

No. 87
STATE OF MICHIGAN
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REGULAR SESSION OF 2010

Senate Chamber, Lansing, Wednesday, November 10, 2010.

10:00 a.m.

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

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

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

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

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

Senator Raymond E. Basham of the 8th District offered the following invocation:

Heavenly Father, we come to You this hour asking for Your blessing and Your help as we gather here in this chamber. We pray for Your guidance in the important matters of the state at hand and that will affect the lives of so many people across our state. We ask that You would clearly show us how to conduct our work with the spirit of joy, enthusiasm, and cooperation. Help us to work together and encourage each other to excellence and challenge each other to reach higher and further to be the best that we can be. Amen.

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

Motions and Communications

Senators Sanborn, Gilbert, Allen, Nofs, Bishop, Jansen, Pappageorge, Thomas, Richardville, Gleason, Van Woerkom, Brown, Garcia and Brater entered the Senate Chamber.

Senator Cropsey moved that consideration of the motion to discharge the Committee on Government Operations from further consideration of the following resolutions be postponed for today:

Senate Resolution No. 15

Senate Resolution No. 172

The motion prevailed.

Senator Cropsey moved that rule 2.106 be suspended to allow committees to meet during Senate session.

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

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

The motion prevailed.

Senator Anderson's statement is as follows:

I would like to ask my colleagues to join me today in saying goodbye to someone. Jeff Criteser came to me from central staff, where he worked as an intern while he was a student at Grand Valley. He has been with me for the last two and a half years. He will be leaving my office and going to Washington, D.C., and working down there. He has been an exceptional staff member in my office. He has done everything from handling constituent relations to actually planning different events. He has just been a tremendous asset to my office. I wanted to ask members to join me in saying goodbye to Jeff and wish him the best as he moves on down to Washington, D.C.

Senator Cropsey moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1558

Senate Bill No. 1150

Senate Bill No. 1561

Senate Bill No. 1562

Senate Bill No. 1563

Senate Bill No. 1528

Senate Bill No. 1577

Senate Bill No. 1538

Senate Bill No. 1079

Senate Bill No. 1081

Senate Bill No. 1082

Senate Bill No. 1083

Senate Bill No. 1084

Senate Bill No. 138

Senate Bill No. 1493

Senate Bill No. 1564

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

Senator Cropsy moved that the Committee on Economic Development and Regulatory Reform be discharged from further consideration of the following bill:

House Bill No. 6224, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205 and 307 (MCL 436.1205 and 436.1307), section 205 as amended by 2001 PA 274.

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

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

House Bill No. 6224

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

Senator Cropsy moved that the Committee on Families and Human Services be discharged from further consideration of the following bill:

Senate Bill No. 1575, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2882a.

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

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

Senate Bill No. 1575

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

Senator Cropsy moved that the Committee on Transportation be discharged from further consideration of the following bills:

Senate Bill No. 1180, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 2006 PA 338.

Senate Bill No. 1437, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

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

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

Senate Bill No. 1180

Senate Bill No. 1437

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

Senator Cropsey moved that the Committee on Finance be discharged from further consideration of the following bills:

Senate Bill No. 1409, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

Senate Bill No. 1410, entitled

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

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

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

Senate Bill No. 1409

Senate Bill No. 1410

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 of the President of the Senate and filming of the Senate Minority Leader during today's session.

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 10:10 a.m.

11:20 a.m.

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

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, November 9:
House Bill Nos. 4958 4959 4960 6435

The Secretary announced that the following official bills were printed on Tuesday, November 9, and are available at the legislative website:

Senate Bill Nos. 1581 1582 1583

By unanimous consent the Senate proceeded to the order of

Statements

Senators McManus, Basham, Scott, Clark-Coleman, Allen and Prusi asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McManus' statement is as follows:

I am going to move on here and say farewell to this wonderful body. I first want to thank the people of the 104th House District, the 35th Senate District, and the people who elected me to serve here. I am proud to have followed in the footsteps of my uncle Senator George McManus. I want to thank my family, my friends, and my staff—some of them right here—who really made many sacrifices to allow me to come to Lansing to serve.

As I wrote this speech, I wanted to tell you the things I will miss here in this chamber. I will miss the lifetime friendships made, including members and staff. I will miss joyriding with Nancy and Laura Toy going from Grand Rapids to Holland by way of Portland. By the way, I was the passenger in the backseat. I will miss knowing that Shirley Johnson likes red; that is, red wine. I will miss teaching southeast Michigan legislators the cutthroat ways of northern Michigan euchre in my office on those late nights. I will miss all of my roommates because I stayed down here three days a week, past and present.

The opportunity to do good work for Michigan citizens included the following issues: direct shipment of wine, working on banning partial-birth abortion, and protecting our hunting heritage. Representing a district that spans from Leelanau County down the Lake Michigan shoreline to Big Rapids and Clare, everyone's vacation spot is the place I call home; the constituents I have been able to serve, both in Lansing and my district office; like fighting for the GEO prison in Baldwin; the tours through countless factories and small businesses throughout the district.

But I wanted to leave you with the things I won't miss. I won't miss the time away from my family, some of them here today. I won't miss leaving at 4:30 a.m. on a Tuesday morning wondering if it would be fog, rain, sleet, snow, or construction to battle; or battle the idiots filled with road rage on the way to Lansing. I won't miss being away from my family. During my service in Lansing, my husband Keith has gone from brown to grey. When I got here, my daughter Mary looked up to me. Sadly now, as a 5'5" teenager she looks down at me. My daughter Jessica has gone from a teenager to a young lady finishing college. And our lovely little son Ben, whom we brought into the family two years ago. I hope they look forward to seeing me seven days a week as much as I look forward to seeing them.

Another thing I won't miss is the late-night sessions that require sleeping with the roaches in the Capitol because as my dad always says, nothing good happens after midnight. I won't miss the marathon caucus meetings. Oh wait, I did miss most of those. Thanks, Jud, for taking notes for me.

The advice I can give to the incoming members: Get your work done outside of committee. I hold the record for a three-minute capital outlay committee meeting. I would challenge anyone to break it. If you want to keep your campaign figure, enter session through the back doors. Otherwise, all of the birthday treats will consume you. Always remember the friends, family, and supporters back home who sent you here. It is their office and not yours.

In closing, I came to Lansing as a pro-life conservative voice, and I am proud to say that I changed Lansing, but Lansing did not change me. It was a privilege to serve here. Thanks to everyone for the great memories.

Senator Basham's statement is as follows:

Who would have thought that a young guy from Roanoke, Virginia, fresh out of the Air Force, would ride up to Michigan on a '57 Panhead Harley to visit a friend and end up staying and calling Michigan his home? Who would have thought that this same guy would turn the negative situation of being a victim of a home invasion into something positive by convincing him to get involved in his community? Who would have thought that he would become an auxiliary police officer, be elected as constable, and eventually serve as a member of the Taylor City Council? Who would have thought that he would go on to be elected as a State Representative in a special election in 1997, serve three terms in the Michigan House, and have the opportunity to serve as a State Senator from Michigan's 8th District for two terms?

I am truly honored and humbled at the opportunity I have had to serve as a member of the Legislature for the last thirteen and a half years, proudly representing the hardworking residents of the Downriver area in Wayne County. I am proud of many things that we have accomplished as members of this body, but it is clear that there is still much more work needed to be done. I regret that we were never able to help Patty make the purple martin the State Bird. I regret we were never able to do much as legislators to turn the Detroit Lions into Super Bowl Champions, even though their practice facility is in my district.

As I look back, I can say on a positive note that Michigan citizens are now breathing fresher air than when I first came to Lansing. The minimum wage has increased, although not nearly enough to be a living wage. I was proud to be a part of efforts to protect the Great Lakes, but I sure do not want to see the day that Michigan's citizens start seeing Asian carp on the menu.

I would like to acknowledge and thank the many people who work with us behind the scenes every day, who often do not get the recognition they deserve. I would like to thank the caucus staff on both sides of the aisle, the central staff for their expertise and for working hard to craft and move legislation that is important to the people of the state of Michigan. I would like to thank the sergeants, working to provide safety and security at the Farnum Building and here at the Capitol. I would also like to thank the Secretary of the Senate and her staff who work hard to make sure that our work here in session runs smoothly. Lastly, I would like to thank my staff: Andrea Cascarilla, my chief of staff who has worked for me since I started in the State House back in 1997 and worked for State Representative Pitoniak prior to me; Joann Dowker, who also worked for me for many years; and Brian Peters and Kevin Shopshire who are here with us in the Senate Chamber.

I never thought when I was a young guy from Roanoke that I would experience some of the things I have been a part of for the last thirteen and a half years. But I am grateful for the opportunity I have had. Certainly, after thirteen and a half years, I will enjoy being in the majority at the county level. It has been a pleasure, and it was a good run for me. I have enjoyed the many challenges that we have had in the legislative body. I will be reading about the next group, Randy and Rick Snyder and all those folks who are going to work so hard to move Michigan forward.

Senator Scott's statement is as follows:

Before I start, I would like to acknowledge several of my former staffers who are in the audience today: Dawn Pline, Ron Hicks, and Brian Love. Sorry, I forgot to tell Darnell. I'm glad they are here.

As my Senate career winds down, I have to say that I never dreamed that I would ever make it here to the Senate. Before I came here, I had a long career in public service, including Michigan Bell, Wayne County Civil Service commissioner, Wayne County commissioner, president of Highland Park City Council, including serving as the first woman mayor of Highland Park and the first black woman elected mayor of a major city in Michigan, and in the House of Representatives. Then I got even luckier.

When Senator Virgil Smith, Sr., left, I decided to throw my hat—an old one and not one of my better ones that you've seen me wear here—into the ring. I won that special election by 33 votes. I never gave up, and I beat the odds. That determination explains why you will hear me give my final statements over the coming days arguing for auto insurance reform. I don't give up, and there is still plenty of time for us to do something. I won that election, and now after a legislative career that has lasted 16 years and 9 months, I am packing up my office, saying goodbye to all of my friends and colleagues, and preparing for my next job and adventure.

I can honestly say that my time in the Senate has been the most rewarding experience for me. After redistricting ten years ago, I found myself representing the most diverse district anyone could possibly have, but it has been the most rewarding. My constituents are residents of Detroit, Highland Park, Hamtramck, Harper Woods, and all five Grosse Pointes. These communities had never before been combined into one Senate district.

I held coffee hours across my district because they were the best way to keep in touch with what was happening in the lives of the people I served. I hope that I have helped my constituents, and I know that they have taught me valuable lessons. Because of the diversity of Senate District 2, I have learned how to serve all the people.

While I have not managed to have all of my bills approved—but, of course, there is still time—I hope that I have served my constituents well. I have always put the people first because that, I believe, is the cardinal rule that guides us and all public servants. That rule is what I think of every day on the drive from my home in Highland Park to Lansing. That rule is why I stand every day and argue for help for those who struggle mightily in this challenging economy. Putting the people first is why I fought so hard to save Highland Park Junior College. Putting the people first is why I continue to fight for the best for all of the communities that I represent.

Being a State Senator is a huge job, and, of course, none of us can do this job by ourselves. I have had a lot of help along the way, and I owe many people my thanks. I have to thank those here who took my daily spot at the podium when I was not able to be here. Senator Thomas, Senator Clarke, Senator Hunter, and Senator Clark-Coleman have all spoken on insurance reform for me, and I know there are others. I give you and anyone I may have missed my heartfelt thanks for helping me on my mission to create fair auto insurance reform.

I have to thank my staff. Jessie Weston has done a fabulous job of keeping my office running smoothly and has done everything I have asked of her and solved every problem I've ever thrown her way. Kellie Green has done great service as my legislative aide and helped keep me on track while fighting the good fight for my constituents. Khalid Mohammed has been my eyes and ears in Detroit while I am here in Lansing and has done a wonderful job of keeping my constituents up to date on legislation and other things that go on here.

I need to thank those who have worked with me and now moved on to other jobs, as I mentioned earlier: Dawn Pline, Brian Love, Ron Hicks, and other former staff members—Darnell Dickerson—who always gave me their best efforts. I would also like to thank our Democratic central staff members who serve all of us, but who make each of us their top priority when we call with requests. They do an excellent job, and I thank each and every one of you. All those who have worked for me and with me have helped make me a better Senator and Representative for the people I served. Thank you all.

Just because I am retiring from the Senate, however, does not mean I am retiring from the issues that need our attention. So I tell those of you remaining and those of you who will join the Senate in January to expect a phone call from your constituent, Martha G. Scott, who will ask you just what you are doing to make a bad situation better. You may also get a visit from me and several thousand of my friends who are itching to come back to Lansing to gather on the Capitol steps and have their voices heard.

The Senate has been a wonderful journey. Service is what I believe we were all put on this earth to do. I believe that if we serve the people, then God serves us. He has most certainly given me more than I ever dreamed that I would have. I thank and praise Him and pray that He will keep guiding me to be the best servant possible.

I will miss all of you, my colleagues and my friends from this chamber and from the House. I won't miss the drive to Lansing, but I will miss you. Thank you for everything we have accomplished together. I will always cherish my memories of serving with you.

Senator Clark-Coleman's statement is as follows:

Tupac just told me, "Don't start crying." I am not going to do that. Before I get started, I want to thank my office staff: Brigitte Maxey, my chief of staff who sits on the floor with me to keep me on target; Dustin Campbell, who handles my district work and makes sure the district knows that I am on top of their issues; and Carrie Christoph, who is my office manager who makes sure that things are running smoothly in my office. I want to thank those individuals before I start.

I rise today to celebrate the closure of twelve years of public service in the Michigan Legislature. I use the word "celebrate" because it has been my pleasure and joy to represent the citizens of Detroit, Dearborn, and River Rouge in all legislative matters that affect their lives. It's difficult to synopsise more than a decade of personal sacrifice, hard work, triumphs, defeats, friendships, animosities, cooperation, partisan conflict, and joint resolutions.

One instance that comes to mind is when I brought the Four Tops—two of which were my high school classmates—to be recognized on the Senate floor for their 50 years of exemplifying true Michigan talent. I remember Senator Patty Birkholz rocking so hard I thought she was going to fall on the floor. Senator Birkholz, I'm talking about you. I will repeat it so you will hear. When I brought the Four Tops, I remember Senator Patty Birkholz rocking so hard that I thought she was going to fall on the floor. Cameron Brown fulfilled a childhood dream when he posed with the famous Motown group at the front of the chamber. We were all one body swaying to the same rhythm of life. We did this just in time. Just a few years later, both Obie Benson and Levi Stubbs, who were members of the original Four Tops, passed away.

We join one another in sorrow as well when we honor fallen soldiers who are often much too young to have made such a sacrifice. As we stand and salute the surviving family members with a solemn ovation, tears fall from our eyes because we have all experienced loss, but yet, cannot imagine losing one of our children or loved ones to the atrocity of war.

We've collectively grieved the loss of one of our very own sergeants at arms, Charlie Thornhill. We've offered support to another sergeant, Bob Siegrist, who tragically lost his son in an automobile accident. Yes, when the time comes, we've demonstrated that we can unite like a band of brothers and sisters to offer the support needed to make it through a trying moment.

My one regret is that we failed to do so on major pieces of legislation that instead of helping our state move forward, threaten to hold it back. Everyone in here knows education is my passion, and that's what I'm talking about. The so-called necessary steps we took to compete for federal Race to the Top dollars will have long-term negative effects on public education. If only we could have come together to figure out a more perfect way to improve the quality of education for all our students.

On the other hand, one of the greatest victories was actually a hard-fought battle won by the people. It was when Detroiters won the right to elect its own school board. Yes, the Legislature allowed the measure to be placed on the ballot, but everyday men and women called on the spirits of the great freedom fighters who went before us to empower themselves with the vote. My only wish is that the Legislature would have moved to return to Detroit the \$95 million surplus it held at the time of the state takeover and the \$1.5 billion in capital improvement bond monies we city residents levied against ourselves to support our children. Yes, we voted to restore an inalienable right, but regained it with a \$200 million deficit created by state-appointed overseers.

One of my prayers is that the incoming Senators discover they have more shared values than opposite ideals. I would advise them to look for the small issues around which to coalesce. I'll use my favorite subject again—Senator Patty Birkholz. We all know she absolutely, unequivocally loves the color purple—way before Oprah—and one day she admired a pair of purple shoes I happened to be wearing. She loved them so that I went back to store and picked them up for her. Of course, she reimbursed me, but that's not the point. Kind acts, no matter how large or small, will do wonders to restore congenial relationships that once were the rule of the Legislature but now are the exceptions.

Another example is the wonderful batch of chocolate cookies that Clova Hardiman, wife of Senator Bill Hardiman, bakes for the entire chamber during the holidays. It doesn't matter—Democrats or Republicans all take two but eat three. I'm really going to miss those cookies, my friend from Kentwood. Maybe Clova could send a care package directly to my county office? I'm open to bipartisan negotiations. I'm also going to miss trading stories and pictures of our grandchildren. A first-time grandpa, Bill Hardiman was over the moon at the birth of his beautiful grandson.

It's those snippets of shared joy that granted slight reprieves from the rancor of politics. I've been in public service long enough to know even in disagreement, we all fundamentally believe we're doing the right thing for Michigan.

From my first elected position to the Detroit School Board to my next position and last position to the Wayne County Commission, I have been encouraged by the democratic process. Although I have never experienced serving in the majority, I wouldn't trade my experience for all the tea or loans in China.

I am going to miss every one of you. For at least four years and as much as twelve, I've worked with all of you. I've learned to take orders from my slightly younger colleagues, especially Senator Tupac Hunter. And I've learned to appreciate the legal proficiency of our own gentle giant, Senator Bruce Patterson. My knowledge of environmental issues has been greatly enlarged by the passion of Senator Liz Brater. Who is going to pick up the mantle of fair insurance rates after the departure of Senator Martha G. Scott? My left seatmate Senator Gretchen Whitmer, rule book strategist extraordinaire, get ready, get ready, get ready.

I would like to thank my staff who have worked hard to meet my demands. Each of you has performed to the best of your ability, and I appreciate every effort. I will always have special memories of your planning my surprise birthday

celebration, complete with a catered cake, hors d'oeuvres, and coffee from the award-winning culinary program at Henry Ford Community College. Thank you, thank you, thank you. Which didn't go off, by the way. I found out about it. I would be remiss if I excluded our wonderful Democratic Staff. Nancy Green is the best. She answered every call, no matter the hour, and kept me informed of the latest midnight-hour changes to K-12 budget bills. Sue Fransted is talented beyond the salary we pay her. I will certainly miss her creative expertise.

In all, I bid all of my colleagues blessings in their future endeavors. For those going on to other offices, continue to fight the good fight. For those who will enjoy private life, please remember that for a moment in time, you helped shape the destiny of this great state. Thank you, God; thank you, God; thank you, God.

Senator Allen's statement is as follows:

When I arrived in the Michigan Senate eight years ago, I was entrusted by the citizens of northern Michigan to carry on a rich tradition of service. I knew that when I returned home for weekend breaks, I would be talking with my predecessor Senator George McManus, meeting with Governor Bill Milliken, selling shirts and ties to United States Senator and State Supreme Court Justice Bob Griffin, and having a cup of coffee with former Lieutenant Governor Connie Binsfeld. They would ask me for my insight as to how things are going in Lansing, what issues we're facing, what challenges we're encountering, and whether we are getting along with one another and with members across the aisle and in the House.

I learned from these great legislators about the traditions and customs of the Michigan Senate. They told me eight years ago that the time would pass very quickly and the admonition that we are here to serve our constituents. Our departure, they said, was a certainty, and our replacement would be a person of honor and credibility. Our farewell would come way too soon and before we felt that our commitment to state governance was fulfilled.

Their advice was sage, the hourglass is running out, and we cannot put in any more sand to delay the inevitable. Yet, they said, your service to the state will be marked with competing emotions of satisfaction and frustration. A deal done on one issue will contrast with an agreement that blew up on another issue. What was fact one day will be in question the next.

Still, my mentors from Traverse City told me we are blessed to answer the call to public service, and I should be honored that thousands of friends and neighbors wanted me as their voice in Michigan and making the decisions for the 9 million residents of Michigan.

Our time of public service in the State Senate has been marked by many challenges that few generations of Michiganders have encountered. Our call to leadership extends beyond the day-to-day activities that came in that book that we sometimes mention, *How to Be an Effective Legislator*.

Like many of our predecessors, we have seen the call to military service that has sent our men and women to foreign lands to defend freedom. Too many of my Senate colleagues and I have participated in the sadness of memorial services back home to honor the patriotism and sacrifice that have made our country and state great. The Senate handbook doesn't include a section on controlling emotion when honoring patriots.

Our time in the Senate has also been marked by creating friendships and growth with both our office and personal families. Many of our Team Allen alumni are here today, and they continue the service that we have talked about working in different parts of state government. I am proud of their work and believe that part of a member's legacy is achieved and recognized by their staff's ongoing commitment to public service.

The Hayford Street group, the car caucus, the racing caucus, the rural caucus, the farm caucus, the hunting caucus, the Mitchell Fish House caucus, and the caucus of the normal are all part of the friendships made over the past eight years. I have been enriched by finding the common ground and thought process with my colleagues, whether it has been the panels I chair or serve on.

To my Democratic colleagues, I say thank you for your civility, honesty, and integrity. My seatmate Jim Barcia has been my friend and mentor. The Senate would be a better place if we could publicly share some of the comments we have had across our desks over the years.

I also have aligned with many of my legislative friends in expressing my disappointment, but acceptance, of one of the less desired events that come with the territory. It's called the spotlight on the negative. I take pride and make no apologies for my recorded votes and positions I have taken on legislative issues. We've supported job creation, downtown development, advanced technology, good schools, environmental stewardship, tourism promotion, health care, senior protection, military and veteran benefits, and fiscal conservatism. The penalty of leadership is not to be dissuaded by those who want to see only the negative in these positive program. I ask my detractors to read the Good Book, 1 John 3:16.

I leave this chamber proud of our accomplishments. If governing represents the metaphor of a football game, I want to be known as a player who left it all on the field. Instead, though, it's a political arena where we are scrutinized by the public, dissected by the media, double-crossed by the doubters, and blasted by the uninformed. Partisanship rancor too often trumps decency, common sense, and integrity.

Over the past eight years, my experiences have been rewarding and unforgettable. The journey I have taken has made my elephant hide a little tougher, my commitment to public service a lot stronger, and my appreciation for my friends more heartfelt. Yes, Charles Dickens had it right that legislative duties include the best of times and the worst of times experienced in the age of wisdom and the age of foolishness.

Thank you all for your friendship and life-lasting memories. This will forever be a memorable chapter in our story of life. I have cherished the blessings given to me and my family, and may God continue to bless this institution of government and the honorable men and women who have been elected to serve.

Senator Prusi's statement is as follows:

I know we have a lot of work to do today, but I just wanted to bring to the attention of the members that it was 35 years ago today that the gales of November took the *Edmund Fitzgerald* down, along with 29 crew members. The Great Lakes are a great blessing for the state of Michigan. The inland seas provide commerce, recreation, and fresh water, but they also provide peril for those who sail upon them. I just wanted the members to recognize today. If you go to www.youtube.com there is a very moving video of the day that it happened with Harry Reasoner from "CBS News" and Gordon Lightfoot's memorable song. I just wanted to bring that to the attention of the members that 35 years ago today, we lost the *Edmund Fitzgerald*.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsy moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

House Bill No. 6212

Senate Bill No. 1525

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

The following communications were received:

Department of State

Administrative Rules Notices of Filing

November 4, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and State Office of Administrative Hearings and Rules filed Administrative Rule #2010-021-CH (Secretary of State Filing #10-11-03) on this date at 4:47 p.m. for the Department of Community Health, entitled "Communicable and Related Diseases."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 4, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Community Health and State Office of Administrative Hearings and Rules filed Administrative Rule #2010-020-CH (Secretary of State Filing #10-11-02) on this date at 4:45 p.m. for the Department of Community Health, entitled "Control of Communicable Diseases."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 4, 2010

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and State Office of Administrative Hearings and Rules filed Administrative Rule #2010-016-LG (Secretary of State Filing #10-11-01) on this date at 3:08 p.m. for the Department of Energy, Labor, and Economic Growth, entitled "Michigan Gas Safety Standards."

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,

Terri Lynn Land

Secretary of State

Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

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 Clarke as Chairperson.

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

Senate Bill No. 1437, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

Senate Bill No. 1409, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

Senate Bill No. 1410, entitled

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

House Bill No. 5680, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 253 (MCL 206.253), as added by 2008 PA 287.

Senate Bill No. 1493, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

Senate Bill No. 1577, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

House Bill No. 6212, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2008 PA 455.

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

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

Senate Bill No. 1419, entitled

A bill relating to the promotion of convention business and tourism in this state; to provide for regional tourism and convention marketing and promotion programs in certain areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

Substitute (S-1).

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

1. Amend page 6, line 14, after "January 1," by striking out "2010" and inserting "2011".
2. Amend page 8, line 7, after "in" by striking out "colleting" and inserting "collecting".

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. 1515, entitled

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending sections 3 and 6 (MCL 141.873 and 141.876), section 3 as amended by 1996 PA 589.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1396, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2002 PA 80; and to repeal acts and parts of acts.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1397, entitled

A bill to amend 2003 PA 198, entitled "Farm produce insurance act," by amending the title and sections 3, 7, 9, 15, 17, and 21 (MCL 285.313, 285.317, 285.319, 285.325, 285.327, and 285.331), sections 3 and 15 as amended by 2008 PA 140.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1525, entitled

A bill to amend 2009 PA 75, entitled "Mortgage loan originator licensing act," by amending sections 3 and 29 (MCL 493.133 and 493.159).

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. 6224, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205 and 307 (MCL 436.1205 and 436.1307), section 205 as amended by 2001 PA 274.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1180, entitled

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

state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 2006 PA 338.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1561, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2836a.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1562, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1563, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, and 2848 (MCL 333.2803, 333.2804, 333.2834, and 333.2848), sections 2803, 2834, and 2848 as amended by 2002 PA 562 and section 2804 as amended by 1990 PA 149, and by adding sections 2836 and 2854.

Substitute (S-1).

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

1. Amend page 2, line 16, after "other" by inserting "**LEGAL**".
2. Amend page 8, following line 13, by inserting:
"Sec. 13807. (1) "Pathogen" means a microorganism that produces disease.
(2) "Pathological waste" means human organs, tissues, body parts other than teeth, products of conception, and fluids removed by trauma or during surgery or autopsy or other medical procedure, and not fixed in formaldehyde.
(3) "Point of generation" means the point at which medical waste leaves the producing facility site.
(4) "Producing facility" means a facility that generates, stores, decontaminates, or incinerates medical waste.
(5) "**PRODUCTS OF CONCEPTION**" MEANS ANY TISSUES OR FLUIDS, PLACENTA, UMBILICAL CORD, OR OTHER UTERINE CONTENTS RESULTING FROM A PREGNANCY. **PRODUCTS OF CONCEPTION DO NOT INCLUDE A FETUS OR FETAL BODY PARTS.**
(6) ~~(5)~~ "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of medical waste into the environment in violation of this part.
(7) ~~(6)~~ "Response activity" means an activity necessary to protect the public health, safety, welfare, and the environment, and includes, but is not limited to, evaluation, cleanup, removal, containment, isolation, treatment, monitoring, maintenance, replacement of water supplies, and temporary relocation of people.
(8) ~~(7)~~ "Sharps" means needles, syringes, scalpels, and intravenous tubing with needles attached.
(9) ~~(8)~~ "Storage" means the containment of medical waste in a manner that does not constitute disposal of the medical waste.
(10) ~~(9)~~ "Transport" means the movement of medical waste from the point of generation to any intermediate point and finally to the point of treatment or disposal. Transport does not include the movement of medical waste from a health facility or agency to another health facility or agency for the purposes of testing and research."

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. 1528, entitled

A bill to amend 1975 PA 169, entitled "Charitable organizations and solicitations act," by amending the title and sections 3, 5, 7, 11, 13, 16, 18, 20, 21, and 23 (MCL 400.273, 400.275, 400.277, 400.281, 400.283, 400.286, 400.288, 400.290, 400.291, and 400.293), section 3 as amended by 2008 PA 424 and section 13 as amended by 1992 PA 299, and by adding sections 17a, 23a, and 23b; and to repeal acts and parts of acts.

Substitute (S-1).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 138, entitled

A bill to amend 2006 PA 317, entitled "An act to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts," by amending section 2 (MCL 125.1972).

Substitute (S-4).

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

1. Amend page 1, line 7, after "DEFENSE" by inserting "CENTER".
2. Amend page 2, line 4, after "DEFENSE" by inserting "CENTER".
3. Amend page 2, line 22, after "DEFENSE" by inserting "CENTER".
4. Amend page 3, line 6, after "DEFENSE" by inserting "CENTER".
5. Amend page 3, line 8, after "DEFENSE" by inserting "CENTER".
6. Amend page 3, line 12, after "DEFENSE" by inserting "CENTER".
7. Amend page 3, line 24, after "DEFENSE" by inserting "CENTER".
8. Amend page 3, line 27, after "DEFENSE" by inserting "CENTER".
9. Amend page 4, line 4, after "DEFENSE" by inserting "CENTER".
10. Amend page 4, line 12, after the first "DEFENSE" by inserting "CENTER".
11. Amend page 4, line 12, after the second "DEFENSE" by inserting "CENTER".

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 amendments, the following bill:

Senate Bill No. 1575, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2882a.

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

1. Amend page 1, line 2, after "2882" by inserting "AND SUBJECT TO THE LIMITATIONS OF SECTION 2882(1)(A) AND (B)".

2. Amend page 1, line 7, after "CERTIFICATE." by inserting "THE STATE REGISTRAR SHALL ESTABLISH PROCEDURES TO ALLOW THE PURCHASE OF A GIFT CARD OR CERTIFICATE THAT CAN BE REDEEMED BY A PERSON ELIGIBLE TO PURCHASE AN HEIRLOOM BIRTH CERTIFICATE UNDER THIS SECTION."

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

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

Senator Thomas moved that Senator Scott be temporarily excused from the balance of today's session.
The motion prevailed.

Senator Scott entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 1419

Senate Bill No. 1515

Senate Bill No. 1396
Senate Bill No. 1397
Senate Bill No. 1525
House Bill No. 6224
Senate Bill No. 1528
Senate Bill No. 1577
Senate Bill No. 1180
Senate Bill No. 1437
Senate Bill No. 1409
Senate Bill No. 1410
Senate Bill No. 1561
Senate Bill No. 1562
Senate Bill No. 1563
House Bill No. 5680
Senate Bill No. 1493
Senate Bill No. 1575
Senate Bill No. 138
House Bill No. 6212

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

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

Senate Bill No. 1419
Senate Bill No. 1515
Senate Bill No. 1396
Senate Bill No. 1397
Senate Bill No. 1525
House Bill No. 6224
Senate Bill No. 1528
Senate Bill No. 1577
Senate Bill No. 1180
Senate Bill No. 1437
Senate Bill No. 1409
Senate Bill No. 1410
Senate Bill No. 1561
Senate Bill No. 1562
Senate Bill No. 1563
House Bill No. 5680
Senate Bill No. 1493
Senate Bill No. 1575
Senate Bill No. 138
House Bill No. 6212
Senate Bill No. 39
Senate Bill No. 223
Senate Bill No. 224
Senate Bill No. 225
Senate Bill No. 226
Senate Bill No. 1382

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1419, entitled

A bill relating to the promotion of convention business and tourism in this state; to provide for regional tourism and convention marketing and promotion programs in certain areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

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. 523

Yeas—33

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

Nays—5

Brown	Jansen	Kuipers	Sanborn
Cassis			

Excused—0

Not Voting—0

In The Chair: Richardville

The Senate agreed to the title of the bill.

The Assistant President pro tempore, Senator Sanborn, assumed the Chair.

The following bill was read a third time:

Senate Bill No. 1515, entitled

A bill to amend 1980 PA 395, entitled “Community convention or tourism marketing act,” by amending sections 3 and 6 (MCL 141.873 and 141.876), section 3 as amended by 1996 PA 589.

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. 524

Yeas—31

Allen	Clark-Coleman	Jacobs	Richardville
Anderson	Clarke	Jelinek	Scott
Barcia	Cropsey	Kahn	Stamas
Basham	Garcia	Nofs	Switalski
Birkholz	Gilbert	Olshove	Thomas
Bishop	Gleason	Pappageorge	Van Woerkom
Brater	Hardiman	Patterson	Whitmer
Cherry	Hunter	Prusi	

Nays—7

Brown	George	Kuipers	Sanborn
Cassis	Jansen	McManus	

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1396, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 8 (MCL 285.68), as amended by 2002 PA 80.

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. 525

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1397, entitled

A bill to amend 2003 PA 198, entitled "Farm produce insurance act," by amending the title and sections 3, 7, 9, 15, 17, and 21 (MCL 285.313, 285.317, 285.319, 285.325, 285.327, and 285.331), sections 3 and 15 as amended by 2008 PA 140.

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. 526

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1525, entitled

A bill to amend 2009 PA 75, entitled “Mortgage loan originator licensing act,” by amending sections 3 and 29 (MCL 493.133 and 493.159).

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. 527

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6224, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 109, 111, 113, 113a, 205, 307, 525, 537, 543, 603, 1025, 1027, 1111, 1113, 1114, and 1115 (MCL 436.1109, 436.1111, 436.1113, 436.1113a, 436.1205, 436.1307, 436.1525, 436.1537, 436.1543, 436.1603, 436.2025, 436.2027, 436.2111, 436.2113, 436.2114, and 436.2115), sections 111 and 537 as amended by 2008 PA 218, section 113 as amended and section 113a as added by 2005 PA 269, sections 205, 525, 543, and 1027 as amended by 2010 PA 175, section 603 as amended by 2009 PA 2, section 1025 as amended by 2008 PA 11, and section 1113 as amended and section 1114 as added by 2004 PA 134, and by adding section 545.

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. 528**Yeas—25**

Anderson	Garcia	Nofs	Scott
Barcia	Gleason	Olshove	Stamas
Basham	Hunter	Patterson	Switalski
Bishop	Jacobs	Prusi	Thomas
Brater	Kahn	Richardville	Van Woerkom
Cherry	Kuipers	Sanborn	Whitmer
Clarke			

Nays—13

Allen	Clark-Coleman	Gilbert	Jelinek
Birkholz	Cropsey	Hardiman	McManus
Brown	George	Jansen	Pappageorge
Cassis			

Excused—0**Not Voting—0**

In The Chair: Sanborn

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor;

to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; 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. 1528, entitled

A bill to amend 1975 PA 169, entitled “Charitable organizations and solicitations act,” by amending the title and sections 2, 3, 5, 7, 11, 13, 16, 18, 20, 21, and 23 (MCL 400.272, 400.273, 400.275, 400.277, 400.281, 400.283, 400.286, 400.288, 400.290, 400.291, and 400.293), section 2 as amended by 2010 PA 196, section 3 as amended by 2008 PA 424, and section 13 as amended by 1992 PA 299, and by adding sections 17a, 23a, and 23b; and to repeal acts and parts of acts.

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. 529

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1577, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

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. 530**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1180, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 2006 PA 338.

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. 531**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1437, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 721 (MCL 257.719 and 257.721), section 719 as amended by 2009 PA 37 and section 721 as amended by 2000 PA 154.

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. 532**Yeas—38**

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

Nays—0**Excused—0**

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1409, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 560.

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. 533

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1410, entitled

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

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. 534

Yeas—38

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville

Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1561, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2836a. 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. 535

Yeas—30

Allen	Clarke	Jansen	Pappageorge
Anderson	Cropsey	Jelinek	Patterson
Barcia	Garcia	Kahn	Prusi
Basham	George	Kuipers	Richardville
Birkholz	Gilbert	McManus	Sanborn
Bishop	Gleason	Nofs	Stamas
Brown	Hardiman	Olshove	Van Woerkom
Cassis	Hunter		

Nays—8

Brater	Clark-Coleman	Scott	Thomas
Cherry	Jacobs	Switalski	Whitmer

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1562, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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. 536

Yeas—30

Allen	Clarke	Jansen	Pappageorge
Anderson	Cropsey	Jelinek	Patterson
Barcia	Garcia	Kahn	Prusi
Basham	George	Kuipers	Richardville
Birkholz	Gilbert	McManus	Sanborn
Bishop	Gleason	Nofs	Stamas
Brown	Hardiman	Olshove	Van Woerkom
Cassis	Hunter		

Nays—8

Brater	Clark-Coleman	Scott	Thomas
Cherry	Jacobs	Switalski	Whitmer

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1563, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, and 2848 (MCL 333.2803, 333.2804, 333.2834, and 333.2848), sections 2803, 2834, and 2848 as amended by 2002 PA 562 and section 2804 as amended by 1990 PA 149, and by adding sections 2836 and 2854.

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. 537

Yeas—30

Allen	Clarke	Jansen	Pappageorge
Anderson	Cropsey	Jelinek	Patterson
Barcia	Garcia	Kahn	Prusi
Basham	George	Kuipers	Richardville
Birkholz	Gilbert	McManus	Sanborn
Bishop	Gleason	Nofs	Stamas
Brown	Hardiman	Olshove	Van Woerkom
Cassis	Hunter		

Nays—8

Brater	Clark-Coleman	Scott	Thomas
Cherry	Jacobs	Switalski	Whitmer

Excused—0

Not Voting—0

In The Chair: Sanborn

Senator Kahn offered to amend the title to read as follows:

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2803, 2804, 2834, 2848, and 13807 (MCL 333.2803, 333.2804, 333.2834, 333.2848, and 333.13807), sections 2803, 2834, and 2848 as amended by 2002 PA 562, section 2804 as amended by 1990 PA 149, section 13807 as added by 1990 PA 21, and by adding sections 2836 and 2854.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

House Bill No. 5680, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 253 (MCL 206.253), as added by 2008 PA 287.

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. 538

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 1493, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 539

Yeas—37

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

Nays—1

Cassis

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1575, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2882a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 540

Yeas—37

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

Nays—1

Kuipers

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 138, entitled

A bill to amend 2006 PA 317, entitled “An act to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts,” by amending the title and section 2 (MCL 125.1972); and to repeal acts and parts of acts.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 541

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 6212, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1211 (MCL 380.1211), as amended by 2008 PA 455.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 542

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

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 provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; 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. 39, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” by amending section 7 (MCL 691.1407), as amended by 2005 PA 318.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 543

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 223, entitled

A bill to amend 2004 PA 452, entitled “Identity theft protection act,” by amending sections 9, 11, 12, and 12b (MCL 445.69, 445.71, 445.72, and 445.72b), sections 12 and 12b as added by 2006 PA 566, and by adding sections 19, 19a, 19b, and 19c.

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. 544

Yeas—38

Allen	Clark-Coleman	Jansen	Prusi
Anderson	Clarke	Jelinek	Richardville

Barcia	Cropsey	Kahn	Sanborn
Basham	Garcia	Kuipers	Scott
Birkholz	George	McManus	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Gleason	Olshove	Thomas
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jacobs		

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 224, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 159g (MCL 750.159g), as amended by 2009 PA 82.

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. 545

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 225, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 10c of chapter II (MCL 762.10c), as added by 2004 PA 453.

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. 546

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 226, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 430.

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. 547

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1382, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 26 of chapter V (MCL 765.26), as amended by 2002 PA 659.

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. 548

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

Senate Bill No. 1575, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2882a.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 549**Yeas—38**

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

Nays—0**Excused—0****Not Voting—0**

In The Chair: Sanborn

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:45 p.m.

4:15 p.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 1003, entitled

A bill to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending section 4 (MCL 780.904), as amended by 2008 PA 396.

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

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

Senate Bill No. 1003

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

Senator Cropsey moved that the Committee on Judiciary be discharged from further consideration of the following bill: **Senate Bill No. 858, entitled**

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

The motion did not prevail, a majority of the members serving not voting therefor, Senator Thomas requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The motion prevailed, a majority of the members serving voting therefor, as follows:

Roll Call No. 550

Yeas—22

Allen	Garcia	Kahn	Patterson
Birkholz	George	Kuipers	Richardville
Bishop	Gilbert	McManus	Sanborn
Brown	Hardiman	Nofs	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom
Cropsey	Jelinek		

Nays—15

Anderson	Cherry	Jacobs	Switalski
Barcia	Clark-Coleman	Olshove	Thomas
Basham	Gleason	Prusi	Whitmer
Brater	Hunter	Scott	

Excused—0

Not Voting—1

Clarke

In The Chair: Richardville

The bill was placed on the order of General Orders.

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

Senate Bill No. 858

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

Senator Thomas moved that Senator Clarke be temporarily excused from the balance of today's session. The motion prevailed.

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

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Thomas 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 with amendment, the following bill:

Senate Bill No. 1079, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2008 PA 257.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 12, following line 6, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5349 of the 95th Legislature is enacted into law."

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

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

Senate Bill No. 1081, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 4, 5, and 12 (MCL 125.2152, 125.2153, 125.2154, 125.2155, and 125.2162), section 2 as amended by 2007 PA 200, sections 3 and 12 as amended by 2000 PA 248, and section 4 as amended by 2005 PA 15, and by adding sections 12c and 12d.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 37, following line 14, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5349 of the 95th Legislature is enacted into law."

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

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

Senate Bill No. 1082, 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 sections 2 and 22 (MCL 207.552 and 207.572), section 2 as amended by 2008 PA 581 and section 22 as amended by 1994 PA 266.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 8, following line 23, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5349 of the 95th Legislature is enacted into law."

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 1083, entitled

A bill to encourage the creation of next Michigan development corporations by interlocal agreement and to prescribe their powers and duties; to foster economic opportunities in this state and prevent conditions of unemployment and under-employment and to promote economic growth; to provide for the designation of next Michigan development districts and next Michigan development businesses; and to prescribe the powers and duties of certain state and local departments, entities, and officials.

Substitute (S-2).

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

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

Senate Bill No. 1084, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 573.

The following is the amendment recommended by the Committee of the Whole:

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

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5349 of the 95th Legislature is enacted into law.”.

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended 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. 1558, entitled

A bill to authorize the state administrative board to convey certain state-owned property in Genesee county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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 Clarke entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Motions and Communications

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

Senate Bill No. 212

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Clarke 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:

Senate Bill No. 858, entitled

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

The bill was 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. 212, 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 section 14 (MCL 28.434), as amended by 2000 PA 381, and by adding section 14a.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1003, entitled

A bill to amend 1989 PA 196, entitled "An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," by amending section 4 (MCL 780.904), as amended by 2010 PA 202.

Substitute (S-3).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1150, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

Substitute (S-2).

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

Recess

Senator Cropsey moved that the Senate recess until 6:00 p.m.
The motion prevailed, the time being 5:01 p.m.

The Senate reconvened at the expiration of the recess and pursuant to Rule 1.101, in the absence of the Presiding Officers, the Senate was called to order by the Secretary of the Senate.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 6:01 p.m.

6:13 p.m.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Cropsey moved that the Committee on Judiciary be discharged from further consideration of the following bill:
Senate Bill No. 1056, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8251 (MCL 600.8251), as amended by 2003 PA 7.

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

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

Senate Bill No. 1056

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

Senator Cropsey moved that the rules be suspended and that the following bills, now on Committee Reports, be placed on the General Orders calendar for consideration today:

Senate Bill No. 1578

Senate Bill No. 1579

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

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the Assistant President pro tempore, Senator Sanborn, designated Senator Clarke as Chairperson.

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

Senate Bill No. 1578, entitled

A bill to provide for the establishment of art institute authorities; to provide for the powers and duties of an art institute authority; to authorize the levy and collection of a property tax by an art institute authority; and to provide for the powers and duties of certain government officials.

Senate Bill No. 1579, entitled

A bill to amend 2008 PA 49, entitled "Zoological authorities act," by amending section 13 (MCL 123.1173).

Senate Bill No. 1056, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8251 (MCL 600.8251), as amended by 2003 PA 7.

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

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

Senate Bill No. 1564, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11102, 11107, 11118a, 11121, 11123, 11124, 11125, 11129, 11140, and 11153 (MCL 324.11102, 324.11107, 324.11118a, 324.11121, 324.11123, 324.11124, 324.11125, 324.11129, 324.11140, and 324.11153), section 11118a as added by 1996 PA 182 and section 11153 as amended by 2008 PA 403; and to repeal acts and parts of acts.

Substitute (S-1).

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

1. Amend page 4, line 4, after "(3)" by inserting "SUBJECT TO SUBSECTION (4),".
2. Amend page 4, line 10, by striking out the balance of the subsection and inserting:

"(A) THE TYPE, ESTIMATED QUANTITIES, AND EXPECTED POTENTIAL SOURCES OF WASTES TO BE DISPOSED OF IN THE WELL.

(B) A FEASIBILITY STUDY ON THE VIABILITY OF THE DISPOSAL WELL OPERATIONS.

(C) ADDITIONAL BUSINESS PLAN INFORMATION REQUIRED BY THE DEPARTMENT AND RELATED SOLELY TO THE REQUIREMENTS OF SUBDIVISIONS (A) AND (B).

(D) ANY ADDITIONAL BUSINESS PLAN INFORMATION IF THE DEPARTMENT AND APPLICANT AGREE THAT SUCH ADDITIONAL INFORMATION SHOULD BE SUBMITTED.

(4) SUBSECTION (3) APPLIES ONLY TO A PERSON WHO SUBMITS AN APPLICATION FOR AN OPERATING LICENSE, OTHER THAN A RENEWAL OPERATING LICENSE, AFTER THE EFFECTIVE DATE OF THE 2010 AMENDATORY ACT THAT ADDED THIS SUBSECTION."

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.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Cropsey moved that the rules be suspended and that the following bills, now on the order of Third Reading of Bills, be placed on their immediate passage:

Senate Bill No. 1079

Senate Bill No. 1081

Senate Bill No. 1082
Senate Bill No. 1083
Senate Bill No. 1084
Senate Bill No. 1558
Senate Bill No. 212
Senate Bill No. 1003
Senate Bill No. 858
Senate Bill No. 1150
Senate Bill No. 1578
Senate Bill No. 1579
Senate Bill No. 1564
Senate Bill No. 1056

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

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

Senate Bill No. 1079
Senate Bill No. 1081
Senate Bill No. 1082
Senate Bill No. 1083
Senate Bill No. 1084
Senate Bill No. 1558
Senate Bill No. 212
Senate Bill No. 216
Senate Bill No. 1003
Senate Bill No. 858
Senate Bill No. 1150
Senate Bill No. 1578
Senate Bill No. 1579
Senate Bill No. 1564
Senate Bill No. 1056

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1079, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2008 PA 257.

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. 551

Yeas—29

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Kahn	Scott
Barcia	Garcia	McManus	Stamas
Basham	Gleason	Nofs	Switalski
Birkholz	Hardiman	Olshove	Thomas
Bishop	Hunter	Pappageorge	Van Woerkom
Brater	Jacobs	Prusi	Whitmer
Brown			

Nays—8

Cassis	George	Jelinek	Patterson
Cropsey	Gilbert	Kuipers	Sanborn

Excused—0

Not Voting—1

Cherry

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Senator Thomas moved that Senator Cherry be excused from the balance of today's session.
The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1081, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 4, 5, and 12 (MCL 125.2152, 125.2153, 125.2154, 125.2155, and 125.2162), section 2 as amended by 2007 PA 200, sections 3 and 12 as amended by 2000 PA 248, and section 4 as amended by 2005 PA 15, and by adding sections 12c and 12d.

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. 552

Yeas—30

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

Nays—7

Cassis	George	Jelinek	Sanborn
Crosey	Gilbert	Patterson	

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1082, 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 sections 2 and 22 (MCL 207.552 and 207.572), section 2 as amended by 2008 PA 581 and section 22 as amended by 1994 PA 266.

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. 553

Yeas—29

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Kahn	Scott
Barcia	Garcia	McManus	Stamas
Basham	Gleason	Nofs	Switalski
Birkholz	Hardiman	Olshove	Thomas
Bishop	Hunter	Pappageorge	Van Woerkom
Brater	Jacobs	Prusi	Whitmer
Brown			

Nays—8

Cassis	George	Jelinek	Patterson
Cropsey	Gilbert	Kuipers	Sanborn

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1083, entitled

A bill to encourage the creation of next Michigan development corporations by interlocal agreement and to prescribe their powers and duties; to foster economic opportunities in this state and prevent conditions of unemployment and under-employment and to promote economic growth; to provide for the designation of next Michigan development districts and next Michigan development businesses; and to prescribe the powers and duties of certain state and local departments, entities, and officials.

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. 554**Yeas—29**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Kahn	Scott
Barcia	Garcia	McManus	Stamas
Basham	Gleason	Nofs	Switalski
Birkholz	Hardiman	Olshove	Thomas
Bishop	Hunter	Pappageorge	Van Woerkom
Brater	Jacobs	Prusi	Whitmer
Brown			

Nays—8

Cassis	George	Jelinek	Patterson
Cropsey	Gilbert	Kuipers	Sanborn

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1084, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as amended by 2008 PA 573.

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. 555**Yeas—29**

Allen	Clark-Coleman	Jansen	Richardville
Anderson	Clarke	Kahn	Scott
Barcia	Garcia	McManus	Stamas
Basham	Gleason	Nofs	Switalski
Birkholz	Hardiman	Olshove	Thomas
Bishop	Hunter	Pappageorge	Van Woerkom
Brater	Jacobs	Prusi	Whitmer
Brown			

Nays—8

Cassis	George	Jelinek	Patterson
Cropsey	Gilbert	Kuipers	Sanborn

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1558, entitled

A bill to authorize the state administrative board to convey certain state-owned property in Genesee county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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. 556**Yeas—36**

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

Nays—1

Hunter

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

Senate Bill No. 1558, entitled

A bill to authorize the state administrative board to convey certain state-owned property in Genesee county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 557

Yeas—37

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

Nays—0

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The following bill was read a third time:

Senate Bill No. 212, 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 section 14 (MCL 28.434), as amended by 2000 PA 381, and by adding section 14a.

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. 558

Yeas—37

Allen	Clarke	Jansen	Prusi
Anderson	Cropsey	Jelinek	Richardville

Barcia	Garcia	Kahn	Sanborn
Basham	George	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Nofs	Switalski
Brater	Hardiman	Olshove	Thomas
Brown	Hunter	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Whitmer
Clark-Coleman			

Nays—0

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 216, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525 and 537 (MCL 436.1525 and 436.1537), as amended by 2008 PA 218, and by adding section 545.

The question being on the passage of the bill,

Senator Allen offered the following substitute:

Substitute (S-7).

The substitute was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 559

Yeas—36

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

Nays—1

Clark-Coleman

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

Senator Allen offered to amend the title to read as follows:

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 518 and 525 (MCL 436.1518 and 436.1525), section 518 as amended by 2005 PA 166 and section 525 as amended by 2010 PA 175.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

The following bill was read a third time:

Senate Bill No. 1003, entitled

A bill to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending section 4 (MCL 780.904), as amended by 2010 PA 202.

The question being on the passage of the bill,

Senator Switalski offered the following amendment:

1. Amend page 2, following line 25, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5661 of the 95th Legislature is enacted into law.”

The amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 560**Yeas—37**

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

Nays—0**Excused—1**

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 858, entitled

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

The question being on the passage of the bill,

Senator Cropsy moved that further consideration of the bill be postponed for today.

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 1150, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

The question being on the passage of the bill,

Senator Switalski offered the following amendments:

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

“Lake Superior State University - school of business building - for program and planning to be paid for from university resources (estimated total authorized cost \$20,000,000; state share \$15,000,000; university share \$5,000,000)	100
Michigan Technological University - next generation energy complex - for program and planning to be paid for from university resources (estimated total authorized cost \$29,500,000; state share \$22,125,000; university share \$7,375,000)	100
University of Michigan - Ann Arbor - G.G. Brown memorial laboratories renovation - for program and planning to be paid for from university resources (estimated total authorized cost \$64,000,000; state share \$40,000,000; university share \$24,000,000).....	100
University of Michigan - Dearborn - science and computer information science building renovations - for program and planning to be paid for from university resources (estimated total authorized cost \$51,000,000; state share \$38,250,000; university share \$12,750,000)	100
University of Michigan - Flint - Murchie science laboratory building renovations - for program and planning to be paid for from university resources (estimated total authorized cost \$22,170,000; state share \$16,627,500; university share \$5,542,500)	100
Wayne State University - multi-disciplinary biomedical research building - for program and planning to be paid for from university resources (estimated total authorized cost \$200,000,000; state share \$40,000,000; university share \$160,000,000)	100”.

2. Amend page 6, following line 17, by inserting:

“Bay de Noc Community College - nursing lab/lecture hall remodeling - for program and planning to be paid for from community college resources (estimated total authorized cost \$1,500,000; state share \$750,000; community college share \$750,000)	100
Gogebic Community College - building renovation - for program and planning to be paid for from community college resources (estimated total authorized cost \$1,500,000; state share \$750,000; community college share \$750,000)	100
Lansing Community College - arts and sciences building renovation - for program and planning to be paid for from community college resources (estimated total authorized cost \$19,950,000; state share \$9,975,000; community college share \$9,975,000)	100

Mott Community College - southern lakes branch center: rehabilitation - for program and planning to be paid for from college revenues (estimated total authorized cost \$6,545,950; state share \$3,272,975; community college share \$3,272,975)	100
Schoolcraft College - simulation technology center - for program and planning to be paid for from community college resources (estimated total authorized cost \$20,000,000; state share \$10,000,000; community college share \$10,000,000)	100
Washtenaw Community College - Morris Lawrence building and student center building renovations - for program and planning to be paid for from community college resources (estimated total authorized cost \$6,000,000; state share \$3,000,000; community college share \$3,000,000)	100
Wayne County Community College - eastern campus facility upgrade and site redevelopment project - for program and planning to be paid for from community college resources (estimated total authorized cost \$16,000,000; state share \$8,000,000; community college share \$8,000,000)	100”
3. Amend page 6, line 26, by striking out “2,000” and inserting “3,300” and adjusting the subtotals, totals, and section 201 accordingly.	

The question being on the adoption of the amendments,
 Senator Thomas requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 561

Yeas—15

Anderson	Clark-Coleman	Jacobs	Switalski
Barcia	Clarke	Olshove	Thomas
Basham	Gleason	Prusi	Whitmer
Brater	Hunter	Scott	

Nays—22

Allen	Garcia	Kahn	Patterson
Birkholz	George	Kuipers	Richardville
Bishop	Gilbert	McManus	Sanborn
Brown	Hardiman	Nofs	Stamas
Cassis	Jansen	Pappageorge	Van Woerkom
Cropsey	Jelinek		

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

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. 562**Yeas—28**

Allen	Garcia	Kahn	Prusi
Anderson	Gilbert	Kuipers	Richardville
Barcia	Gleason	McManus	Sanborn
Birkholz	Hardiman	Nofs	Stamas
Bishop	Jacobs	Olshove	Switalski
Brown	Jansen	Pappageorge	Van Woerkom
Cropsey	Jelinek	Patterson	Whitmer

Nays—9

Basham	Clark-Coleman	George	Scott
Brater	Clarke	Hunter	Thomas
Cassis			

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Protests

Senators George, Cassis and Brater, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 1150.

Senator George's statement, in which Senator Cassis concurred, is as follows:

After much reflection, I voted "no" on this bill not because of an objection to any particular university or college project. Indeed, they are all meritorious when taken individually. I voted "no" instead because of their collective price tag.

When I look at the big picture, I see a state facing a \$1.5 billion budget shortfall, a state where the Governor-elect has promised an additional \$1.5 billion tax cut, a state with a 13 percent unemployment rate, and falling property values. In short, a state that is broke. Given these dynamics, the next Governor and the new Legislature will be hard pressed to find a way to balance next year's budget. We should not be saddling them with additional debt. We should not be making the problem worse.

It has been stated that the cost of this bill is only \$30 million. In fact, this is incorrect. The bill approves new state borrowing of \$630 million. This is the combined figure taking into account the borrowing by the state, its universities, and its community colleges. All of this must be paid back.

As you will recall, the operational funding to our colleges and universities has already been reduced. We have reduced it by about 10 percent less than in 2002. That falling state aid has led to tuition increases. In a state that is pinched for resources, what is needed is a reassessment of our university and college system. In a state that has lost a million jobs, we ought to be asking ourselves how we can afford to maintain the system we have built. But instead of looking for consolidation or savings, we are here proposing to expand the system by building new buildings.

In doing this, we encumber our universities and colleges with new operating expenses and new debt. We are doing it in the face of a likely further reduction in state appropriations next year. Any application of a value-for-money budgeting system without a new source of revenue will lead to reduced university appropriations.

We are sowing the seeds for tuition increases by allowing our universities and colleges to build more buildings and accumulate more debt and more operating expenses in the face of an inevitable cut in appropriations. The end result will be another round of tuition increases. We are going to put a college education out of range for the average Michigan family. That is why I voted “no” on Senate Bill No. 1150.

Senator Brater’s statement is as follows:

There were a variety of people voting “no” on the previous bill. Lest everyone think we voted “no” for the same reason, I wanted to enter my “no” vote explanation. I voted “no” on this bill because a number of community colleges and great universities in this state were zeroed out in their capital outlay appropriations. I think at this time in the state’s economic situation, it is most imperative that we continue to invest in these colleges and universities. They are our economic future.

Many of these buildings that are being applied for are science and technology buildings. We are asking these universities, including Wayne State, University of Michigan, and Michigan Tech, which were among the universities zeroed out in this bill that is before us—we are asking them to prepare our students for the economy of the 21st century, so that we can move Michigan forward and diversify our economy. It is most imperative that we continue to invest in these universities and colleges at this time.

I know I can speak for the University of Michigan, Wayne State University, and Michigan State University, who have been working through the university consortium that they have formed, and Michigan Tech in the U.P. are all striving to do exactly what we have asked of them; to foster technology transfer to spark new and diverse enterprises in our Michigan economy, which are what is so sorely needed in order to provide jobs and an economic base for our state. I also regret the removal of the project at Washtenaw Community College, which I also think is a very worthy investment, as it is for all the community colleges in the bill.

I trust that as this bill moves forward to the other chamber, there will be some give and take in negotiation, which will improve this bill. For the time being, I was unable to support it.

The following bill was read a third time:

Senate Bill No. 1578, entitled

A bill to provide for the establishment of art institute authorities; to provide for the powers and duties of an art institute authority; to authorize the levy and collection of a property tax by an art institute authority; and to provide for the powers and duties of certain government officials.

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. 563

Yeas—35

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

Nays—2

Anderson	Cassis
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Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Senators Barcia, Basham, Clarke, Richardville and Scott were named co-sponsors of the bill.

The following bill was read a third time:

Senate Bill No. 1579, entitled

A bill to amend 2008 PA 49, entitled “Zoological authorities act,” by amending section 13 (MCL 123.1173).

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. 564**Yeas—33**

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

Nays—4

Anderson	Cassis	George	Sanborn
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Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

Senators Barcia and Clarke were named co-sponsors of the bill.

The following bill was read a third time:

Senate Bill No. 1564, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11102, 11107, 11118a, 11121, 11123, 11124, 11125, 11129, 11140, and 11153 (MCL 324.11102, 324.11107, 324.11118a, 324.11121, 324.11123, 324.11124, 324.11125, 324.11129, 324.11140, and 324.11153), section 11118a as added by 1996 PA 182 and section 11153 as amended by 2008 PA 403; and to repeal acts and parts of acts.

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. 565**Yeas—37**

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

Nays—0**Excused—1**

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 1056, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8251 (MCL 600.8251), as amended by 2003 PA 7.

The question being on the passage of the bill,
Senator Sanborn offered the following substitute:
Substitute (S-1).

The substitute was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 566**Yeas—37**

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

Nays—0

Excused—1

Cherry

Not Voting—0

In The Chair: Sanborn

The Senate agreed to the title of the bill.

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

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

House Bill No. 4514

The motion prevailed.

Senate Bill No. 1302, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 48 (MCL 400.48), as amended by 1996 PA 423.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of
Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 75

Senate Resolution No. 88

House Concurrent Resolution No. 41

Senate Resolution No. 168

Senate Resolution No. 169

Senate Concurrent Resolution No. 48

The motion prevailed.

Senator Cropsey offered the following concurrent resolution:

Senate Concurrent Resolution No. 55.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, November 10, 2010, it stands adjourned until Tuesday, November 30, 2010, at 10:00 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Thursday, November 11, 2010, it stands adjourned until Tuesday, November 30, 2010, at 10:00 a.m.

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

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senator Cropsey offered the following concurrent resolution:

Senate Concurrent Resolution No. 56.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Wednesday, November 10, 2010, it stands adjourned until Tuesday, November 30, 2010, at 10:00 a.m.

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

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senator Brater introduced

Senate Bill No. 1584, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20120a and 21304a (MCL 324.20120a and 324.21304a), section 20120a as added by 1995 PA 71 and section 21304a as amended by 1996 PA 116.

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

Senator Switalski introduced

Senate Bill No. 1585, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," (MCL 38.1132 to 38.1140m) by adding section 13f.

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

House Bill No. 4958, entitled

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

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. 4959, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2008 PA 297.

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. 4960, entitled

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

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. 6435, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 460 (MCL 208.1460), as added by 2008 PA 335.

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

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

Committee Reports

The Committee on Commerce and Tourism reported

Senate Bill No. 1538, entitled

A bill to amend 2006 PA 317, entitled "An act to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts," (MCL 125.1971 to 125.1972) by repealing enacting section 1.

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, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1578, entitled

A bill to provide for the establishment of art institute authorities; to provide for the powers and duties of an art institute authority; to authorize the levy and collection of a property tax by an art institute authority; and to provide for the powers and duties of certain government officials.

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, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1579, entitled

A bill to amend 2008 PA 49, entitled "Zoological authorities act," by amending section 13 (MCL 123.1173).

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, Stamas, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

House Bill No. 5566, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2007 PA 204 and section 13 as amended by 2007 PA 202.

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, 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. 5808, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88a (MCL 125.2088a), as amended by 2006 PA 639.

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, 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

Senate Bill No. 1079, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2008 PA 257.

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, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1081, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 3, 4, 5, and 12 (MCL 125.2152, 125.2153, 125.2154, 125.2155, and 125.2162), section 2 as amended by 2007 PA 200, sections 3 and 12 as amended by 2000 PA 248, and section 4 as amended by 2005 PA 15, and by adding sections 12c and 12d.

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, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1082, 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 sections 2 and 22 (MCL 207.552 and 207.572), section 2 as amended by 2008 PA 581 and section 22 as amended by 1994 PA 266.

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, Clarke and Hunter

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Commerce and Tourism reported

Senate Bill No. 1083, entitled

A bill to encourage the creation of next Michigan development corporations by interlocal agreement and to prescribe their powers and duties; to foster economic opportunities in this state and prevent conditions of unemployment and under-employment and to promote economic growth; to provide for the designation of next Michigan development districts and next Michigan development businesses; and to prescribe the powers and duties of certain state and local departments, entities, and officials.

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, 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

Senate Bill No. 1084, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 573.

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, 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, November 9, 2010, at 8:00 a.m., Room 100, Farnum Building

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

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 138, entitled

A bill to amend 2006 PA 317, entitled "An act to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts," by amending section 2 (MCL 125.1972).

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.

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Thomas and Jacobs

Nays: None

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

The Committee on Economic Development and Regulatory Reform reported

Senate Bill No. 1493, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 6243, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1, 2, 3, 4, 7, and 17 (MCL 125.1651, 125.1652, 125.1653, 125.1654, 125.1657, and 125.1667), section 1 as amended by 2008 PA 225, section 2 as amended by 1985 PA 159, section 3 as amended by 2005 PA 115, section 4 as amended by 2006 PA 279, section 7 as amended by 2008 PA 226, and section 17 as amended by 1993 PA 122.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Economic Development and Regulatory Reform reported

House Bill No. 6374, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2009 (MCL 339.2009), as amended by 1988 PA 463.

With the recommendation that the bill pass.

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

Alan Sanborn
Chairperson

To Report Out:

Yeas: Senators Sanborn, Allen, Gilbert, Thomas and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development and Regulatory Reform submitted the following:

Meeting held on Tuesday, November 9, 2010, at 1:00 p.m., Room 405, Capitol Building

Present: Senators Sanborn (C), Allen, Gilbert, Thomas and Jacobs

Excused: Senators Richardville and Hunter

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 1564, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11102, 11107, 11118a, 11121, 11123, 11124, 11125, 11129, 11140, and 11153 (MCL 324.11102, 324.11107, 324.11118a, 324.11121, 324.11123, 324.11124, 324.11125, 324.11129, 324.11140, and 324.11153), section 11118a as added by 1996 PA 182 and section 11153 as amended by 2008 PA 403; and to repeal acts and parts of acts.

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.

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

House Bill No. 5368, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501, 8517, and 8520 (MCL 324.8501, 324.8517, and 324.8520), section 8501 as amended by 2008 PA 13, section 8517 as amended by 2008 PA 14, and section 8520 as added by 2006 PA 503, and by adding sections 8512b, 8512f, and 8512g.

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.

Patricia L. Birkholz

Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Basham and Gleason

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 Natural Resources and Environmental Affairs submitted the following:

Meeting held on Tuesday, November 9, 2010, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

Excused: Senator Patterson

The Committee on Appropriations reported

Senate Bill No. 1150, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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.

Ron Jelinek

Chairperson

To Report Out:

Yeas: Senators Jelinek, Pappageorge, Hardiman, Kahn, Cropsey, Garcia, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia and Cherry

Nays: Senators George, Brater, Clark-Coleman and Scott

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

The Committee on Appropriations reported

Senate Bill No. 1558, entitled

A bill to authorize the state administrative board to convey certain state-owned property in Genesee county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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.

Ron Jelinek

Chairperson

To Report Out:

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

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 Appropriations submitted the following:

Meeting held on Tuesday, November 9, 2010, at 12:30 p.m., 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

The Committee on Judiciary reported

Senate Bill No. 1561, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2836a.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Patterson, Stamas and Basham

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1562, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Patterson, Stamas and Basham

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 1563, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, and 2848 (MCL 333.2803, 333.2804, 333.2834, and 333.2848), sections 2803, 2834, and 2848 as amended by 2002 PA 562 and section 2804 as amended by 1990 PA 149, and by adding sections 2836 and 2854.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Cropsey, Sanborn, Patterson, Stamas and Basham

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 212, 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 section 14 (MCL 28.434), as amended by 2000 PA 381.

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.

Wayne Kuipers
Chairperson

To Report Out:

Yeas: Senators Kuipers, Sanborn, Patterson, Stamas and Basham

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 Judiciary submitted the following:

Meeting held on Tuesday, November 9, 2010, at 12:00 noon, Room 210, Farnum Building

Present: Senators Kuipers (C), Cropsey, Sanborn, Patterson, Stamas, Whitmer, Clarke and Basham

The Committee on Families and Human Services reported

Senate Bill No. 1528, entitled

A bill to amend 1975 PA 169, entitled "Charitable organizations and solicitations act," by amending the title and sections 3, 5, 7, 11, 13, 16, 18, 20, 21, and 23 (MCL 400.273, 400.275, 400.277, 400.281, 400.283, 400.286, 400.288, 400.290, 400.291, and 400.293), section 3 as amended by 2008 PA 424 and section 13 as amended by 1992 PA 299, and by adding sections 17a, 23a, and 23b; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families and Human Services reported

Senate Bill No. 1577, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen and Jacobs

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Families and Human Services submitted the following:

Meeting held on Wednesday, November 10, 2010, at 9:00 a.m., Room 110, Farnum Building

Present: Senators Jansen (C) and Jacobs

Excused: Senator Hardiman

The Committee on Banking and Financial Institutions reported

Senate Bill No. 1525, entitled

A bill to amend 2009 PA 75, entitled "Mortgage loan originator licensing act," by amending sections 3 and 29 (MCL 493.133 and 493.159).

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, Nofs, 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, November 10, 2010, at 9:00 a.m., Room 210, Farnum Building

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

Excused: Senator Sanborn

The Committee on Appropriations reported

House Bill No. 6212, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2008 PA 455.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

Yeas: Senators Jelinek, Hardiman, Garcia, George, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater, Cherry, Clark-Coleman and Scott

Nays: None

The bill was referred to the Committee of the Whole.

Scheduled Meetings

Conference Committee -

Redemption Game Coupons (HB 4932) - Tuesday, November 30, 12:00 noon, Room 521, South Tower, House Office Building (373-8140)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 7:23 p.m.

Pursuant to Senate Concurrent Resolution No. 55, the Assistant President pro tempore, Senator Sanborn, declared the Senate adjourned until Tuesday, November 30, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate