

**No. 65**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**95th Legislature**  
**REGULAR SESSION OF 2010**

---

---

Senate Chamber, Lansing, Wednesday, July 21, 2010.

10:00 a.m.

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

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

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

Garcia—excused  
George—present  
Gilbert—present  
Gleason—excused  
Hardiman—present  
Hunter—present  
Jacobs—excused  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—excused  
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 Bill Hardiman of the 29th District offered the following invocation:

“This is the day that the Lord has made; we will rejoice and be glad in it.” Father God, we thank You for this day. We thank You for Your many, many, many blessings You have bestowed upon us, Lord God. Thank You for this beautiful country; thank You for freedom; thank You for faith, freedom, friends, life, and liberty. We glory in the blessings that You give. We thank You for the sacrifice of Your Son, Lord God.

And, Father, we ask that You would bless our government, Lord God. Bless President Obama, Governor Granholm, and the leaders here in the Senate and in the House, Lord God. Help us to make wise decisions in accordance with Your will that we might live in peace and prosper.

Father, we ask that You bless the people of this great state, Lord God. Father, there are many who are hurting, Lord God. We run into them, and we talk to them, Lord God. Father, help them to stay strong in You and in their independence, Lord God, but interdependent as we work together to make this a better state and a better country.

Father, bless each and everyone. Bless the children, Lord God. Bless the children, and may we give out of our own individual bounty our love and our treasure. Help us to understand that’s what creates community.

Now, Father, bless this chamber. Help us to do all that is in accordance with Your will. We ask these things in the precious name of Jesus Christ. Amen.

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

### Motions and Communications

Senators Cassis, George, Jansen, Sanborn and McManus entered the Senate Chamber.

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

The following communications were received and read:  
Office of the Auditor General

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Community Health for the period October 1, 2007 through September 30, 2009.

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Michigan Department of Education for the period October 1, 2007 through September 30, 2009.

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Environmental Quality (DEQ) for the period October 1, 2007 through September 30, 2009.

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Military and Veterans Affairs for the period October 1, 2007 through September 30, 2009.

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Department of Natural Resources for the period October 1, 2007 through September 30, 2009.

June 30, 2010

Enclosed is a copy of the following audit report:

Financial audit, including the provisions of the Single Audit Act, of the Michigan Department of State Police for the period October 1, 2007 through September 30, 2009.

Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communication was received:

Office of the State Budget

June 29, 2010

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2009, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2009 is 58.53%, which is \$2.5 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,  
Robert L. Emerson  
State Budget Director

The communication was referred to the Secretary for the record.

The following communication was received:

Department of State

Administrative Rules  
Notice of Filing

June 30, 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 the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-049-LG (Secretary of State Filing #10-06-06) on this date at 1:17 p.m. for the Department of Energy, Labor, and Economic Growth, entitled "Michigan Boiler Rules."

These rules take effect 30 days after filing with the Secretary of State.

Sincerely,  
Terry Lynn Land  
Secretary of State  
Robin L. Houston, Departmental Supervisor  
Office of the Great Seal

The communication was referred to the Secretary for record.

The following communication was received:

Municipal Employees' Retirement System

June 30, 2010

Enclosed is a copy of the *Comprehensive Annual Financial Report for the Year Ending December 31, 2009*. I am providing this to you pursuant to the requirements of the *MERS Plan Document* and MCL 38.1536(2)(f). Please read the report into the Daily Journal, since the journal is the recognized official document for communication for the members of the Legislature.

The report can also be found on our website at: [www.mersofmich.com](http://www.mersofmich.com). We hope that you find the report informative.

Sincerely,  
Anne M. Wagner  
Chief Executive Officer

The communication was referred to the Secretary for the record.

The following communication was received:  
Department of State Police

July 12, 2010

In accordance with MCL 333.7524a., I am pleased to present to the Michigan Legislature the 18th comprehensive report on asset forfeiture. Michigan's asset forfeiture program saves taxpayer money and deprives drug criminals of cash and property obtained through illegal activity. Michigan's law enforcement community has done an outstanding job of stripping drug dealers of illicit gain and utilizing these proceeds to expand and enhance drug enforcement efforts to protect our citizens.

During 2009, over \$33.9 million in cash and assets amassed by drug traffickers was forfeited and placed into the fight against drugs through the use of state and federal forfeiture laws. Extensive multi-agency teamwork is evident in this report. Considerable assets were obtained as the result of joint enforcement involving several agencies at the federal, state and local levels.

Forfeiture funds were used to further enforce drug laws by providing resources for drug enforcement personnel, needed equipment, undercover informant and investigative costs, and matching funds to obtain federal grants. Some of the forfeited assets were also used for drug and gang prevention education programs.

I commend our law enforcement community for the tremendous job they have done and submit this report for your information and review.

Sincerely,  
Col. Eddie L. Washington, Jr.  
Director

The communication was referred to the Secretary for record.

The following communication was received:  
Department of Treasury

July 15, 2010

Please find attached one copy of the Personal Property Audit Quarterly Report for the period April 1, 2009 - June 30, 2009. The report is required by Public Act 128 of 2009, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

Sec. 947. (1) The department of treasury shall submit quarterly progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

Frederick Headen, Director  
Bureau of Local Government Services

The communication was referred to the Secretary for record.

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

Senator Thomas moved that Senators Brater, Jacobs and Gleason be excused from today's session.  
The motion prevailed.

### Recess

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

11:35 a.m.

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

During the recess, Senators Scott and Hunter entered the Senate Chamber.

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:

**House Bill No. 5843**

**Senate Bill No. 797**

**House Bill No. 5295**

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

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

**Senate Resolution No. 172**

The motion prevailed.

Senator Cropsey moved that when the Senate adjourns today, it stand adjourned until Wednesday, July 28; when it adjourns on Wednesday, July 28, it stand adjourned until Wednesday, August 11; and when it adjourns on Wednesday, August 11, it stand adjourned until Tuesday, August 17.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, July 1:

**House Bill Nos. 5716 5717 5763 5821 6099 6100 6175 6176 6243**

The Secretary announced that the following House bills were received in the Senate and filed on Friday, July 2:

**House Bill Nos. 4468 4469 4538 5043 5076 5678 5679 6007 6053 6091 6195 6254 6255**

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, July 7, for her approval the following bill:

**Enrolled Senate Bill No. 1163 at 12:30 p.m.**

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, July 8, for her approval the following bills:

**Enrolled Senate Bill No. 1315 at 11:06 a.m.**

**Enrolled Senate Bill No. 1166 at 11:08 a.m.**

**Enrolled Senate Bill No. 500 at 11:10 a.m.**

**Enrolled Senate Bill No. 26 at 11:12 a.m.**

**Enrolled Senate Bill No. 27 at 11:14 a.m.**

**Enrolled Senate Bill No. 28 at 11:16 a.m.**

**Enrolled Senate Bill No. 1310 at 11:18 a.m.**

**Enrolled Senate Bill No. 1312 at 11:20 a.m.**

**Enrolled Senate Bill No 1314 at 11:22 a.m.**

**Enrolled Senate Bill No. 791 at 11:24 a.m.**

**Enrolled Senate Bill No. 1139 at 11:26 a.m.**

**Enrolled Senate Bill No. 1311 at 11:28 a.m.**

**Enrolled Senate Bill No. 1313 at 11:30 a.m.**

The Secretary announced that the following official bills were printed on Thursday, July 1, and are available at the legislative website:

**House Bill Nos. 6300 6301 6302**

The Secretary announced that the following official bills and joint resolution were printed on Friday, July 2, and are available at the legislative website:

**Senate Bill Nos. 1411 1412 1413 1414 1415**

**House Bill Nos. 6303 6304 6305 6306 6307 6308 6309 6310 6311 6312 6313 6314 6315 6316  
6317 6318 6319 6320 6321 6322 6323 6324 6325**

**House Joint Resolution HHH**

By unanimous consent the Senate proceeded to the order of

**Introduction and Referral of Bills**

Senator Nofs introduced

**Senate Bill No. 1416, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 32 to chapter V.

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

Senators Clarke, Clark-Coleman, Hunter, Scott and Thomas introduced

**Senate Bill No. 1417, entitled**

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," (MCL 247.801 to 247.816) by adding section 6c.

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

Senators Stamas and Allen introduced

**Senate Bill No. 1418, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 4 (MCL 409.104), as amended by 1996 PA 438.

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

Senator Stamas introduced

**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 bill was read a first and second time by title and referred to the Committee on Commerce and Tourism.

Senator Thomas introduced

**Senate Bill No. 1420, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2006 PA 342.

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

Senators Cassis and Nofs introduced

**Senate Bill No. 1421, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2010 PA 80.

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

Senator Hunter introduced

**Senate Bill No. 1422, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4q (MCL 205.54q), as amended by 2004 PA 173.

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

Senator Hunter introduced

**Senate Bill No. 1423, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1147 (MCL 380.1147).

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

Senator Hunter introduced

**Senate Bill No. 1424, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2009 PA 203.

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

Senator Hunter introduced

**Senate Bill No. 1425, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 38 (MCL 141.1238).

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

Senator Hunter introduced

**Senate Bill No. 1426, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 40 (MCL 141.1240).

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

Senator Hunter introduced

**Senate Bill No. 1427, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending sections 21a and 41a (MCL 141.1221a and 141.1241a), as added by 2009 PA 181.

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

Senator Hunter introduced

**Senate Bill No. 1428, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280c (MCL 380.1280c), as added by 2009 PA 204.

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

Senator Hunter introduced

**Senate Bill No. 1429, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 38 (MCL 141.1238).

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

Senators Thomas, Sanborn, Gilbert, Richardville, Hunter, Jacobs, Prusi, Patterson, Basham, Clarke, Stamas, Olshove, Clark-Coleman, Gleason, Whitmer, Scott, Jelinek, Kahn, Switalski, Nofs, Cherry and Cropsey introduced

**Senate Bill No. 1430, 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 bill was read a first and second time by title and referred to the Committee on Economic Development and Regulatory Reform.

Senator Kuipers introduced

**Senate Bill No. 1431, entitled**

A bill to provide that no person be required to obtain or maintain health insurance coverage.

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

Senator Hardiman introduced

**Senate Bill No. 1432, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57v.

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

**House Bill No. 4468, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16226 (MCL 333.16226), as amended by 2004 PA 214.

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 Health Policy.

**House Bill No. 4469, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2004 PA 214.

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 Health Policy.

**House Bill No. 4538, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as added by 2009 PA 107.

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 Appropriations.

**House Bill No. 5043, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16245 (MCL 333.16245), as amended by 2006 PA 26.

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 Health Policy.

**House Bill No. 5076, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1062.

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. 5678, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2008 PA 361.

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 Appropriations.

**House Bill No. 5679, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 15a (MCL 474.65a), as added by 2002 PA 747.

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 Appropriations.

**House Bill No. 5716, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2008 PA 310, and by adding section 3i.

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

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

**House Bill No. 5717, entitled**

A bill to amend 1975 PA 169, entitled "Charitable organizations and solicitations act," by amending section 2 (MCL 400.272) and by adding section 19.

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

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

**House Bill No. 5763, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 7, 8, 9, 10, and 11 to chapter III.

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

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



**House Bill No. 5821, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476), as amended by 2004 PA 534.

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 Banking and Financial Institutions.

**House Bill No. 6007, 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 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 Economic Development and Regulatory Reform.

**House Bill No. 6053, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224d (MCL 750.224d), as amended by 2006 PA 401.

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

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

**House Bill No. 6091, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16278.

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 Health Policy.

**House Bill No. 6099, entitled**

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 2, 3, and 4 (MCL 445.1562, 445.1563, and 445.1564), sections 2 and 3 as amended by 1998 PA 456 and section 4 as amended by 2000 PA 240.

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.

Senator Cropsy moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the General Orders calendar for consideration today.

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

**House Bill No. 6100, entitled**

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 11, 12, 13, and 14 (MCL 445.1571, 445.1572, 445.1573, and 445.1574), sections 11 and 12 as amended by 1983 PA 188, section 13 as amended by 1998 PA 456, and section 14 as amended by 2000 PA 239.

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.

Senator Cropsy moved that rule 3.203 be suspended and that the bill be referred to the Committee of the Whole and placed on the General Orders calendar for consideration today.

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

**House Bill No. 6175, 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 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.

**House Bill No. 6176, entitled**

A bill to establish the American Red Cross 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 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.

**House Bill No. 6195, entitled**

A bill to create the Michigan quality community care council; to prescribe the powers and duties of the council; to prescribe the powers and duties of certain state departments; and to provide for the transfer of programs, employees, and funds.

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 Senior Citizens and Veterans Affairs.

**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.

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 Economic Development and Regulatory Reform.

**House Bill No. 6254, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 18 (MCL 141.1218).

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 Local, Urban and State Affairs.

**House Bill No. 6255, entitled**

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending section 20 (MCL 141.1220).

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 Local, Urban and State Affairs.

By unanimous consent the Senate returned to the order of

**Messages from the Governor**

The following messages from the Governor were received:

Date: July 1, 2010

Time: 10:03 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 115 (Public Act No. 106), being**

An act to amend 1993 PA 354, entitled "An act to revise, consolidate, and codify the laws relating to railroads and their employees; to prescribe powers and duties of certain state and local agencies and officials; to prescribe fees; to create

certain funds; to provide for the disposition of certain money; to provide remedies and penalties; and to repeal certain acts and parts of acts,” (MCL 462.101 to 462.451) by adding section 318.

(Filed with the Secretary of State on July 1, 2010, at 10:48 a.m.)

Date: July 1, 2010

Time: 10:19 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 325 (Public Act No. 107), being**

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by amending the title, as amended by 2005 PA 105, and by adding section 539l.

(Filed with the Secretary of State on July 1, 2010, at 10:50 a.m.)

Date: July 12, 2010

Time: 12:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1166 (Public Act No. 111), being**

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

(Filed with the Secretary of State on July 12, 2010, at 3:18 p.m.)

Date: July 13, 2010

Time: 9:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1343 (Public Act No. 114), being**

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 434 (MCL 208.1434), as amended by 2009 PA 240.

(Filed with the Secretary of State on July 13, 2010, at 10:54 a.m.)

Date: July 13, 2010

Time: 9:32 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 198 (Public Act No. 115), being**

An act to amend 1937 PA 94, entitled “An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,” by amending section 4o (MCL 205.94o), as amended by 2004 PA 172.

(Filed with the Secretary of State on July 13, 2010, at 10:56 a.m.)

Date: July 13, 2010

Time: 9:44 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1315 (Public Act No. 121), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities;

to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 18223 (MCL 333.18223), as amended by 1986 PA 174.

(Filed with the Secretary of State on July 13, 2010, at 11:08 a.m.)

Date: July 19, 2010  
Time: 8:45 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 500 (Public Act No. 122), being**

An act 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 3 and 15 (MCL 207.553 and 207.565), section 3 as amended by 2007 PA 13 and section 15 as amended by 2008 PA 170.

(Filed with the Secretary of State on July 19, 2010, at 9:18 a.m.)

Date: July 19, 2010  
Time: 8:47 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 791 (Public Act No. 123), being**

An act to create the uniform real property electronic recording act; and to create an electronic recording commission and provide for its powers and duties.

(Filed with the Secretary of State on July 19, 2010, at 9:20 a.m.)

Date: July 19, 2010  
Time: 8:49 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 26 (Public Act No. 124), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation

of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17048 (MCL 333.17048), as amended by 1996 PA 355.

(Filed with the Secretary of State on July 19, 2010, at 9:22 a.m.)

Date: July 19, 2010

Time: 8:51 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 28 (Public Act No. 126), being**

An act to amend 1993 PA 23, entitled “An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies,” by amending sections 902 and 904 (MCL 450.4902 and 450.4904), section 902 as amended by 1997 PA 52 and section 904 as amended by 2000 PA 333.

(Filed with the Secretary of State on July 19, 2010, at 9:26 a.m.)

Date: July 19, 2010

Time: 8:53 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 27 (Public Act No. 125), being**

An act to amend 1962 PA 192, entitled “An act authorizing the creation of professional service corporations; providing definitions; providing exceptions; providing the manner and method of creating such corporations; providing for individual liability of officers, employees and agents of such corporations in certain instances; authorizing certain investments of corporate funds; regulating the issuance and transfer of capital stock; providing forfeiture of corporate franchise in certain instances; and requiring identification as a corporation,” by amending sections 2 and 4 (MCL 450.222 and 450.224), section 2 as amended by 1998 PA 48 and section 4 as amended by 2000 PA 335.

(Filed with the Secretary of State on July 19, 2010, at 9:24 a.m.)

Date: July 19, 2010

Time: 8:55 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 1139 (Public Act No. 127), being**

An act to amend 1986 PA 281, entitled “An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,” by amending section 11b (MCL 125.2161b), as added by 2008 PA 155.

(Filed with the Secretary of State on July 19, 2010, at 9:28 a.m.)

Respectfully,  
Jennifer M. Granholm  
Governor

The following message from the Governor was received and read:

APPROPRIATIONS; SCHOOL AID

July 7, 2010

Today I have signed Enrolled Senate Bill 1163, the school aid budget for the fiscal year ending September 30, 2011. However, I have disapproved several appropriations in the bill, as authorized by Section 19 of Article V of the Michigan Constitution. The specific item vetoes are detailed in the attached copy of the bill, which has been filed with the Secretary of State.

The completion of the school aid budget together with the passage of retirement reform legislation will provide schools with the financial certainty needed to adjust budgets early in the school fiscal year. All districts will receive a modest \$11 per pupil increase. This budget also recognizes the importance of early childhood education by adding \$2.6 million in funding for Great Start school readiness programs, which will provide 760 additional slots for students to enroll in the programs. In total, Enrolled Senate Bill 1163 appropriates over \$12.8 billion for fiscal year 2011 to support K-12 education in Michigan.

I have disapproved the following proposed appropriations that earmark funding for new programs: sections 22e(6), 92, and 99p. I cannot support such special earmarks when a per-pupil reduction is still in effect for all schools.

I have also disapproved several proposed appropriations which are contingent upon passage of legislation to increase state revenues: sections 20(25), 20j, and 32c. Given the overall severe budgetary problems we are facing, spending decisions should be made at the point the Legislature actually enacts legislation to increase revenues.

I thank the Legislature for their hard work on behalf of Michigan's children.

Respectfully,  
Jennifer M. Granholm  
Governor

This bill was signed by the Governor on July 7, 2010, at 4:25 p.m. (Filed with the Secretary of State on July 8, 2010, at 11:22 a.m.) and assigned Public Act No. 110.

The question being on the passage of the vetoed line items, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

The following messages from the Governor were received and read:

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 2 of 1978 PA 389, MCL 400.1502:

**Domestic Violence Prevention and Treatment Board**

Ms. Shirley Mann Gray of 5399 West Bloomfield Lake Road, West Bloomfield, Michigan 48323, county of Oakland, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

The Honorable Nathaniel C. Perry, III, of 3102 Circle Drive, Flint, Michigan 48507, county of Genesee, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

Ms. Kym L. Worthy of 1441 St. Antoine Street, Detroit, Michigan 48226, county of Wayne, is reappointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing October 1, 2010 and expiring September 30, 2013.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 3 of the Firefighters Training Council Act of 1966, 1966 PA 291, MCL 29.363:

**Firefighters Training Council**

Mr. Randal J. Agruda of 3879 Pleasant Ridge Drive, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed from a list submitted by the Michigan Townships Association and the Michigan Municipal League, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Timothy A. James of 458 South Main Street, Vermontville, Michigan 49096, county of Eaton, is reappointed from a list submitted by the Michigan Association of Fire Chiefs, for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. Clifford A. Messing of 8826 East Huron Line Road, Ruth, Michigan 48470, county of Sanilac, is reappointed from a list submitted by the Michigan State Firemen's Association, for a term commencing January 1, 2011 and expiring December 31, 2014.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 2 of 1960 PA 120, MCL 390.842:

**Grand Valley State University Board of Control**

Mr. Douglas W. Crim of 16711 Peacock Lane, Haslett, Michigan 48840, county of Clinton, succeeding Lucille Taylor, whose term will expire, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Ms. Mary L. Kramer of 8162 East Jefferson Avenue, Unit 1A, Detroit, Michigan 48214, county of Wayne, succeeding Dorothy Johnson, whose term will expire, is appointed for a term commencing January 1, 2011 and expiring December 31, 2018.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to office pursuant to Executive Order 2001-5, MCL 28.621 and Executive Order 2008-19:

**Michigan Commission on Law Enforcement Standards**

Mr. Ronald J. Bretz of 3521 Delta River Drive, Lansing, Michigan 48906, county of Ingham, is reappointed to represent individuals submitted by the Criminal Defense Attorneys of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. James D. Bosscher of 8252 West Falmouth Road, McBain, Michigan 49657, county of Missaukee, is reappointed to represent elected sheriffs submitted by the Michigan Sheriffs' Association, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. David L. Morse of 1752 Town Commons Drive, Howell, Michigan 48855, county of Livingston, is reappointed to represent individuals submitted by the Prosecuting Attorneys Association of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

Ms. Doreen E. Olko of 3874 HiDale Drive, Lake Orion, Michigan 48360, county of Oakland, is reappointed to represent individuals submitted by the Michigan Association of Chiefs of Police, for a term commencing November 2, 2010 and expiring November 1, 2014.

Mr. Richard R. Weiler of 2521 Foxhill Drive, Sterling Heights, Michigan 48310, county of Macomb, is reappointed to represent individuals nominated by the Police Officers Labor Council of Michigan, for a term commencing November 2, 2010 and expiring November 1, 2014.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment and reappointments to state office under Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501:

**Natural Resources Commission**

Mr. John D. Matonich, a Democrat, of 9502 Shyre Circle, Davison, Michigan 48423, county of Genesee, succeeding Keith Charters, whose term has expired, is appointed for a term commencing July 1, 2010 and expiring December 31, 2013.

Mr. John M. Madigan, a Republican, of 831 West Munising Avenue, Munising, Michigan 49862, county of Alger, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. James R. Richardson, a Republican, of 36658 McGuire Road, Ontonagon, Michigan 49953, county of Ontonagon, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905:

**Michigan Natural Resources Trust Fund Board**

Mr. Keith J. Charters of 126 Spring Hill Road, Traverse City, Michigan 48686, county of Grand Traverse, succeeding Lana Pollock, who has resigned, is appointed for a term commencing July 1, 2010 and expiring October 1, 2011.

Ms. Lisa K. Wozniak of 1018 North Congress Street, Ypsilanti, Michigan 48197, county of Washtenaw, succeeding Dennis Muchmore, whose term will expire, is appointed for a term commencing October 2, 2010 and expiring October 1, 2014.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following reappointments to state office under Section 1 of 1963 (2nd Ex. Sess.) PA 48, MCL 390.551:

**Northern Michigan University Board of Control**

Mr. Larry C. Inman of 8971 Crockett, Williamsburg, Michigan 49690, county of Grand Traverse, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

Mr. Douglas B. Roberts, Ph.D., of 1853 Northgate Drive, East Lansing, Michigan 48823, county of Ingham, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2018.

July 1, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointments and reappointments to state office under Section 78102 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.78102:

**Michigan State Waterways Commission**

Mr. Brian T. Arp of 30255 White Street, Gibraltar, Michigan 48173, county of Wayne, succeeding Michael Bryanton, whose term will expire, is appointed for a term commencing September 19, 2010 and expiring September 18, 2013.

Mr. Michael J. Bryanton of 523 Bainbridge Drive, #42, East Lansing, Michigan 48823, county of Ingham, succeeding Carol Oakley, whose term has expired, is appointed for a term commencing July 1, 2010 and expiring September 18, 2012.

Mr. Glen Dennis Bailey of 30024 East Maxton, Drummond Island, Michigan 49726, county of Chippewa, is reappointed to represent persons residing north of Townline 16 in the Upper Peninsula and individuals who own or operate a harbor or marina, for a term commencing September 19, 2010 and expiring September 18, 2013.

Mr. Curtis A. Hertel, Sr., of 1464 Blairmoor Court, Grosse Pointe Woods, Michigan 48236, county of Wayne, is reappointed for a term expiring September 18, 2012.

Ms. Janet M. Mansfield of 4991 French Road, Alpena, Michigan 49707, county of Alpena, is reappointed to represent persons residing north of Townline 16 in the Lower Peninsula, for a term expiring September 18, 2012.

July 13, 2010

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Executive Order 2010-2, MCL 12.194:

**Michigan Finance Authority**

Ms. JulieAnn Karkosak, a Democrat, of 136 Oakland Drive, East Lansing, Michigan 48823, county of Ingham, is appointed to represent residents of this state, for a term commencing July 13, 2010 and expiring September 30, 2014.

Sincerely,  
Jennifer M. Granholm  
Governor

The appointments were referred to the Committee on Government Operations.

The following message from the Governor was received and read:

July 2, 2010

Due to an error on the July 1, 2010 letter filed with your office pursuant to Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, please be advised of the following correction appearing in **bold print**:

**Natural Resources Commission**

Mr. John D. Matonich, a Democrat, of 9502 Shyre Circle, Davison, Michigan 48423, county of Genesee, succeeding Keith Charters, whose term has expired, is appointed for a term commencing **July 12, 2010** and expiring December 31, 2013.

Mr. John M. Madigan, a Republican, of 831 West Munising Avenue, Munising, Michigan 49862, county of Alger, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

Mr. James R. Richardson, a Republican, of 36658 McGuire Road, Ontonagon, Michigan 49953, county of Ontonagon, is reappointed for a term commencing January 1, 2011 and expiring December 31, 2014.

Sincerely,  
Jennifer M. Granholm  
Governor

The message was referred to the Committee on Government Operations.

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 pro tempore, Senator Richardville, designated Senator Sanborn 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 bills:

**House Bill No. 6097, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7704 (MCL 500.7704), as amended by 2006 PA 671.



**House Bill No. 5843, entitled**

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending section 4105 (MCL 289.4105), as amended by 2007 PA 113.

**House Bill No. 5295, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 261 (MCL 208.1261).  
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. 749, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803e (MCL 257.803e), as amended by 2003 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. 1093, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

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. 1262, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 320d (MCL 257.320d), as added by 2008 PA 568; and to repeal acts and parts of acts.

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. 797, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

Substitute (S-1).

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

1. Amend page 35, following line 14, by inserting:  
“Electronic benefit transfer EBT ..... 4,552,700”.
2. Amend page 35, line 15, by striking out “(120,000)” and inserting “4,432,700”.
3. Amend page 35, line 18, by striking out “(82,500)” and inserting “284,400”.
4. Amend page 35, following line 18, by inserting:  
“Federal supplemental nutrition assistance revenues (ARRA) ..... 4,082,200”.
5. Amend page 35, line 19, by striking out “(37,500)” and inserting “66,100”.
6. Amend page 37, following line 18, by inserting:  
“(10) PUBLIC ASSISTANCE

Food assistance program benefits.....	16,337,200
Food assistance program benefits (ARRA) .....	100,855,800
GROSS APPROPRIATION .....	\$ 117,193,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	16,337,200
Federal supplemental nutrition assistance revenues (ARRA) .....	100,855,800
State general fund/general purpose .....	\$ 0”.

- 7. Amend page 57, following line 17, by inserting:  
 “Grants for disaster assistance..... 134,600”.
- 8. Amend page 57, line 18, by striking out “(75,100)” and inserting “59,500”.
- 9. Amend page 57, line 25, by striking out “(17,500)” and inserting “117,100” and adjusting the subtotals, totals, and section 201 accordingly.

10. Amend page 74, following line 2, by inserting:

**“DEPARTMENT OF HUMAN SERVICES**

Sec. 301. The department shall cancel lease number 2773 located at 14000 Schoolcraft Avenue, Detroit, Michigan, upon at least 90 days prior written notice to the lessor.”.

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:

**House Bill No. 6099, entitled**

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 2, 3, 4, 5, 6, 11, 12, and 13 (MCL 445.1562, 445.1563, 445.1564, 445.1565, 445.1566, 445.1571, 445.1572, and 445.1573), sections 2, 3, 5, and 13 as amended by 1998 PA 456, section 4 as amended by 2000 PA 240, and sections 6, 11, and 12 as amended by 1983 PA 188.

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. 6100, entitled**

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 14, 15, 17, and 20 (MCL 445.1574, 445.1575, 445.1577, and 445.1580), section 14 as amended by 2000 PA 239 and section 17 as amended by 1983 PA 188, and by adding section 14a.

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.

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. 797**
- House Bill No. 6099**
- House Bill No. 6100**

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:

- House Bill No. 6203**
- Senate Bill No. 1077**
- Senate Bill No. 1284**
- Senate Bill No. 797**
- House Bill No. 6099**
- House Bill No. 6100**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 6203, entitled**

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending sections 6 and 16 (MCL 125.2786 and 125.2796).

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. 358**

**Yeas—33**

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

**Nays—0**

**Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

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 for the establishment of obsolete property rehabilitation districts in certain 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 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 certain local government officials; and to provide penalties.”

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 1077, entitled**

A bill to provide for, and facilitate the providing of, firefighter training programs to certain individuals through sponsors affiliated with certain other entities; and to prescribe standards for examinations.

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. 359**

**Yeas—33**

Allen	Clark-Coleman	Jelinek	Richardville
Anderson	Clarke	Kahn	Sanborn

Barcia  
 Basham  
 Birkholz  
 Bishop  
 Brown  
 Cassis  
 Cherry

Cropsey  
 George  
 Gilbert  
 Hardiman  
 Hunter  
 Jansen

McManus  
 Nofs  
 Olshove  
 Pappageorge  
 Patterson  
 Prusi

Scott  
 Stamas  
 Switalski  
 Thomas  
 Van Woerkom  
 Whitmer

**Nays—0**

**Excused—5**

Brater  
 Garcia

Gleason

Jacobs

Kuipers

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Kahn's statement is as follows:

Senate Bill No. 1077 provides the opportunity for a firefighter training program for high school students. Firefighting classes are today rarely offered through our public school systems. They are available through the Explorer program of the Boy Scouts, and that is usually independent of our K-12 system. Young people who are interested may not know about the availability of the program through the Boy Scouts or may not be scouts themselves. Our young people, therefore, might find it more convenient to take a firefighter training class in or through their own high school.

This bill allows an organized fire department to administer a firefighter I and a firefighter II course and the associated examination under the Firefighters Training Council Act and to also establish an Explorer post within its own department to train 16- and 17-year-olds in firefighting with the appropriate limitations and exclusions for age. A school district could affiliate itself with a fire department to enable 16- and 17-year-olds to take part in the training and examination and even have the courses within the school system.

This legislation would not require the state fire marshal or the Office of Firefighter Training to pay any funds for administering the course or examination, and these funds required under the Firefighters Training Council Act for these courses would be borne by the individual fire department or the young person taking the course and examination.

Lastly, a school board may apply to the State Board of Education for authorization to offer this class as an elective which would allow the students to earn credit. For example, it would fulfill the community service requirements that many high schools currently have.

I ask our members to support this bill and pass it.

The following bill was read a third time:

**Senate Bill No. 1284, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1280d.

The question being on the passage of the bill,

Senator Thomas offered the following amendment:

1. Amend page 7, following line 14, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 159 of the 95th Legislature is enacted into law."

The question being on the adoption of the amendment,

Senator Thomas requested the yeas and nays.

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

The amendment was not adopted, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 360****Yeas—17**

Anderson	Clarke	Nofs	Scott
Barcia	Hunter	Olshove	Switalski
Basham	Jelinek	Pappageorge	Thomas
Cherry	Kahn	Prusi	Whitmer
Clark-Coleman			

**Nays—16**

Allen	Cassis	Hardiman	Richardville
Birkholz	Cropsey	Jansen	Sanborn
Bishop	George	McManus	Stamas
Brown	Gilbert	Patterson	Van Woerkom

**Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

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. 361****Yeas—33**

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

**Nays—0****Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 797, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2010; and to provide for the expenditure of the 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. 362****Yeas—31**

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

**Nays—2**

Cassis	Patterson
--------	-----------

**Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 6099, entitled**

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 2, 3, and 4 (MCL 445.1562, 445.1563, and 445.1564), sections 2 and 3 as amended by 1998 PA 456 and section 4 as amended by 2000 PA 240.

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. 363****Yeas—33**

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

**Nays—0****Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.  
 The Senate agreed to the title of the bill.

The following bill was read a third time:

**House Bill No. 6100, entitled**

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 11, 12, 13, and 14 (MCL 445.1571, 445.1572, 445.1573, and 445.1574), sections 11 and 12 as amended by 1983 PA 188, section 13 as amended by 1998 PA 456, and section 14 as amended by 2000 PA 239.

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. 364****Yeas—33**

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

**Nays—0**

**Excused—5**

Brater  
Garcia

Gleason

Jacobs

Kuipers

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
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. 962, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 111 (MCL 208.1111), as amended by 2008 PA 433.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,  
The recommendation was concurred in, 2/3 of the members serving voting therefor.  
The Senate agreed to the full title.  
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 361, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 111 (MCL 208.1111), as amended by 2008 PA 433.

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 not concurred in, 2/3 of the members serving not voting therefor.

The House of Representatives requested the return of

**Senate Bill No. 361, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 111 (MCL 208.1111), as amended by 2008 PA 433.

Senator Cropsey moved that the request of the House of Representatives be granted.  
The motion prevailed.

**Senate Bill No. 1308, entitled**

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair



practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 14, 15, 17, and 20 (MCL 445.1574, 445.1575, 445.1577, and 445.1580), section 14 as amended by 2000 PA 239 and section 17 as amended by 1983 PA 188, and by adding section 14a.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 15, 17, and 20 (MCL 445.1575, 445.1577, and 445.1580), section 17 as amended by 1983 PA 188, and by adding section 14a.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

### Roll Call No. 365

### Yeas—33

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

### Nays—0

### Excused—5

Brater	Gleason	Jacobs	Kuipers
Garcia			

### Not Voting—0

In The Chair: Richardville

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

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

The Senate agreed to the title as amended.

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

### Senate Bill No. 1309, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair

practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 2, 3, 4, 5, 6, 11, 12, and 13 (MCL 445.1562, 445.1563, 445.1564, 445.1565, 445.1566, 445.1571, 445.1572, and 445.1573), sections 2, 3, 5, and 13 as amended by 1998 PA 456, section 4 as amended by 2000 PA 240, and sections 6, 11, and 12 as amended by 1983 PA 188.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 5 and 6 (MCL 445.1565 and 445.1566), section 5 as amended by 1998 PA 456 and section 6 as amended by 1983 PA 188.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

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

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

**Roll Call No. 366**

**Yeas—33**

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

**Nays—0**

**Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

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

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

The Senate agreed to the title as amended.

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

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**

The motion prevailed.

Senator Cropsey offered the following concurrent resolution:

**Senate Concurrent Resolution No. 49.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, July 1, 2010, it stands adjourned until Wednesday, July 21, 2010, at 10:00 a.m.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senator Pappageorge was named co-sponsor of the concurrent resolution.

Senators Hardiman, Hunter, Kuipers, Barcia, McManus, Cropsey, Jansen, Garcia, Van Woerkom, Gleason, Stamas, Gilbert, Sanborn and Nofs offered the following concurrent resolution:

**Senate Concurrent Resolution No. 50.**

A concurrent resolution to memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights.

Whereas, The rights of parents to direct the upbringing and education of their children is a fundamental right that must be protected by the Constitution of the United States and the Michigan Constitution; and

Whereas, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

Whereas, The interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, The United States Supreme Court in *Wisconsin v. Yoder* (1972) has held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

Whereas, However, the United States Supreme Court in *Troxel v. Granville* (2000) produced six different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, This decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of several states; and

Whereas, Senator James DeMint of South Carolina and Representative Peter Hoekstra of Michigan have introduced in the United States Congress a proposed amendment to the Constitution of the United States (Senate Joint Resolution 16 and House Joint Resolution 42) that would prevent erosion of the enduring American tradition of treating parental rights as fundamental rights:

"Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article."

; and

Whereas, This amendment will add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

Whereas, Such enumeration of these rights in the text of our nation's constitution will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to adopt and present to the states for ratification an amendment to the Constitution of the United States to establish fundamental parental rights; and be it further

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

Pending the order that, under rule 3.204, the 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 question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senator Pappageorge was named co-sponsor of the concurrent resolution.

Senator Birkholz offered the following resolution:

**Senate Resolution No. 173.**

A resolution to express support for the lawsuit filed July 19, 2010, in federal court by the Michigan Attorney General and four other Great Lakes states to halt the invasion of the Asian carp.

Whereas, With the recent discovery of a mature, 20-pound Asian carp in Lake Calumet, beyond all physical barriers to its path to nearby Lake Michigan, the ongoing effort to halt the invasion of the Asian carp has taken on a renewed sense of urgency. Earlier arguments expressing concern over detected DNA have proven to be accurate in assessing the grave importance of the struggle to keep this voracious species from the Great Lakes; and

Whereas, In appropriate acknowledgment of the need to shut off access to Lake Michigan immediately, Michigan's Attorney General has initiated a new lawsuit, filed July 19, 2010, in U.S. District Court for the Northern District of Illinois, to halt the invasion of the Asian carp into the Great Lakes. This litigation, which also includes the states of Wisconsin, Ohio, Pennsylvania, and Minnesota, seeks to force the U.S. Army Corps of Engineers and the Metropolitan Water Reclamation District of Greater Chicago to take emergency action to block Asian carp from entering Lake Michigan and to develop a permanent solution to protect the Great Lakes; and

Whereas, The lawsuit is predicated on the Asian carp being a clear and imminent threat to the Great Lakes. The suit is based on the species being a public nuisance that is being allowed to cause likely irreparable harm to the aquatic resources of the Great Lakes and on the Administrative Procedures Act, 1969 PA 306, which allows legal challenges to federal agency decisions that are arbitrary or harmful. The suit is consistent with Michigan statutes identifying these fish as prohibited species (MCL 324.41301 and MCL 324.41305); and

Whereas, The Michigan Legislature has repeatedly demonstrated its strong commitment to protecting the Great Lakes from the perils of the Asian carp. Concerns over this grave threat to our fisheries and the ecology of the Great Lakes have been expressed through SCR 28, SCR 32, and SCR 42 of the Ninety-fifth Legislature. This commitment remains firm, as does the magnitude of the issue at hand; now, therefore, be it

Resolved by the Senate, That we express support for the lawsuit filed July 19, 2010, in federal court by the Michigan Attorney General and four other Great Lakes states to halt the invasion of the Asian carp; and be it further

Resolved, That copies of this resolution be transmitted to the U.S. District Court for the Northern District of Illinois and the Michigan Attorney General.

Pending the order that, under rule 3.204, the 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 question being on the adoption of the resolution,

Senator Cropsey requested the yeas and nays.

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

The resolution was adopted, a majority of the members voting therefor, as follows:

**Roll Call No. 367**

**Yeas—33**

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

**Nays—0**

**Excused—5**

Brater	Gleason	Jacobs	Kuipers
Garcia			

**Not Voting—0**

In The Chair: Richardville

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

The motion prevailed.

Senator Birkholz's statement is as follows:

Senate Resolution No. 173 is the direct result of a lawsuit that was filed earlier this week by our Attorney General, Mike Cox. Unfortunately, our sister states and our federal legislators have yet to take seriously the huge threat from the Asian carp. The lawsuit that has been filed is predicated on the assertion that the carp is a public nuisance. Many of you know this because back in 2003, we in the Senate put into law a prohibition against possessing or selling or transferring a number of invasive species.

The Asian carp was included in that list of numerous invasive species—plants, fish, and mollusks—that are slowly turning our lakes into something that we may not be able to recognize someday.

So we, indeed, have already named this horrible fish a public nuisance. We concur in what the Attorney General has done. I hope you will join me in supporting this resolution to add the designation of the Asian carp as a public nuisance to the lawsuit and again continue to call on our federal administration in Washington and our courts to do the right thing, and keep this invasive out of Lake Michigan and the rest of our Great Lakes.

**Senate Concurrent Resolution No. 43.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kalamazoo Valley Community College relative to the Kalamazoo Valley Community College Texas Township Campus Expansion.

(For text of resolution, see Senate Journal No. 60, p. 1040.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

**Senate Concurrent Resolution No. 44.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Southwestern Michigan College relative to the Southwestern Michigan College Technology Building Renovation and Expansion.

(For text of resolution, see Senate Journal No. 60, p. 1041.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

**Senate Concurrent Resolution No. 45.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Center for Collaborative Health Education.

(For text of resolution, see Senate Journal No. 60, p. 1041.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

**Statements**

Senators George, Cassis, Scott, Pappageorge and Thomas asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator George's statement is as follows:

I rise to discuss the precarious fiscal situation of our southern neighbor, the state of Illinois, which holds lessons for us. Like Michigan, Illinois is facing a serious fiscal crisis. They do not have enough revenue to pay expenses.

Now we have laws to determine what happens when an individual, corporation, or local government can no longer pay its bills. There is a bankruptcy process which spells out an exact sequence of events. But what happens if a state becomes insolvent and cannot pay its bills? We only need to look to Illinois to find out.

First, there is no special court to wipe the slate clean. There is no emergency financial manager from on high to fix things and no federal bailout. What happens when a state cannot pay its bills is simply that the bills go unpaid. California demonstrated this when it issued IOUs instead of tax refunds last year.

Illinois, which currently carries a negative general fund balance, owes its hospitals, schools, and universities for five months of service. It is currently \$5 billion behind on paying its bills. It owes its public schools \$1 billion, and the hole is growing deeper every day.

Last week, Illinois sold \$900 million of junk bonds to finance completion of ongoing road construction projects. Illinois' bond rating is now the same as Portugal's, and other industrial states like Michigan are not far behind. If you think it couldn't happen here, think again—it already has. In 1850 following a series of failed attempts to build railroads and canals, Michigan defaulted on investment bonds. In 1933, Arkansas defaulted on bonds, and road construction projects were halted and left unfinished for sixteen years.

So when state government's bills go unpaid, what happens? Eventually the work stops. Hospitals, schools, and universities are forced to lay off employees or close. Road and construction projects go unfinished. Class size balloons as teachers are let go. Recently, for example, the Chicago school board recently voted to allow thirty-four students per class. Vendors become impatient when they have not been paid for several months, and they seek work elsewhere. The state's credibility is shot, and government stops working. Once that happens, the road back is very difficult.

Colleagues, we can avoid the fate of Illinois only by cutting spending. This has to happen in order to remain solvent. Proposals to eliminate taxes or to increase spending put our credit at risk. Fixing our budget's structural problem is now our single, biggest challenge if we are to keep Michigan open for business.

I have distributed to your desks articles from various newspapers chronicling events in Illinois, and I recommend them to your study.

Senator Cassis' statement is as follows:

Transparency is a key to good government, and we need more of it. Right now, we are getting plenty of transparency from a series of excellent articles in the *Livingston Daily Press & Argus* and some other publications. Thanks to some dedicated reporters, we are learning more about Michigan's generous film tax incentive program and the intense emphasis by zealous bureaucrats to promote so-called success stories, even when the truth is a little less positive than at first glance. Many times, it is a case of great expectations bumping into hardcore realities.

The June 30 edition of the *Livingston* paper shares a story of Tom O'Connell, owner of the Howell Soft Cloth Car Wash. Mr. O'Connell says that the Michigan Film Office misquoted him in 2009 in an annual report in order to justify Michigan's generous film incentive program. O'Connell sold diesel fuel to a film shop primarily near Howell Public Schools. His business was one of several individual success stories listed in the Film Office report. In that report, O'Connell is quoted as saying, "It definitely made my fiscal year. I'd do it again tomorrow." Well, the article said O'Connell's diesel fuel business doubled in the fall of 2008 because of a movie shot. O'Connell takes issue with the quote and said that the movie production business was "not even close to making my final day."

What the film report does not explain is that the diesel fuel makes up just a fraction of O'Connell's revenues, and the movie shoot had no dramatic impact on the bottom line. Just today, headlines in the *Detroit News* and *Michigan Live* revealed that the Townsend Hotel in Birmingham has sued "Little Murder" film production for stiffing them, believe it or not, with a \$37,000 due bill. So much for positive economic spin-off.

Many readers around the state will remember the flap over the Oink Joint, known as Ken's Diner, a shuttered restaurant in Birch Run. Yes, that was supposed to be another success story, but Michigan Taxpayers Alliance alerted the reporter from *Governing* magazine that the Oink Joint had closed.

With all the hype attached to the film credit and its positive impact on Michigan's economy, should we believe the positive images repeatedly shared by unaccountable state promoters? Not in a pig's eye. It's time for reform.

I recently wrote the Speaker of the House and asked him to schedule a hearing on the transparency bills, Senate Bill Nos. 796 and 889. This is important policy that cannot wait. The Senate passed the bills unanimously. I urge the House to immediately consider these measures, and focus on reforms. The people of Michigan have great expectations that lawmakers will make sure that their tax dollars are spent wisely. Let's live up to those expectations.

Senator Scott's statement is as follows:

In a recent *Detroit Free Press* editorial, the writer said, "It's time for the insurance industry, consumer advocates, and legislators to come up with a plan to make premiums affordable and fair." I could not agree more. I have been saying this very same thing, literally, for years now.

The *Detroit Free Press* was responding to the Michigan Supreme Court's ruling upholding the use of credit scores to determine auto insurance rates. The *Free Press* writer said that banning credit scoring alone would not have fixed the urban crisis. It is true that credit scoring isn't the only problem with urban or statewide rates, but I believe that banning credit scoring would have given us a good start on the auto insurance problems that plague drivers.

Fixing this problem would have been a good way to start dialogue between the industry advocates and legislators that the *Free Press* calls for. I believe that the Supreme Courts ruled incorrectly on this. Although we lost this battle, I will not give up my efforts to reform auto insurance for all of our constituents.

In tough economic times, people do not need to be paying more than they should for any product or service. Too many people are charged far too much to insure their cars. As elected officials, it is our duty to do the right thing, to right this wrong. Once again, I ask you to please join me in my efforts to fix these problems. We need to look at the bills we have in committee, and do what we need to do to give all Michigan drivers fair and affordable insurance.

Senator Pappageorge's statement is as follows:

I would like to speak to a veto message that we received earlier from the Governor. It has to do with funding for schools. That is, far as I know, the first priority for just about everyone in this Legislature and, in fact, the Governor.

You will recall, colleagues, that we passed a bill that said we are going to do some tax amnesty. The first \$52 million of anything we received would go to K-12, by the formula we had been using in the past, namely some for 20j and some under the 2X formula that favors schools with the lowest allowance.

Now tax amnesty is not a tax increase. In fact, what tax amnesty says is we don't think we can collect 100 percent of what is owed us, so we will clear the books for some percentage less than 100. The Governor vetoed this proposal saying we have overall budgetary problems, and spending decisions should be made at the point that the Legislature actually enacts legislation to increase revenues.

Tax amnesty has nothing to do with increasing revenues. That fundamental misunderstanding has caused us to lose an opportunity to do something for our K-12 schools. I believe it was done because there is not an understanding of the difference between a tax increase, which the Governor, I believe, would favor and amnesty which simply says we will take a little less money. It's better than nothing, and we need it for our schools.

So this, in effect, is a bad thing that has happened to our K-12 system with regard to funding.

Senator Thomas' statement is as follows:

I know many of us or many of you think it, but I know this for a fact that I have the best staff in the Michigan Senate. Senator Pappageorge, I have the best staff in the Michigan Senate is what I was saying. Sadly, though, as many of us are term-limited and leaving office, we are going to begin to start to say good-bye to some of the wonderful people who have really become our families over the years that we have served here in the Senate.

In my office, I am very sad to say that I will be losing Jennifer Flood. She is back here. She came to my office about one year ago, a recent graduate from Michigan State University, to take over a position of scheduling and constituent relations in my office. I wasn't sure what to expect from her, but I can tell you from day one, she has done nothing but dazzle me and, even more, my constituents with her level of professionalism, her passion, dedication, and just sheer smarts.

She is leaving my office to go work for Governor Granholm for the remainder of her term. The Governor is getting a real jewel. Just to let you know how good she is, even though she will continue to work for the Governor, she is also starting her Ph.D. in economics at Michigan State University. So she will be doing all of that and continuing her role as a public servant. I have no doubt that she will be someone who will make us all proud to say that we are a part of the greater Michigan.

She is a Michigander, a true lover of this state. I am so proud of her. I know that whatever she does in life, she will be an incredible success. I look forward to following her for many years, and thank her very much for the year of service that she has given my office. We could not have done as good a job as we have done in my office over the past year without you, Jen.

Thank you so much, and I am very proud of you. Congratulations. I would hope that my colleagues would join me in welcoming and wishing her the best of luck in her future endeavors.

### Committee Reports

The Committee on Natural Resources and Environmental Affairs reported

#### **Senate Joint Resolution Z, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 31 to article V, to prohibit the drilling of a well for the exploration or production of oil or natural gas within the waters of the state, including the Great Lakes, or beneath the bottomlands of the Great Lakes.

With the recommendation that the substitute (S-2) be adopted and that the joint resolution then be adopted.

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

**Senate Resolution No. 168.**

A resolution to urge the Great Lakes states and Ontario and the federal governments of the United States and Canada to ban permanently all directional drilling for oil and gas beneath the Great Lakes.

(For text of resolution, see Senate Journal No. 62, p. 1072.)

With the recommendation that the following substitute (S-1) be adopted and that the resolution then be adopted:

A resolution to urge the Great Lakes states and Ontario and the federal governments of the United States and Canada to ban permanently all drilling for oil and gas beneath the Great Lakes.

Whereas, The ongoing oil spill disaster in the Gulf of Mexico has dramatized the risks that accompany technological advances in oil exploration and remind us of our limitations in dealing with accidents of this magnitude. The encroaching destruction of sensitive fisheries, marshlands, and habitat is taking a huge toll on an entire way of life for many families; and

Whereas, The oil spill, which continues to defy containment, also serves as an object lesson of the need to ensure that such a tragedy never takes place in the Great Lakes. Apart from the many ways in which the experience in the Gulf of Mexico would be a harbinger of similar devastation to the Great Lakes, such an occurrence would be even worse if the same spill took place in the source of fresh water for tens of millions of Americans and Canadians. The nature of lakes would also present grave problems that could be felt for generations; and

Whereas, It is imperative that the strongest possible steps be taken to protect the lakes. The impact of the existing United States federal statute banning offshore and directional drilling beneath the Great Lakes should be strengthened by similar provisions at every level—state, provincial, and federal. There must be permanent bans in place across the board, representing a unified commitment. For the eight Great Lakes states, constitutional protections, along with the ban at the federal level, would be the strongest measures to put place, and similar steps need to be taken by the provincial government of Ontario and the Canadian federal government; now, therefore, be it

Resolved by the Senate, That we urge the Great Lakes states and provinces and the federal governments of the United States and Canada to ban permanently all drilling for oil and gas beneath the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the governors and legislatures of the Great Lakes states, the Legislative Assembly of Ontario, the Office of the Prime Minister of Canada, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham

Nays: None

The resolution and the substitute recommended by the committee were placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Resolution No. 169.**

A resolution to urge the inclusion of a ban on new oil and gas drilling beneath the Great Lakes in the Great Lakes Water Quality Agreement and to call for a study and assessment of the impact and risk from existing drilling operations on the Great Lakes.

(For text of resolution, see Senate Journal No. 62, p. 1072.)

With the recommendation that the resolution be adopted.

Patricia L. Birkholz  
Chairperson

## To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

**Senate Concurrent Resolution No. 48.**

A concurrent resolution to urge the inclusion of a ban on new oil and gas drilling beneath the Great Lakes in the Great Lakes Water Quality Agreement and to call for a study and assessment of the impact and risk from existing drilling operations on the Great Lakes.



(For text of resolution, see Senate Journal No. 62, p. 1073.)  
With the recommendation that the concurrent resolution be adopted.

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham  
Nays: None  
The concurrent resolution was placed on the order of Resolutions.

The Committee on Natural Resources and Environmental Affairs reported

**House Bill No. 4201, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2123 and 2124 (MCL 324.2123 and 324.2124), as added by 1995 PA 60, and by adding section 2123a.

With the recommendation that the bill pass.

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

Patricia L. Birkholz  
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom and Basham  
Nays: None  
The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, June 30, 2010, at 1:12 p.m., Room 110, Farnum Building

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

Excused: Senator Patterson

The Committee on Agriculture and Bioeconomy reported

**House Concurrent Resolution No. 52.**

A concurrent resolution to approve certain designated open space land applications for property in Kent County.

(For text of resolution, see Senate Journal No. 48, p. 868.)

With the recommendation that the concurrent resolution be adopted.

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz and Whitmer  
Nays: None  
The concurrent resolution was placed on the order of Resolutions.

The Committee on Agriculture and Bioeconomy reported

**House Bill No. 5843, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 4105 (MCL 289.4105), as amended by 2007 PA 113.

With the recommendation that the bill pass.

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

Gerald Van Woerkom  
Chairperson

To Report Out:

Yeas: Senators Van Woerkom, Gilbert, Birkholz and Whitmer  
Nays: None  
The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported  
**Senate Concurrent Resolution No. 46.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and West Shore Community College relative to the West Shore Community College Arts and Sciences Center/Remodeling and Additions.

(For text of resolution, see Senate Journal No. 57, p. 992.)

With the recommendation that the concurrent resolution be adopted.

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 concurrent resolution was placed on the order of Resolutions.

The Committee on Appropriations reported  
**Senate Bill No. 797, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

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

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

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.

The Committee on Appropriations reported  
**Senate Bill No. 964, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2009 PA 121 and section 17b as amended by 2007 PA 137.

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, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Brater and Cherry

Nays: None

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

The Committee on Appropriations reported  
**House Bill No. 5830, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 106, and 118 (MCL 570.1104, 570.1106, and 570.1118), the title and sections 104 and 106 as amended by 2006 PA 497 and section 118 as amended by 1982 PA 17, and by adding section 118a; 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.

Ron Jelinek  
 Chairperson

To Report Out:

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5831, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 3b, 8b, and 8e (MCL 338.883b, 338.888b, and 338.888e), sections 3b and 8e as added by 1990 PA 246 and section 8b as amended by 1992 PA 130.

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5832, entitled**

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending sections 6, 11, and 16 (MCL 338.976, 338.981, and 338.986), section 6 as amended by 2004 PA 271 and section 11 as amended by 1990 PA 5.

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5833, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 21, 43, and 47 (MCL 338.3531, 338.3553, and 338.3557).

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5834, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2404, 2409, and 2411 (MCL 339.2404, 339.2409, and 339.2411), sections 2404 and 2411 as amended by 2007 PA 157 and section 2409 as amended by 1988 PA 463.

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

**House Bill No. 5835, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter XVII (MCL 777.15b), as added by 2002 PA 206.

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

Nays: Senator Brater

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

**House Bill No. 5295, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261).

With the recommendation that the bill pass.

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

Nancy Cassis  
Chairperson

To Report Out:

Yeas: Senators Cassis, Pappageorge, Jansen, Jacobs, Cherry and Whitmer

Nays: None

The bill was referred to the Committee of the Whole.

#### COMMITTEE ATTENDANCE REPORT

The Committee on Finance submitted the following:

Meeting held on Thursday, July 1, 2010, at 1:52 p.m., Room 110, Farnum Building

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

Excused: Senator Gilbert

#### Scheduled Meetings

**State Drug Treatment Court Advisory Committee** - Friday, July 23, 9:00 a.m., Conference Room 1S69, 1st Floor, Michigan Hall of Justice Conference Center, 925 West Ottawa Street, Lansing (373-0212)

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 1:19 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, July 28, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate