

No. 50
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Thursday, May 27, 2010.

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—present
Bishop—present
Brater—present
Brown—present
Cassis—present
Cherry—present
Clark-Coleman—present
Clarke—present
Cropsey—present

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

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

Pastor John Rop of Calvin Christian Reformed Church of Muskegon offered the following invocation:

Heavenly Father, Creator God, Creator of heaven and earth, we are thankful for this day, time, and opportunity. You are an awesome God, a great God, a God of the world and the world we live in, the God who created the heavens and the earth, the God who created this beautiful nation, this beautiful place that we have been called and given to live in, the God who created the beautiful state we enjoy each and every day. We enjoy Your creation all around us. The woods, waters, fields, and farms are gifts from You, and we thank You for them. Thanks for all the beauty we enjoy each and every day.

We thank You for those who serve here today in this way and in this place. We thank You especially for this time today and this weekend, and thank You especially for a day like Monday, Memorial Day, when we as a nation can stop, rest, and take a breath, breathing in all the beauty of Your creation and the beauty of the place You have given us to live; also for the beauty of the gift of freedom that we enjoy each and every day. Forgive us when we take that freedom for granted. You have blessed us tremendously in so many good and wonderful ways. We can enjoy it each and every day.

We pray for our nation, for its leaders, the President, Congress, the Supreme Court, and all those who serve You. We pray for our state government as well and those who serve in this way and in this place. We thank God for all of this. For those who have served this nation, we are so thankful and so grateful.

We pray for those who are serving at this time right now. We pray for those who are in harm's way around the world and ask that You will bless, protect, and care for them. Be with their families as well and bless and comfort them in their absence. Thank You for those who have gone before and served; for all of our veterans and those who serve in the police departments, fire departments, and the men and women in the military. We ask Your blessings on all of them and give You thanks for them. They are truly a gift to us. We thank You for their sacrifice of time and life and thank You especially for those who have given the ultimate sacrifice—those we remember this day, this weekend, and on Memorial Day. What an honor it is to know and to remember them.

Lord, we thank You, again, for this place, for our nation, and for those who have given so much so that we might enjoy what we do each and every day. Thank You, Lord, for loving us, preserving us, and caring for us.

May we always remember the little stamp on the money we carry around in our billfolds every day—"In God We Trust," for it is You who has given this to us and blessed us. In Your name, we pray. Amen.

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

Motions and Communications

Senators Whitmer, Jansen and Hunter entered the Senate Chamber.

Senator Cropsey moved that rule 3.902 be suspended to allow the guests of Senator Garcia admittance to the Senate floor and 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.

The Secretary announced that the following official bills were printed on Wednesday, May 26, and are available at the legislative website:

| | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Senate Bill Nos. | 1344 | 1345 | 1346 | 1347 | 1348 | 1349 |
| House Bill Nos. | 6203 | 6204 | 6205 | 6206 | 6207 | 6208 |

Recess

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

The motion prevailed, the time being 10:13 a.m.

11:09 a.m.

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

During the recess, Senator Garcia presented the 16th Annual Memorial Day Ceremony in honor of the military personnel who served during wartime. The ceremony was accompanied by the Brighton VFW Post 4357 Honor Guard, Michigan State University Air Force ROTC, Kalamazoo Pipe Band, and VFW Post Commanders.

Senator Cropsey introduced Brian Westrin of Bath who sang the "National Anthem."

Senator Garcia introduced Brigadier General Michael A. Stone, director of the Joint Staff, Michigan Army National Guard; and Dawn R. Peterson of Delta Township, mother of Michigan's first fallen airman in Afghanistan, who both addressed the Senate.

Senator Cherry conducted a roll call of Michigan fallen soldiers since the 2009 Memorial Day Ceremony.

Senators Allen, Clarke, Olshove (for Senator Garcia), Hardiman, Jansen, Jelinek, Anderson (for Senator Patterson), Richardville, and Stamas acknowledged the casualties with memorial flags.

Sergeant Gregory Hoogland, 126th Army Band, Michigan Army National Guard played "Taps."

The Kalamazoo Pipe Band played "Amazing Grace."

Senator Garcia acknowledged Senators who serve and have served in the military: Senators Allen, Basham, Hardiman, Pappageorge, and himself.

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

The motion prevailed.

Senator Richardville's statement is as follows:

Senator Garcia has served not only this chamber and the citizens of the state of Michigan as a State Senator, but also as a colonel, as I mentioned earlier, in the Michigan National Guard. He has also handled this presentation for a number of years, and this is his last one. I would ask the members to please join me in thanking him for bringing this service to us every year.

Committee Reports

The Committee on Reforms and Restructuring reported

Senate Joint Resolution U, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article I, sections 12 and 48 of article IV, section 23 of article V, sections 3 and 18 of article VI, section 9 of article VII, sections 5, 6, and 7 of article VIII, and section 5 of article XI and adding section 8 to article XI, to impose a three-year reduction of five percent in the pay rate for all public servants in this state.

With the recommendation that the joint resolution be adopted.

Michael D. Bishop
Chairperson

To Report Out:

Yeas: Senators Bishop, Gilbert, George and Kuipers

Nays: Senators Prusi, Hunter and Cherry

The joint resolution was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms and Restructuring submitted the following:

Meeting held on Tuesday, May 25, 2010, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Bishop (C), Gilbert, George, Kuipers, Prusi, Hunter and Cherry

The Committee on Commerce and Tourism reported

Senate Bill No. 978, entitled

A bill to amend 2003 PA 260, entitled "Tax reverted clean title act," by amending sections 2 and 3 (MCL 211.1022 and 211.1023).

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs and Stamas

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 979, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending sections 3, 4, and 23 (MCL 124.753, 124.754, and 124.773).

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs and Stamas

Nays: None

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

The Committee on Commerce and Tourism reported

Senate Bill No. 1015, entitled

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending sections 2 and 4 (MCL 124.752 and 124.754).

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

Senate Bill No. 1016, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7ll.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1017, entitled

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

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.

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

Senate Bill No. 1266, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7gg (MCL 211.7gg), as added by 2003 PA 261.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

House Bill No. 4986, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 4 and 9 (MCL 207.774 and 207.779), section 4 as amended by 2009 PA 16 and section 9 as amended by 2005 PA 340.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas, Clarke and Hunter

Nays: None

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

The Committee on Commerce and Tourism reported

House Bill No. 5756, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

With the recommendation that the bill pass.

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

Jason E. Allen
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, May 25, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Stamas, Clarke and Hunter

The Committee on Campaign and Election Oversight reported

Senate Joint Resolution V, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 8 to article XI, to disqualify a person who has been convicted of certain felonies from election or appointment to an elective office in this state.

With the recommendation that the joint resolution be adopted.

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

The joint resolution was referred to the Committee of the Whole.

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1126, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 305 (MCL 168.305), as amended by 2004 PA 287.

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.

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

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

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1257, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 4 (MCL 168.4), as amended by 2003 PA 302.

With the recommendation that the bill pass.

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

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1258, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 322 (MCL 168.322), as amended by 2003 PA 302.

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.

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

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

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1259, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2006 PA 122.

With the recommendation that the bill pass.

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

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Campaign and Election Oversight reported

Senate Bill No. 1260, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as amended by 2005 PA 71.

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

Michelle McManus
Chairperson

To Report Out:

Yeas: Senators McManus, Brown, Jansen, Jacobs and Olshove
Nays: None
The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Campaign and Election Oversight submitted the following:
Meeting held on Wednesday, May 26, 2010, at 12:00 noon, Room 405, Capitol Building
Present: Senators McManus (C), Brown, Jansen, Jacobs and Olshove

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
Meeting held on Wednesday, May 26, 2010, at 12:30 p.m., Room 210, Farnum Building
Present: Senators Kuipers (C), Van Woerkom, Cassis and Whitmer
Excused: Senator Gleason

Scheduled Meetings

Appropriations -

Subcommittee -

State Police and Military Affairs - Tuesday, June 22, 1:00 p.m., Wednesday, June 23, 3:00 p.m. and Thursday, June 24, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Local, Urban and State Affairs - Tuesday, June 1, 3:00 p.m., Room 110, Farnum Building (373-1635)

Transportation - Tuesday, June 1, and Wednesday, June 2, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7708)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 11:10 a.m.

The President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, June 1, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

