

**No. 44**  
**STATE OF MICHIGAN**  
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**REGULAR SESSION OF 2008**

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Senate Chamber, Lansing, Wednesday, May 7, 2008.

10:00 a.m.

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

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

Allen—present  
Anderson—present  
Barcia—present  
Basham—present  
Birkholz—excused  
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—excused  
McManus—present  
Olshove—present

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

Pastor Larry J. Bell of Vernon Chapel African Methodist Episcopal Church of Detroit offered the following invocation: Eternal God, our Father, we praise You and thank You as the Creator and the Maker of all good and perfect things. We thank You for life, we thank You for this free nation of ours, and we thank You for the state of Michigan.

We ask Thy blessings to be upon our Governor as she recuperates and returns back to continue to serve the people and upon this Senate. Sensitize their hearts this morning that they would work for the divine purpose of being a blessing to the citizens of the state of Michigan. Bless and give them confidence that they are to work for Your good for all people.

And then, God, we will be careful to give You all the honor and glory and praise, for we ask these blessings in the name of You, who is the Creator and Giver of all life. Amen.

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

The President, Lieutenant Governor Cherry, assumed the Chair.

### Motions and Communications

Senators Clarke and Gilbert entered the Senate Chamber.

Senator Anderson moved that Senators Hunter and Barcia be temporarily excused from today's session. The motion prevailed.

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

Senator Cropsey moved that Senators Birkholz and Kuipers be excused from today's session. The motion prevailed.

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

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

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

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

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair. The motion prevailed, the time being 10:09 a.m.

10:22 a.m.

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

During the recess, Senator Gleason introduced the Mott Community College Men's Basketball Team, National Junior College Athletic Association Champions, and Head Coach Steve Schmidt; and presented them with a Special Tribute. Senator Cherry responded briefly.

During the recess, Senator Barcia entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 6:  
**House Bill Nos. 5965 5969**

The Secretary announced the enrollment printing and presentation to the Governor on Tuesday, May 6, for her approval the following bill:

**Enrolled Senate Bill No. 108 at 10:37 a.m.**

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

Senator Garcia entered the Senate Chamber.

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

**Senate Concurrent Resolution No. 22**

**Senate Resolution No. 154**

**Senate Concurrent Resolution No. 27**

The motion prevailed.

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

**Senate Resolution No. 188**

The resolution consent calendar was adopted.

Senators Thomas, Kuipers, Van Woerkom, Garcia, Allen and Pappageorge offered the following resolution:

**Senate Resolution No. 188.**

A resolution recognizing May 5-9, 2008, as National Charter Schools Week in Michigan.

Whereas, Charter schools are locally established and founded in communities across the state, offering new educational opportunities to over 100,000 students and their families; and

Whereas, Michigan's 230 charter schools and the dedicated staff and students who work therein are bringing fresh ideas and perspectives to K-12 education; and

Whereas, Charter schools are giving all parents more choices in their children's education; and

Whereas, Charter public schools encourage competition and are accountable to the public through public universities, community colleges, and local and intermediate school districts that help establish and oversee these schools; and

Whereas, Michigan's charter schools experience has resulted in a nationally-recognized system of leadership, performance, and accountability that delivers effective results for the students and families it serves; now, therefore, be it

Resolved by the Senate, That we hereby recognize May 5-9, 2008, as National Charter Schools Week in Michigan in honor of these schools and their past, present, and future achievements.

Senators Cassis and Cherry were named co-sponsors of the resolution.

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

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

**House Bill No. 5085**

**Senate Bill No. 1211**

**House Bill No. 5585**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5085, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82105, and 82114 (MCL 324.82101, 324.82105, and 324.82114), section 82101 as amended by 2005 PA 175, section 82105 as amended by 2005 PA 271, and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

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. 291**

**Yeas—34**

Allen  
Anderson

Clark-Coleman  
Clarke

Jansen  
Jelinek

Richardville  
Sanborn

Barcia	Cropsey	Kahn	Schauer
Basham	Garcia	McManus	Scott
Bishop	George	Olshove	Stamas
Brater	Gilbert	Pappageorge	Switalski
Brown	Gleason	Patterson	Van Woerkom
Cassis	Hardiman	Prusi	Whitmer
Cherry	Jacobs		

**Nays—0**

**Excused—4**

Birkholz	Hunter	Kuipers	Thomas
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**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.

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

“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.”.

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1211, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 312e (MCL 257.312e), as amended by 2006 PA 298.

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. 292**

**Yeas—34**

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

**Nays—0**

**Excused—4**

Birkholz

Hunter

Kuipers

Thomas

**Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 5585, entitled**

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," by amending sections 10, 11, 12, 13, 15, 16, 17, 70, 90, 110, 110a, 111, 113, 114, 115, 116, 119, 125, 130, 131, 136, 137, 139, 140, 142, 143, 152, and 159 (MCL 288.570, 288.571, 288.572, 288.573, 288.575, 288.576, 288.577, 288.630, 288.650, 288.670, 288.670a, 288.671, 288.673, 288.674, 288.675, 288.676, 288.679, 288.685, 288.690, 288.691, 288.696, 288.697, 288.699, 288.700, 288.702, 288.703, 288.712, and 288.719), section 110a as added by 2004 PA 282.

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. 293****Yeas—34**

Allen  
Anderson  
Barcia  
Basham  
Bishop  
Brater  
Brown  
Cassis  
Cherry

Clark-Coleman  
Clarke  
Cropsey  
Garcia  
George  
Gilbert  
Gleason  
Hardiman  
Jacobs

Jansen  
Jelinek  
Kahn  
McManus  
Olshove  
Pappageorge  
Patterson  
Prusi

Richardville  
Sanborn  
Schauer  
Scott  
Stamas  
Switalski  
Van Woerkom  
Whitmer

**Nays—0****Excused—4**

Birkholz

Hunter

Kuipers

Thomas

**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.

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

"An act to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of

unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

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

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

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

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

**House Bill No. 5894, entitled**

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as added by 2006 PA 29.

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:

**House Bill No. 5274, entitled**

A bill to amend 1965 PA 285, entitled “Private detective license act,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 16, 17, 19, 20, 22, 24, 27, and 29 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.828, 338.830, 338.834, 338.836, 338.837, 338.839, 338.840, 338.842, 338.844, 338.847, and 338.849), the title and sections 1, 2, 3, 4, 5, 6, 7, 10, 14, 16, 17, 20, 22, 24, and 27 as amended by 2002 PA 474.

Substitute (S-1).

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

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

**House Bill No. 4905, entitled**

A bill to amend 1982 PA 239, entitled “An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3, 4, and 15 (MCL 287.653, 287.654, and 287.665), as amended by 2005 PA 66.

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.

During the Committee of the Whole, Senator Hunter entered the Senate Chamber.

The President, Lieutenant Governor Cherry, resumed the Chair.

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

Senator Switalski introduced  
**Senate Joint Resolution N, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 1 of article II, to revise the age requirement for voting at a school district election if the election does not include a school millage or school bond ballot proposal.

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

Senator Switalski introduced  
**Senate Bill No. 1287, entitled**

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

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

Senators Barcia, Prusi, Cherry, Switalski, Basham, Brater, Whitmer, Jacobs, Clark-Coleman, Anderson, Scott, Schauer, Olshove, Thomas, Clarke and Hunter introduced

**Senate Bill No. 1288, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as amended by 2004 PA 255.

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

Senators Olshove, Prusi, Anderson, Switalski, Basham, Clark-Coleman, Scott, Thomas, Jacobs, Schauer, Gleason, Clarke, Barcia, Cherry, Brater, Whitmer and Hunter introduced

**Senate Bill No. 1289, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

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

Senators Prusi, Olshove, Anderson, Switalski, Basham, Clark-Coleman, Scott, Thomas, Jacobs, Schauer, Gleason, Clarke, Barcia, Cherry, Brater, Whitmer and Hunter introduced

**Senate Bill No. 1290, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 273 (MCL 750.159g and 750.273), section 159g as amended by 2002 PA 124.

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

Senators Olshove, Prusi, Anderson, Switalski, Basham, Clark-Coleman, Scott, Thomas, Jacobs, Schauer, Gleason, Clarke, Barcia, Cherry, Brater, Whitmer and Hunter introduced

**Senate Bill No. 1291, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16o of chapter XVII (MCL 777.16o), as amended by 2004 PA 457.

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

Senators Schauer, Gleason, Jacobs, Thomas, Clark-Coleman, Scott, Switalski, Basham, Prusi, Cherry, Olshove, Anderson, Brater, Clarke, Barcia, Whitmer and Hunter introduced

**Senate Bill No. 1292, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2170.

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

Senators Cherry, Prusi, Anderson, Switalski, Basham, Clark-Coleman, Scott, Thomas, Jacobs, Schauer, Gleason, Clarke, Barcia, Brater and Hunter introduced

**Senate Bill No. 1293, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2802, 2803, and 2804 (MCL 700.2802, 700.2803, and 700.2804).

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

Senators Anderson, Prusi, Cherry, Switalski, Basham, Clark-Coleman, Scott, Thomas, Jacobs, Schauer, Gleason, Clarke, Barcia, Brater, Whitmer and Hunter introduced

**Senate Bill No. 1294, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 39, 40, 43, and 46 of chapter XVII (MCL 777.39, 777.40, 777.43, and 777.46), section 39 as amended by 2006 PA 548, section 40 as added by

1998 PA 317, section 43 as amended by 2002 PA 666, and section 46 as amended by 1999 PA 227, and by adding section 36a to chapter IX.

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

Senators Hunter, Schauer, Jacobs, Whitmer, Switalski, Clarke, Thomas, Brater, Scott, Olshove, Cherry, Barcia, Anderson, Prusi, Clark-Coleman and Basham introduced

**Senate Bill No. 1295, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 145o and 145p (MCL 750.145o and 750.145p), as added by 1994 PA 149.

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

Senators Basham, Prusi, Cherry, Olshove, Anderson, Switalski, Brater, Gleason, Clark-Coleman, Jacobs, Schauer, Clarke, Scott, Barcia and Hunter introduced

**Senate Bill No. 1296, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

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

Senators Clark-Coleman, Gleason, Schauer, Jacobs, Thomas, Scott, Switalski, Basham, Prusi, Cherry, Olshove, Anderson, Brater, Clarke, Barcia, Whitmer and Hunter introduced

**Senate Bill No. 1297, entitled**

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending section 401 (MCL 451.801), as amended by 2000 PA 494.

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

Senator Jelinek introduced

**Senate Bill No. 1298, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8405 and 8406 (MCL 600.8405 and 600.8406), section 8405 as amended by 1996 PA 579.

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

Senators McManus, Jansen, Brown and Cropsey introduced

**Senate Bill No. 1299, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 2001 PA 250.

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

Senators Jacobs, Schauer, Jansen, Hardiman, Pappageorge and Barcia introduced

**Senate Bill No. 1300, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 44 (MCL 400.44), as amended by 1990 PA 270.

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

Senators Gleason and Hardiman introduced

**Senate Bill No. 1301, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17769.

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

Senators Hardiman, Pappageorge, Cropsey, Richardville, Kahn, Birkholz, McManus, George, Brown, Van Woerkom, Kuipers, Allen, Stamas, Jansen and Sanborn introduced

**Senate Bill No. 1302, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," (MCL 24.201 to 24.328) by adding section 45b.

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

Senators Hardiman, Pappageorge, Cropsey, Richardville, Birkholz, McManus, Kahn, George, Brown, Van Woerkom, Kuipers, Allen, Stamas, Jansen and Sanborn introduced

**Senate Bill No. 1303, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45 (MCL 24.245), as amended by 2004 PA 491.

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

Senators Stamas, Garcia and Birkholz introduced

**Senate Bill No. 1304, entitled**

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending section 3 (MCL 331.33), as amended by 1994 PA 428.

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

Senators Gleason, Clarke, Thomas, Brater, Anderson, Scott, Clark-Coleman, Cherry, Olshove and Schauer introduced

**Senate Bill No. 1305, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 44h.

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

Senators Clarke, Thomas, Brater, Anderson, Scott, Clark-Coleman, Cherry, Olshove, Gleason and Schauer introduced

**Senate Bill No. 1306, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3115, 3201, and 3236 (MCL 600.3115, 600.3201, and 600.3236), section 3201 as amended by 1981 PA 172, and by adding sections 3116 and 3237.

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

Senators Olshove, Clarke, Anderson, Scott, Clark-Coleman, Thomas, Cherry, Brater, Gleason and Schauer introduced

**Senate Bill No. 1307, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78k and 78m (MCL 211.78k and 211.78m), section 78k as amended by 2006 PA 611 and section 78m as amended by 2006 PA 498.

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

**House Bill No. 5965, entitled**

A bill to amend 1950 (Ex Sess) PA 21, entitled "An act to create the Mackinac bridge authority, and to prescribe its powers and duties; to provide for the determination of the physical and financial feasibility of a bridge connecting the upper and lower peninsulas of Michigan; to provide for a board of consulting engineers, and to prescribe its powers and duties; and to make an appropriation to carry out the provisions of this act," (MCL 254.301 to 254.302) by amending the title and by adding section 1a.

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 Transportation.

**House Bill No. 5969, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 5l, 5o, 8, and 9 (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, and 28.429), section 2 as amended by 2004 PA 101, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2002 PA 719, section 8 as amended by 2000 PA 381, and section 9 as amended by 2004 PA 100.

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

Senators Scott, Switalski and George 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 rise today to share with you yet another African proverb, and I continue to be amazed at the wisdom, the perspective, and the profound insights that are preserved in so brief a thought. So today I offer six astute words: "One head does not go into council." That, my friends, is the definition of cooperation. While you well know the issue for which I am seeking cooperation, it would serve you well to remember it in your other endeavors as well— one head does not go into council.

So, as we continue our legislative efforts in this body, let us debate, discuss, reason, and talk, but let us try to come to agreement on what is right and fair for all Michigan drivers and homeowners. Once we do that, you can move my bills.

Senator Switalski's statement is as follows:

I have a truly radical and wild-eyed idea today that I want to propose. Yesterday was an election day in many areas of the state. Election Day should be the secular equivalent of a high holy day in Michigan. It should be a day when we celebrate democracy by exercising our most cherished right, the right to vote.

Unfortunately, many school board candidates were elected yesterday despite less than 10 percent of the electorate casting ballots. Today I have introduced a constitutional amendment that would make a radical change to voter eligibility and significantly raise the level of participation in such elections. I propose that we grant 16-year-olds the right to vote in school board elections. We have legislation pending that would allow the Secretary of State to pre-register teens to vote when they get their provisional driver's license at age 16. I support this legislation; it will result in more teens registering to vote.

But we can go even further. We should duplicate the success of the graduated driver's license program, which allows teens to drive earlier at 14 years and 9 months, but with significant restrictions. After a two-year apprenticeship, they are then allowed to drive unrestricted. This training period has resulted in more responsible teen drivers who are involved in fewer accidents.

This constitutional amendment would apply that same principle of apprenticeship to voters. If we just pre-register them and make them wait two years, they will forget that they even registered. Let's allow them to vote for school board candidates and begin the habit of a lifetime. They will cast their ballots and participate in civic affairs and our democracy will be stronger for it. Students are directly and immediately affected by these elections. They care about having good schools. Who knows more about how our schools are operating than the students themselves? They should have some say in the governance of the system.

It will also be a good tonic for the rest of the electorate. Statistics show that turnout is routinely below 10 percent in these elections. More adults would vote if they knew their kids could outvote them. Some parents would be shamed into voting when they drove their kid to the polls. Others would finally appreciate the value and power of the ballot.

I recently received about 60 letters from Heather Schadowski's students at Dresden Elementary in Sterling Heights. While some students asked me to pass laws to create new video games or reduce the price of LEGO or even the chewing of gum, two students, Keegan MacMillan and Jennifer Amadeo, asked me to allow young people to vote. I think their suggestion has merit, and I propose that 16-year-olds, mostly juniors and seniors in high school, be allowed to vote for school board candidates, but not for millages or bond issues or for any other elections. Nor would my amendment lower the current age required to run for various offices, but it will engage and train a new generation of voters.

Senator George's statement is as follows:

I want to draw to the chamber's attention an interesting and important anniversary in Michigan history today, and that is today is the 245th anniversary of the beginning of a regional war started in Michigan, known today as Pontiac's Rebellion. You will recall that after the French and Indian War, the French Empire in Northern America fell to the British, and the British Empire gained control of the upper Midwest, including Michigan. The Native Confederation was dissatisfied with the British policies toward Native Americans, and this led to a rebellion which was brought about and led by Chief Pontiac, who was a Michigan native and Ottawa leader.

On May 7, 1763, Chief Pontiac and his warriors laid siege to the city of Detroit, and this would begin Pontiac's Rebellion. Eight British forts in the upper Midwest would fall, including Fort St. Joseph in Niles, Michigan, and Fort Michilimackinac, which also fell during this time. The siege would ultimately end in October of 1763, and the war would end as a stalemate. There was a negotiated peace a year later.

This is an important part of Michigan history and history of our country because it was one of the events then that led to the American Revolution. You know the traditional story of the revolution is that it was promoted by those who were unhappy with tax policy toward the Colonies. That's true, but also there was much dissatisfaction in the Trans-Appalachian West, in the Great Lakes Basin, with the British policies of protecting settlers. So out in the settling areas in the West, it wasn't so much the tax policies of the British Empire, but the lack of protection and the ramifications of the failures during Pontiac's Rebellion that led to the uprising that would become the American Revolution.

So it has the seeds of American independence. Some of them were sown in Michigan with the coming of Pontiac's Rebellion. I would also note that Western Michigan University has been involved for the past several years in an archeological dig at the site of the original fort of St. Joseph in Niles. The site was rediscovered a few years ago, actually, using satellite technology, and they have been excavating it now for several summers. The site is partially submerged under the river. They put in cofferdams and moored the river, and they have uncovered evidence of the original fort. The garrison at the fort was slaughtered during Pontiac's Rebellion.

So, colleagues, I just bring note to this important date in Michigan history. It was 245 years ago today that Detroit was seized, and these events were set into motion. Again, they played very importantly into what would come a dozen years later—the American Revolution.

### Committee Reports

The Committee on Judiciary reported

**House Bill No. 4602, entitled**

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending sections 2 and 5 (MCL 554.72 and 554.75).

With the recommendation that the bill pass.

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

Wayne Kuipers

Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Whitmer, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**House Bill No. 5909, entitled**

A bill to exclude certain personal property held in trust from the rule against perpetuities and similar rules that potentially affect the duration of trusts.

With the recommendation that the bill pass.

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

Wayne Kuipers

Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Whitmer, Clarke and Prusi

Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 6, 2008, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Sanborn, Whitmer, Clarke and Prusi

Excused: Senator Patterson

### COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, May 6, 2008, at 1:00 p.m., Room 110, Farnum Building

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

Excused: Senator Hunter

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Human Services submitted the following:

Meeting held on Tuesday, May 6, 2008, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Hardiman (C), Jansen, Scott and Barcia

Excused: Senator Kahn

**COMMITTEE ATTENDANCE REPORT**

The Committee on Transportation submitted the following:

Joint meeting held on Tuesday, May 6, 2008, at 1:05 p.m., Room 110, Farnum Building

Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

**COMMITTEE ATTENDANCE REPORT**

The Subcommittee on General Government submitted the following:

Meeting held on Tuesday, May 6, 2008, at 2:30 p.m., Room 48, Information Technology Operations Center, 7285 Parson Drive, Lansing

Present: Senators Pappageorge (C), Jansen and Anderson

Excused: Senators McManus and Cherry

**Scheduled Meetings**

**Agriculture** - Thursday, May 8, 9:00 a.m., Room 110, Farnum Building (373-1635)

**Appropriations -****Subcommittees -**

**Agriculture** - Wednesday, May 14, 3:00 p.m., Room 405, Capitol Building (373-2768)

**Economic Development** - Wednesday, May 14, 8:30 a.m., Room 110, Farnum Building (373-2768)

**General Government** - Tuesday, May 13, 2:30 p.m., Room 405, Capitol Building (373-2768)

**History, Arts, and Libraries** - Thursdays, May 8, 1:00 p.m. and May 15, 8:30 a.m., Room 405, Capitol Building (373-2768)

**Human Services Department** - Tuesday, May 13, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

**Judiciary and Corrections** - Wednesday, May 14, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**State Police and Military Affairs** - Thursdays, May 8 and May 15, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Transportation Department** - Thursday, May 15, 12:30 p.m., Room 405, Capitol Building (373-2768)

**Education** - Thursday, May 8, 2:30 p.m., Room 110, Farnum Building (373-6920)

**Energy Policy and Public Utilities** - Thursday, May 8, 1:00 p.m., Room 210, Farnum Building (373-7350)

**Finance -****Subcommittee -**

**Michigan Business Tax Impact Assessment** - Thursday, May 8, 3:00 p.m., Davenport University, Richard M. DeVos and Jay Van Andel Academic Building, Meeting Rooms A and B, 6191 Kraft Avenue SE, Grand Rapids (373-1854)

**Legislative Commission on Government Efficiency** - Monday, May 19, 9:00 a.m., Michigan Economic Development Corporation, Conference Room, 20255 Victor Parkway, Suite 180, Livonia (373-0212)

**Legislative Commission on Statutory Mandates** - Tuesday, May 27, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-0212)

**State Drug Treatment Court Advisory Committee** - Tuesday, June 10, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 10:57 a.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Thursday, May 8, 2008, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

