 1998 PA 49.

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. 4315, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," (MCL 15.301 to 15.310) by adding section 2a.

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

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

House Bill No. 4472, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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 Campaign and Election Oversight.

House Bill No. 4475, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35 and 44 (MCL 791.235 and 791.244), section 35 as amended by 1998 PA 315 and section 44 as amended by 1999 PA 191.

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.

Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

The first bill that was voted on was Senate Bill No. 344, and I would have voted "yes." Sorry, I had stepped out to speak with a constituent.

Some 30 years ago, Andrew Young, the civil rights activist and African-American Ambassador to the United Nations, said, "What people want in the world is not ideology; they want goods and services." Well, here we are in 2007 still asking for goods and services, but we ask for them at a fair and equitable price. And for some marginalized groups, the high prices make the goods and services still unavailable.

Of course, I am speaking of auto and homeowners insurance. And I, once again, ask you to make these goods and services available to all at a fair and affordable price.

I am confident you support the ideology, but do not offer the products. So it's time, my colleagues; it's long overdue. We need to take up those bills right now.

Committee Reports

The Committee on Finance reported

Senate Bill No. 16, entitled

A bill to establish the prostate cancer research fund in the department of community health; to provide for the distribution of 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 substitute (S-1) be adopted and that the bill then pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

Senate Bill No. 347, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 437 and 440 (MCL 206.437 and 206.440), section 437 as added by 2005 PA 249 and section 440 as amended by 2005 PA 160, and by adding sections 430 and 431.

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

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

Senate Bill No. 348, entitled

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Finance reported

Senate Bill No. 350, entitled

A bill to establish the animal welfare fund in the department of agriculture; to provide for the distribution of 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 substitute (S-1) be adopted and that the bill then pass.

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

Nancy Cassis
Chairperson

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Wednesday, March 21, 2007, at 3:05 p.m., Room 210, Farnum Building

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

Excused: Senators Gilbert and McManus

The Committee on Banking and Financial Institutions reported

Senate Bill No. 75, entitled

A bill to require certain consumer reporting agencies to place security freezes on certain consumer information; to authorize and limit fees; and to provide remedies.

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, Cassis, Stamas, Hunter, 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

Senate Bill No. 340, entitled

A bill to require certain consumer reporting agencies to place security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

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

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

Randy Richardville
Chairperson

To Report Out:

Yeas: Senators Richardville, Cassis, Stamas, Hunter, Clarke and Olshove

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Banking and Financial Institutions submitted the following:

Meeting held on Wednesday, March 21, 2007, at 9:00 a.m., Room 210, Farnum Building

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

Excused: Senator Sanborn

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, March 22, 2007, at 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Joint meeting held on Thursday, March 22, 2007, at 3:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators George, Jansen and Brown

Scheduled Meetings

Agriculture - Thursday, March 29, 8:30 a.m., Room 110, Farnum Building (373-1635)

Appropriations - Wednesday, March 28, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

Community Health Department - Wednesday, March 28 (CANCELED), and Thursday, March 29, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Banking and Financial Institutions - Wednesday, March 28, 9:00 a.m., Room 210, Farnum Building (373-3543)

Campaign and Election Oversight - Wednesday, March 28, 12:30 p.m., Room 405, Capitol Building (373-1725)

Economic Development and Regulatory Reform - Wednesday, March 28, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Education - Wednesday, March 28, 1:00 p.m., Room 210, Farnum Building (373-6920)

Natural Resources and Environmental Affairs - Wednesday, March 28, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senior Citizens and Veterans Affairs - Wednesday, March 28, 8:30 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 10:46 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, March 28, 2007, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate