

No. 66
STATE OF MICHIGAN
Journal of the Senate
95th Legislature
REGULAR SESSION OF 2010

Senate Chamber, Lansing, Wednesday, July 28, 2010.

10:00 a.m.

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

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

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

Garcia—excused
George—present
Gilbert—present
Gleason—excused
Hardiman—present
Hunter—present
Jacobs—present
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—excused
Stamas—present
Switalski—present
Thomas—excused
Van Woerkom—present
Whitmer—present

Senator Tupac A. Hunter of the 5th District offered the following invocation:

The prayer that I would like to offer this morning is found in the Holy Bible, I Samuel, Chapter 2: “My heart rejoices in the LORD; my horn is exalted in the LORD; my mouth is enlarged over mine enemies; because I rejoice in thy salvation. There is none holy as the LORD; for there is none beside thee: neither is there any rock like our God.

Talk no more so exceeding proudly; let no arrogance come out of your mouth: for the LORD is a God of knowledge, and by him actions are weighed. The bows of the mighty men are broken, and they that stumble are girded with strength. They that were full have hired out themselves for bread; and they that were hungry ceased: so that the barren hath born seven; and she that hath many children is waxed feeble.

The LORD killeth, and maketh alive: he bringeth down to the grave; and bringeth up. The LORD maketh poor, and maketh rich; he bringeth low, and lifteth high.

He raiseth up the poor out of the dust, and lifteth up the beggar from the dunghill, to set them among princes, and to make them inherit the throne of glory: for the pillars of the earth are the LORD’s, and he hath set the world upon them. He will keep the feet of his saints, and the wicked shall be silent in darkness; for by strength shall no man prevail.

The adversaries of the LORD shall be broken to pieces; out of heaven shall he thunder upon them: the LORD shall judge the ends of the earth; and he shall give strength unto his king, and exalt the horn of his anointed.”

Lord, I thank You for Your word, and I pray that You would open our eyes and ears and even prick our hearts that we might receive it, trust it, and obey it. I pray in the name of Jesus the Christ. Amen.

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

Motions and Communications

Senators Nofs, Stamas, Sanborn and McManus entered the Senate Chamber.

Senator Anderson moved that Senators Basham, Gleason, Thomas and Scott be excused from today’s session. The motion prevailed.

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

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

House Bill No. 6151

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

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

House Bill No. 6152, entitled

A bill to amend 2008 PA 33, entitled “Michigan planning enabling act,” by amending sections 3, 7, and 33 (MCL 125.3803, 125.3807, and 125.3833).

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

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

House Bill No. 6152

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.

Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:08 a.m.

11:39 a.m.

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

The following communication was received and read:
Office of the Auditor General

July 20, 2010

Enclosed is a copy of the following audit report:
Performance audit of Selected Activities Within the Bureau of Construction Codes, Department of Energy, Labor & Economic Growth.

Auditor General

The audit report was referred to the Committee on Government Operations.

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

July 28, 2010

Pursuant to Senate Rule 3.203, I am hereby re-referring House Bill 6195 from the Senate Committee on Senior Citizens and Veterans Affairs to the Senate Committee on Government Operations.

If you have any questions regarding this matter, please do not hesitate to contact me.

Respectfully yours,
Michael D. Bishop
Senate Majority Leader

The communication was referred to the Secretary for record.

The Secretary announced that pursuant to Rule 2.109 of the Standing Rules of the Senate, the following expense reports have been filed with the Secretary of the Senate for the quarter from January 1, 2010 through March 31, 2010, and are available in the Secretary's office during business hours for public inspection:

Committee

Agriculture and Bioeconomy
Appropriations
Banking and Financial Institutions
Campaign and Election Oversight
Commerce and Tourism
Economic Development and Regulatory Reform
Education
Energy Policy and Public Utilities
Families and Human Services
Finance
Government Operations
Health Policy
Homeland Security and Emerging Technologies
Hunting, Fishing and Outdoor Recreation
Judiciary
Local, Urban and State Affairs
Natural Resources and Environmental Affairs
Senior Citizens and Veterans Affairs
Transportation

Chairperson

Senator Gerald Van Woerkom
Senator Ron Jelinek
Senator Randy Richardville
Senator Michelle McManus
Senator Jason Allen
Senator Alan Sanborn
Senator Wayne Kuipers
Senator Bruce Patterson
Senator Mark Jansen
Senator Nancy Cassis
Senator Michael Bishop
Senator Tom George
Senator Cameron Brown
Senator James Barcia
Senator Wayne Kuipers
Senator Gerald Van Woerkom
Senator Patricia Birkholz
Senator Jason Allen
Senator Jud Gilbert

The Secretary announced the enrollment printing and presentation to the Governor on Monday, July 26, for her approval the following bill:

Enrolled Senate Bill No. 962 at 2:34 p.m.

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

Senate Bill Nos.	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429
	1430	1431	1432											
House Bill Nos.	6326	6327	6328	6329	6330	6331	6332	6333	6334	6335	6336	6337	6338	6339
	6340	6341	6342	6343	6344	6345	6346	6347	6348	6349	6350			

Senator Jacobs stated that had she been present on July 21 when the votes were taken on the passage of the following bills, she would have voted “yea”:

House Bill No. 6203

Senate Bill No. 1077

Senate Bill No. 1284

Senate Bill No. 797

House Bill No. 6099

House Bill No. 6100

Senator Jacobs stated that had she been present on July 21 when the vote was taken on the adoption of the amendment offered by Senator Thomas to the following bill, she would have voted “yea”:

Senate Bill No. 1284

Senator Jacobs stated that had she been present on July 21 when the votes were taken on concurring in the House substitutes to the following bills, she would have voted “yea”:

Senate Bill No. 1308

Senate Bill No. 1309

Senator Jacobs stated that had she been present on July 21 when the vote was taken on the adoption of the following resolution, she would have voted “yea”:

Senate Resolution No. 173

Messages from the Governor

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

Senate Bill No. 1163

The motion prevailed.

The following messages from the Governor were received:

Date: July 21, 2010

Time: 9:06 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1310 (Public Act No. 128), being

An act to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs

permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.11) by adding section 9d.

(Filed with the Secretary of State on July 21, 2010, at 10:41 a.m.)

Date: July 21, 2010

Time: 9:12 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1311 (Public Act No. 129), 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 adding section 282a.

(Filed with the Secretary of State on July 21, 2010, at 10:43 a.m.)

Date: July 21, 2010

Time: 9:14 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1312 (Public Act No. 130), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 160 of chapter XVII (MCL 777.160), as amended by 2004 PA 457.

(Filed with the Secretary of State on July 21, 2010, at 10:45 a.m.)

Date: July 21, 2010

Time: 9:16 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1313 (Public Act No. 131), 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 adding section 81e.

(Filed with the Secretary of State on July 21, 2010, at 10:47 a.m.)

Date: July 21, 2010
Time: 9:18 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 1314 (Public Act No. 132), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2005 PA 336.

(Filed with the Secretary of State on July 21, 2010, at 10:49 a.m.)

Respectfully,
Jennifer M. Granholm
Governor

The following message from the Governor was received on July 28, 2010, and read:

EXECUTIVE ORDER
No. 2010-7

**Declaration of State of Disaster
Calhoun County Oil Pipeline Spill**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 51 of Article IV of the Michigan Constitution of 1963, the public health and general welfare of the people of this state are declared to be matters of primary public concern;

WHEREAS, under Section 52 of Article IV of the Michigan Constitution of 1963, the conservation and development of the natural resources of this state are declared to be of paramount public concern in the interest of the health, safety and general welfare of the people;

WHEREAS, under the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, and 1945 PA 302, MCL 10.31 to 10.33, the Governor is responsible for coping with dangers to this state or the people of this state presented by a disaster or emergency and may issue executive orders, proclamations, and directives having the force and effect of law;

WHEREAS, under Section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403, the Governor shall, by executive order or proclamation, declare a state of disaster if the Governor finds that a disaster has occurred or that the threat of a disaster exists;

WHEREAS, an oil spill occurred from an oil pipeline in Calhoun County near Marshall, Michigan on Monday, July 26, 2010;

WHEREAS, although the pipeline has been shut down, a substantial amount of oil has leaked from the pipeline and has entered Talmadge Creek and the Kalamazoo River;

WHEREAS, local states of emergency have been declared by the City of Battle Creek and Calhoun County, and state, local, and federal emergency response agencies have been activated to assist in containing the spill and assure that all possible steps are taken to minimize the impact of this incident on the public;

WHEREAS, I find that a disaster has occurred in Calhoun County that threatens the area downstream along the Kalamazoo River and that immediate action is necessary to protect the public health, safety, and welfare, to safeguard the environment and interests of this State, and to respond to this disaster;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Disaster is declared in Calhoun County and potentially affected areas along the Kalamazoo River downstream of Talmadge Creek.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local governments and officials in the affected areas and may call upon all state departments and agencies to utilize available resources to assist in the affected areas focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.

3. The State of Disaster is terminated at such time as disaster conditions no longer exist and appropriate programs have been implemented to recover from the effects of the disaster conditions but in no case later than Tuesday, August 24, 2010.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 27th day of July in the year of our Lord, two thousand and ten.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The executive order was referred to the Committee on Government Operations.

The following message from the Governor was received and read:

July 27, 2010

Due to a January 28, 1997 error pursuant to Section 2 of 1978 PA 389, MCL 400.1502, please be advised of the following correction appearing in bold print:

Domestic Violence Prevention and Treatment Board

The Honorable Donald Allen of 3965 Applegrove Lane, Lansing, Michigan 48911, county of Ingham, succeeding Mary Beth Kur, whose term has expired, is appointed to represent persons with experience in an area related to the problems of domestic violence, for a term commencing February 25, 2010 and expiring **September 30, 2011**.

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

Senate Bill No. 1014, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531f. The bill was placed on the order of Third Reading of Bills.

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

Senate Bill No. 437, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101 and 20120a (MCL 324.20101 and 324.20120a), section 20101 as amended by 1996 PA 383 and section 20120a as added by 1995 PA 71.

Substitute (S-9).

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. 1345, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20114a, 20120a, 20120b, 20120c, and 20120d (MCL 324.20114a, 324.20120a, 324.20120b, 324.20120c, and 324.20120d), section 20114a as amended by 1996 PA 115, sections 20120a, 20120b, and 20120c as added by 1995 PA 71, and section 20120d as amended by 1996 PA 383, and by adding sections 20114b, 20114c, 20114d, 20120, and 20120e; and to repeal acts and parts of acts.

Substitute (S-2).

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 1346, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101, 20104, and 20104a (MCL 324.20101, 324.20104, and 324.20104a), section 20101 as amended and section 20104a as added by 1996 PA 383 and section 20104 as amended by 1995 PA 71.

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. 1347, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20112a, 20113, and 20114 (MCL 324.20112a, 324.20113, and 324.20114), section 20112a as added and section 20114 as amended by 1995 PA 71 and section 20113 as amended by 1996 PA 383.

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. 1348, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20129, 20137, and 20139 (MCL 324.20129, 324.20137, and 324.20139), as amended by 1995 PA 71.

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. 1349, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20107a and 20108b (MCL 324.20107a and 324.20108b), section 20107a as amended and section 20108b as added by 1996 PA 383.

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:
House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," (MCL 600.101 to 600.9947) by adding section 1084.

Substitute (S-1).

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

1. Amend page 3, line 23, after "**COURT**" by inserting "**PROGRAM**".

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

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

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

- House Bill No. 5273**
- Senate Bill No. 437**
- Senate Bill No. 1345**
- Senate Bill No. 1346**
- Senate Bill No. 1347**
- Senate Bill No. 1348**
- Senate Bill No. 1349**

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

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

- Senate Bill No. 1262**
- House Bill No. 5843**
- House Bill No. 5273**
- Senate Bill No. 437**
- Senate Bill No. 1345**
- Senate Bill No. 1346**
- Senate Bill No. 1347**
- Senate Bill No. 1348**
- Senate Bill No. 1349**

The motion prevailed.

The following bill was read a third time:

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.

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. 368

Yeas—31

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

Nays—0

Excused—6

Basham	Gleason	Scott	Thomas
Garcia	Kuipers		

Not Voting—1

Patterson

In The Chair: Richardville

The Senate agreed to the title of the bill.

Senator Cropsey moved that Senator Patterson be excused from the balance of today’s session.
The motion prevailed.

The following bill was read a third time:

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.

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. 369

Yeas—31

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

Nays—0

Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

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

Senator Cropsey moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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

“An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 1084.

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. 370

Yeas—29

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

Nays—2

Anderson	Switalski
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Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence,

practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 437, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20126 and 20126a (MCL 324.20126 and 324.20126a), section 20126 as amended by 1999 PA 196 and section 20126a as added by 1995 PA 71, and by adding section 20114e.

The question being on the passage of the bill,

Senator Birkholz offered the following amendment:

1. Amend page 10, line 3, after “corridor” by inserting a comma and “**INCLUDING SEWERS, PIPES, AND PIPELINES,**”.

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

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

General Orders

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Jacobs as Chairperson.

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

House Bill No. 6152, entitled

A bill to amend 2008 PA 33, entitled “Michigan planning enabling act,” by amending sections 3, 7, and 33 (MCL 125.3803, 125.3807, and 125.3833).

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

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

House Bill No. 6151, entitled

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

department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending the title and section 10k (MCL 247.660k), the title as amended by 2004 PA 384 and section 10k as amended by 2006 PA 82, and by adding section 10p.

Substitute (S-2).

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

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. 1147, entitled

A bill to amend 1966 PA 346, entitled “State housing development authority act of 1966,” by amending sections 59 and 59a (MCL 125.1459 and 125.1459a), as added by 2008 PA 456.

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.

House Bill No. 4848, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 12 (MCL 247.662), as amended by 2002 PA 498.

The House of Representatives has amended the Senate substitute (S-1) as follows:

1. Amend page 6, line 6, after “county,” by inserting “**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, BEGINNING SEPTEMBER 30, 2010, NOT TO EXCEED 30% PER YEAR OF THE AMOUNT RETURNED TO A COUNTY FOR USE ON THE COUNTY PRIMARY ROAD SYSTEM MAY BE EXPENDED, WITH OR WITHOUT MATCHING, ON THE COUNTY LOCAL ROAD SYSTEM OF THAT COUNTY. AN ADDITIONAL AMOUNT, NOT TO EXCEED 20% PER YEAR OF THE AMOUNT RETURNED TO A COUNTY FOR USE ON THE COUNTY PRIMARY ROAD SYSTEM, MAY BE EXPENDED ON THE COUNTY LOCAL ROAD SYSTEM OF THAT COUNTY IF THERE IS AN EMERGENCY OR IF THE COUNTY ROAD**”

COMMISSION DETERMINES THAT AN ADDITIONAL 20% MAY BE EXPENDED ON THE COUNTY LOCAL ROAD SYSTEM. THE COUNTY ROAD COMMISSION MAY ATTACH ANY CONDITIONS TO ITS DETERMINATION IF THE DETERMINATION IS FOR NONEMERGENCY PURPOSES, INCLUDING, BUT NOT LIMITED TO, A REQUIREMENT THAT THE ADDITIONAL 20% EXPENDED ON THE COUNTY LOCAL ROAD SYSTEM ONLY BE USED TO SUPPLEMENT FUNDS FROM OTHER SOURCES.”.

2. Amend page 6, line 12, after the second “the” by striking out “state transportation department” and inserting “**COUNTY ROAD COMMISSION**”.

The House of Representatives has concurred in the Senate substitute (S-1) as amended.

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 House amendments made to the Senate substitute,

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 371

Yeas—31

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

Nays—0

Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

Not Voting—0

In The Chair: Richardville

Senators Birkholz, Anderson, Jansen and Pappageorge asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Birkholz’s statement is as follows:

House Bill No. 4848 is something we have been working on for a couple of years now, and I am really pleased that it has come back to us from the House and is ready to be moved. This bill deals with road commissions and the use of their money, especially under emergency circumstances. It will be very helpful to counties, particularly for those of us on the west side where we have had an amazing amount of storms the last couple of years, and our roads have literally fallen into the drink. That is no pun; it really has happened.

The current law allows for county road commissions to use up to 30 percent of their road funding dollars on local road systems. The rest must be used on the primary system. This bill will allow them, in cases of emergency, to use up to 50 percent on their local systems. The bill will also allow them to use up to 50 percent in nonemergency cases, but grants them authority to require local funding matches from the locals.

The bill provides road commissions, especially those with a larger local road system, flexibility that they need to better manage their road systems, especially in times of emergencies.

I would like to thank my good colleague who chairs the Transportation Committee and the Transportation Committee members in the House who have worked so hard on this to make it happen. I urge support.

Senator Anderson's statement is as follows:

Since it seems to be the time that a number of members are saying farewell to interns and other staff members, I wanted to take this opportunity to ask members to join me in saying goodbye to an intern who has been working in my office since early June.

Stephanie Holmes will be starting her senior year at Central Michigan University very soon. She has been an excellent writer and has aided in our constituent relations by writing e-mails, letters, congratulatory letters, and dealing with constituent services in my office. She was the first person who most of the constituents who called my office spoke to, and she has been very good with casework and handled constituent issues very professionally and with ease. She has also done work researching potential legislation.

Stephanie plans to go to law school eventually, after finishing at CMU, and hopes to become a judge sometime soon. So we wish her the best, and I want to say special thanks in asking members to join me in saying goodbye and thank you.

Senator Jansen's statement is as follows:

I would also like to thank an intern in my office, and she is in the east balcony watching us today. Colleen Hoch is a home-schooled student from the Lansing area. She will be attending Lansing Community College in the fall. She has been a very impressive young lady as a volunteer in the community with civic activities, including volunteering currently at Mother Teresa House, and she provides hospice care, just to name a couple.

Her internship in our office has been much appreciated, but she has a bigger world to go and take care of. We look forward to seeing what Colleen does in the future.

Senator Paggageorge's statement is as follows:

Colleagues, today is Lia Kasios' last day interning with my office, and I would like to take a moment to recognize her. She has been with our office since May and has been a great asset.

Lia received her B.A. in political science from DePaul University in 2008 and has been studying law at Cooley Law School for the past two years. She recently accepted an internship in Chicago which she will start this winter.

Over the course of the internship, Lia has proven to be a dedicated, hardworking, and intelligent young woman. Her strong research skills, specifically her work with the Corrections Ombudsman, have made her an invaluable addition to the legislative process in which we are all involved.

I wish Lia all the best, and I thank her for her valuable service. Given her background, I thank her in two languages: esharisto poli, thank you very much.

Senate Bill No. 795, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 303, 625n, 732a, and 904d (MCL 257.219, 257.303, 257.625n, 257.732a, and 257.904d), section 219 as amended by 2005 PA 317, sections 303, 732a, and 904d as amended by 2008 PA 463, and section 625n as amended by 2008 PA 539, and by adding section 304.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 219, 303, 319, 625n, 626, 732a, and 904d (MCL 257.219, 257.303, 257.319, 257.625n, 257.626, 257.732a, and 257.904d), section 219 as amended by 2005 PA 317, sections 303, 319, 626, 732a, and 904d as amended by 2008 PA 463, and section 625n as amended by 2008 PA 539, and by adding section 304.

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

Senator Cropsy 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. 372**Yeas—29**

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

Nays—2

Anderson	Switalski
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Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

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 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 at the head of the Third Reading of Bills calendar:

House Bill No. 6151

House Bill No. 6152

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

The following bill was read a third time:

House Bill No. 6151, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road

contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending the title and section 10k (MCL 247.660k), the title as amended by 2004 PA 384 and section 10k as amended by 2006 PA 82, and by adding section 10p.

The question being on the passage of the bill,

Senator Gilbert offered the following amendments:

1. Amend page 8, line 16, after “**DUTIES.**” by inserting “**FAILURE TO COME TO AN AGREEMENT SHALL NOT PREVENT THE DEPARTMENT FROM SUBMITTING ITS MULTIYEAR CAPITAL PLAN TO THE COMMISSION.**”.

2. Amend page 12, line 3, after “**PROCEEDINGS**” by inserting a comma and “**A STATEMENT OF INSTANCES IN WHICH THE DEPARTMENT AND A MUNICIPALITY WERE UNABLE TO AGREE UNDER SUBSECTION (3) ON A DEPARTMENT PROJECT AFFECTING A ROADWAY OR TRANSPORTATION FACILITY WITHIN OR UNDER THE JURISDICTION OF THE MUNICIPALITY,**”.

The amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 373

Yeas—31

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

Nays—0

Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

Not Voting—0

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 of the bill.

The following bill was read a third time:

House Bill No. 6152, entitled

A bill to amend 2008 PA 33, entitled "Michigan planning enabling act," by amending sections 3, 33, and 81 (MCL 125.3803, 125.3833, and 125.3881).

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. 374

Yeas—31

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

Nays—0

Excused—7

Basham	Gleason	Patterson	Thomas
Garcia	Kuipers	Scott	

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.

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

"An act to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts;"

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 41

Senate Resolution No. 75

Senate Resolution No. 88

House Concurrent Resolution No. 41**Senate Resolution No. 168****Senate Resolution No. 169****Senate Concurrent Resolution No. 48****Senate Concurrent Resolution No. 46**

The motion prevailed.

House Concurrent Resolution No. 52.

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

The question being on the adoption of the concurrent resolution,

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

Senators Nofs, George, Birkholz, Brown, Richardville, Jelinek, Kahn, Van Woerkom, Jansen, Hardiman, Pappageorge, Cropsey, Bishop and Cassis offered the following resolution:

Senate Resolution No. 174.

A resolution to urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township.

Whereas, A malfunctioning pipeline has spewed about 840,000 gallons of oil into Talmadge Creek, a tributary of the 166-mile long Kalamazoo River, whose watershed is home to tens of thousands of people in cities such as Battle Creek, Kalamazoo, Plainwell, Allegan, and Saugatuck. The oil reached the Kalamazoo River shortly after the spill occurred. A thick layer of oil is now making its way west, leaking past the barriers set up to contain it; and

Whereas, The potential impact of this spill on downriver communities could be significant. Dead fish have already washed up on the banks of the river, and downriver residents can smell the oil as far west as Battle Creek. Some people have been evacuated from their homes, and people have been told not to fish or swim in the river. These are distressing consequences for people who live in downriver communities; and

Whereas, The spill threatens fish and wildlife that depend on the river. The Kalamazoo area thrives with abundant fish and wildlife species, and parts of the river are designated as a "wild scenic river" under the Natural Rivers Protection Program. Oil from this spill could potentially reach all the way to Lake Michigan; and

Whereas, It is imperative that those responsible for the spill, as well as federal, state, and local authorities, act decisively and spare no resource to contain and clean up the oil. Let the response to this spill be a positive example of how federal, state, and local officials can work with a private company to address an environmental emergency. All who live in the Kalamazoo River watershed—both people and wildlife—deserve no less; now, therefore, be it

Resolved by the Senate, That we urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Natural Resources and Environment, the director of the United States Fish and Wildlife Service, the director of the United States Environmental Protection Agency, the Board of Directors of Enbridge Energy Partners, and the Calhoun County Sheriff's Department.

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 resolution was adopted.

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

The motion prevailed.

Senator Nofs' statement is as follows:

As many of you have heard, as the result of an oil pipeline leak, nearly 840,000 gallons of oil have spilled into Talmadge Creek and the Kalamazoo River and traveled across a huge portion of my district. The effects can be smelled in the air or seen driving over the many bridges that cross the Kalamazoo River. Just days ago, you could witness residents fishing, boating, and enjoying local parks. Now residents have been asked to refrain from these activities as work to contain and clean up the spill has begun.

It is going to take nothing less than a full and coordinated effort from local residents, area agencies, and state and federal officials to get this disaster resolved. All possible resources of the state of Michigan must be marshaled to assist in this cleanup effort. Crews have been working around the clock on containment, including the use of booms, oil skimmers

and vacuum trucks. Additional crews and equipment are arriving as I speak today to assist with oil containment. Local and state law enforcement have also been on the scene since the onset of the spill.

Emergency response crews are stationed along the creek and the river to contain the oil. A temporary dike and flume arrangement have been placed near the point of origin of the leak to stop the flow of oil into the creek. The EPA is monitoring water quality at a number of points along the waterways and is taking measures to protect fish and wildlife from coming into contact with the oil. I am also pleased to announce the opening today of the animal care center where fish and wildlife specialists will be onsite to help rehabilitate affected animals.

The full community and environmental impacts are still being assessed. My office will continue to work with all appropriate authorities to make sure everything possible is done to complete the environmental cleanup of the site. We will also continue to work with residents and state and local emergency response agencies to address local impacts and concerns. The cause of the leak remains under investigation. But for the moment, the focus must remain on ensuring that the leak has been stopped and that all possible efforts are made to recover the oil from our waterways and prevent it from spreading further downstream.

I am truly grateful for the commitment that many will make over the coming weeks and months to restore the beauty of the riverbanks, the communities affected, and the health and safety of our fellow citizens and wildlife. I have been pleased to witness the incredible level of communication and cooperation between federal and state agencies in the investigation and response, including the Department of Transportation's Pipeline and Hazardous Materials Safety Administration and DNRE, along with state and local public safety officials.

However, one area that needs immediate attention is the regulations which have prevented the pipeline company from getting in to assess the pipeline and assure that the leak has been stopped. Any delay in stopping this leak due to government red tape is unacceptable and must be resolved immediately. If you don't know, before the company can actually go in and check their pipeline to make sure that the oil has stopped and they can concretely say that, in fact, the oil has been stopped, they have to get permission from the federal government and its agencies. As of this morning, that had not happened, so no one can say the oil has stopped leaking from the pipeline.

Obviously, the safety of the citizens is of the utmost importance in the investigation and preserving the site, so the federal agencies going in and investigating becomes secondary. But today, the rule of law is that they have to get permission to even go check on their own pipeline, which is ludicrous in my opinion.

I am truly grateful for the commitment that many will make over the coming weeks, as I said, and I have witnessed the communication and cooperation between all agencies involved. This will not be an easy process and will no doubt take some time, but I want to assure those affected by this spill that I will not rest until I am sure that we get it right.

Senators Birkholz, George, Nofs, Brown, Richardville, Jelinek, Kahn, Van Woerkom, Jansen, Hardiman, Pappageorge, Cropsy and Bishop offered the following concurrent resolution:

Senate Concurrent Resolution No. 51.

A concurrent resolution to urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township.

Whereas, A malfunctioning pipeline has spewed about 840,000 gallons of oil into Talmadge Creek, a tributary of the 166-mile long Kalamazoo River, whose watershed is home to tens of thousands of people in cities such as Battle Creek, Kalamazoo, Plainwell, Allegan, and Saugatuck. The oil reached the Kalamazoo River shortly after the spill occurred. A thick layer of oil is now making its way west, leaking past the barriers set up to contain it; and

Whereas, The potential impact of this spill on downriver communities could be significant. Dead fish have already washed up on the banks of the river, and downriver residents can smell the oil as far west as Battle Creek. Some people have been evacuated from their homes, and people have been told not to fish or swim in the river. These are distressing consequences for people who live in downriver communities; and

Whereas, The spill threatens fish and wildlife that depend on the river. The Kalamazoo area thrives with abundant fish and wildlife species, and parts of the river are designated as a "wild scenic river" under the Natural Rivers Protection Program. Oil from this spill could potentially reach all the way to Lake Michigan; and

Whereas, It is imperative that those responsible for the spill, as well as federal, state, and local authorities, act decisively and spare no resource to contain and clean up the oil. Let the response to this spill be a positive example of how federal, state, and local officials can work with a private company to address an environmental emergency. All who live in the Kalamazoo River watershed—both people and wildlife—deserve no less; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Department of Natural Resources and Environment, the United States Fish and Wildlife Service, the United States Environmental Protection Agency, Enbridge Energy Partners, and local authorities to respond swiftly and thoroughly to the oil pipeline spill in Marshall Township; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Natural Resources and Environment, the director of the United States Fish and Wildlife Service, the director of the United States

Environmental Protection Agency, the Board of Directors of Enbridge Energy Partners, and the Calhoun County Sheriff's Department.

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

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

Introduction and Referral of Bills

Senators Anderson, Whitmer, Basham, Barcia, Cherry, Olshove, Hunter, Clark-Coleman, Thomas, Clarke and Scott introduced

Senate Joint Resolution BB, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 52 of article IV, to allow any person to maintain an action in circuit court to protect the natural resources of the state and the public trust in those resources.

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

Senator Prusi introduced

Senate Bill No. 1433, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," (MCL 38.1601 to 38.1648) by adding section 40c.

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

Senators Van Woerkom, Nofs, Cropsey, Jelinek, Gilbert and Jansen introduced

Senate Bill No. 1434, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 6d (MCL 28.6d), as added by 1982 PA 531.

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

Senator Van Woerkom introduced

Senate Bill No. 1435, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 437 (MCL 208.1437), as amended by 2009 PA 241.

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

Senator McManus introduced

Senate Bill No. 1436, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11715 (MCL 324.11715), as amended by 2004 PA 381.

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

Senators Nofs, Van Woerkom, Hunter and Richardville introduced

Senate Bill No. 1437, entitled

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

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

Senators Hunter, Whitmer, Prusi, Clark-Coleman, Clarke, Scott, Switalski, Olshove, Cherry and Nofs introduced
Senate Bill No. 1438, entitled

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

Senators Hunter, Thomas, Prusi, Whitmer, Clark-Coleman, Clarke, Scott, Switalski, Olshove, Cherry and Nofs introduced

Senate Bill No. 1439, 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 bill was read a first and second time by title and referred to the Committee on Finance.

Senator Gleason introduced

Senate Bill No. 1440, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," (MCL 119.1 to 119.18) by adding section 5a.

The bill was read a first and second time by title and referred to the Committee on Local, Urban and State Affairs.

Senators Jansen, Switalski and Van Woerkom introduced

Senate Bill No. 1441, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 537 and 1025 (MCL 436.1537 and 436.2025), section 537 as amended by 2008 PA 218 and section 1025 as amended by 2008 PA 11.

The bill was read a first and second time by title and referred to the Committee on Economic Development and Regulatory Reform.

Senator Birkholz introduced

Senate Bill No. 1442, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5204 and 19708 (MCL 324.5204 and 324.19708), section 5204 as amended by 2005 PA 253 and section 19708 as amended by 2005 PA 256, and by adding sections 5204b, 5204c, and 19703a.

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

Senator Gilbert introduced

Senate Bill No. 1443, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5204a (MCL 324.5204a), as added by 2005 PA 254, and by adding section 5317.

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

Recess

Senator Cropsey moved that the Senate recess until 3:30 p.m.

The motion prevailed, the time being 12:59 p.m.

The Senate reconvened at the expiration of the recess and was called to order by the President pro tempore, Senator Richardville.

Recess

Senator Brown moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 3:31 p.m.

4:14 p.m.

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

Senator Cropsey moved that Senators George and McManus be excused from the balance of today’s session.
The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the House

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 House of Representatives has amended the bill as follows:

1. Amend page 34, following line 2, by inserting:

“(15) DEPARTMENT GRANTS

Workforce training program subgrantees (ARRA).....	\$	3,800,000
GROSS APPROPRIATION	\$	3,800,000
Appropriated from:		
Federal revenues:		
DOL-ETA, national emergency grants (ARRA).....		3,800,000
Special revenue funds:		
State general fund/general purpose	\$	0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 35, line 18, by striking out “(284,400)” and inserting “284,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

“Sec. 203. The line-item appropriations in part 1 financed by federal funds designated as ARRA funding represent federal funds associated with the American recovery and reinvestment act of 2009, Public Law 111-5. These federal funds are temporary in nature. It is the intent of the legislature that when these temporary federal funds are fully expended, the program funding levels and any state employees supported by these temporary federal funds will not be continued.

Sec. 210. (1) In addition to the funds appropriated in part 1, there is appropriated an amount equal to any additional federal funding awarded to this state through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Within 30 days of receiving such an award, a department shall report to the senate and house appropriations subcommittees, senate and house fiscal agencies, state budget director, and the governor on the amount of funds received and the purposes for which they will be spent.

Sec. 211. The unexpended funds from appropriations in part 1 designated as ARRA funding and in section 210 and any unencumbered or unallotted funds from those appropriations are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purposes of the projects to be carried forward are to protect and invest in the natural resources, infrastructure, and people of the state of Michigan in accordance with the provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(b) The projects will be accomplished by state employees and by contract.

(c) The total estimated cost of all projects is identified in each line-item appropriation.

(d) The tentative completion date is September 30, 2013.

Sec. 212. (1) In a form and manner determined by the recipient department, local governments and other eligible subrecipients receiving funds through this act shall comply with all requirements corresponding to the receipt of funds, including, but not limited to, any certifications, assurances, and accountability and transparency provisions required in the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Funds appropriated in part 1 may be transferred to subrecipient state departments or agencies in an interdepartmental grant consistent with the requirements of the American recovery and reinvestment act of 2009, Public Law 111-5.”.

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

“DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

Sec. 213. The department shall not expend worker retraining funds appropriated under part 1 without first verifying the eligibility of the recipient as required by federal law.”.

5. Amend page 74, following line 2, following section 301, by inserting:

“DEPARTMENT OF COMMUNITY HEALTH

Sec. 501. (1) The department of community health shall hire an independent contractor to immediately implement internal controls and implement corrective actions related to the findings of the state of Michigan auditor general’s financial audit of the department for the period October 1, 2007 through September 30, 2009.

(2) An amount of \$5,000,000.00 general fund/general purpose shall be identified within the departmental administration and management appropriation line to pay for these contractual services.”.

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

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.

Senator Anderson moved that Senator Clarke be temporarily excused from the balance of today’s session.

The motion prevailed.

Senator Clarke entered the Senate Chamber.

The question being on concurring in the amendments made to the bill by the House, Senator Kahn offered the following amendment to the House amendments:

1. Amend House amendment No. 5, page 74, following line 2, following section 301, by striking out all of section 501.

The amendment to the amendments was not adopted.

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

The amendments were concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 375

Yeas—27

Allen	Cherry	Jacobs	Prusi
Anderson	Clark-Coleman	Jansen	Richardville
Barcia	Clarke	Jelinek	Sanborn
Birkholz	Cropsey	Kahn	Stamas
Bishop	Gilbert	Nofs	Switalski
Brater	Hardiman	Olshove	Van Woerkom
Brown	Hunter	Pappageorge	

Nays—1

Cassis

Excused—9

Basham	Gleason	McManus	Scott
Garcia	Kuipers	Patterson	Thomas
George			

Not Voting—1

Whitmer

In The Chair: Richardville

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

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

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

The motion prevailed.

Senator Cassis' statement is as follows:

In keeping with my previous vote, "no," on Senate Bill No. 797, I would like to again reiterate why I will be voting "no" on this supplemental. While the audit is an important role that I think should continue, that's called good government, especially when billions of dollars have been uncovered as being misspent.

I also want to question how a bill that is supposed to be a savings bill can also be a spending bill at the same time. The spending of about \$120 million of our money is just that—pure spending, one-time spending. Sometimes we forget that federal spending is also taxpayer spending. It is just another source; it is not free money; nothing is free. As a matter of fact, this \$120 million in this supplemental will not be there in 2010-2011. How would that be made up for the very people who are the recipients of this largess now? It won't be; it sets up false expectations.

Once again, there is money in here for new training—training that we don't even know at this point in time if it will succeed in its objectives. The overall programs, No Worker Left Behind, workforce development in this state has left many wanting and has certainly raised questions. Now there is an effort underway to do an audit of No Worker Left Behind.

Again, the major question here is what are we doing, folks? Cutting and spending at the same time. I would hope that we would just be reducing and reforming spending overall, but I guess some are addicted to continue to spend, spend, spend, whether it is federal dollars, increasing our deficit in the United States, or spending in this state that won't be recovered.

Senator Pappageorge's statement is as follows:

You know, we just had a parliamentary trick played on us here, folks. The other house threw an amendment in—I don't know that they came over and talked with anyone about the amendment—and then they went home. Now either they don't understand the process that leads to a conference committee, or they deliberately ran out the door leaving us with a Hobson's choice of holding up things that absolutely have to be done by August 1. That is a terrible way for a legislative body to act.

Now here is the good news. What they did is unenforceable. They voted for \$5 million. There is no beginning or end date—the budget is only good for a year—so this amendment doesn't indicate that this is a one-year thing. The second part of the good news is this isn't going to be the only supplemental that we are going to do this year.

So because of the fact that we have an October 1 deadline, I am voting "yes." But I am telling you on the very next supplemental, folks, we have to fix this. This is outrageous legislative behavior.

Committee Reports

The Committee on Transportation reported

House Bill No. 6151, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to

set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending the title and section 10k (MCL 247.660k), the title as amended by 2004 PA 384 and section 10k as amended by 2006 PA 82, and by adding section 10p.

With the recommendation that the bill pass.

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

Judson S. Gilbert II
Chairperson

To Report Out:

Yeas: Senators Gilbert, Van Woerkom and Basham

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation submitted the following:

Meeting held on Wednesday, July 21, 2010, at 1:26 p.m., Room 100, Farnum Building

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

Absent: Senators Kahn and Gleason

The Committee on Appropriations reported

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.

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, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Cherry, Clark-Coleman and Scott

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

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.

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, George, Jansen, Brown, McManus, Stamas, Switalski, Anderson, Barcia, Cherry, Clark-Coleman and Scott

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, July 21, 2010, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

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

Excused: Senators Garcia and Brater

Senator Cropsey moved that the Senate adjourn.

The motion prevailed, the time being 4:32 p.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, August 11, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

