

No. 89
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Tuesday, November 8, 2011.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Brian N. Calley.

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

Anderson—present
Bieda—present
Booher—present
Brandenburg—present
Casperson—present
Caswell—present
Colbeck—present
Emmons—present
Gleason—present
Green—present
Gregory—present
Hansen—present
Hildenbrand—present

Hood—present
Hopgood—present
Hune—present
Hunter—present
Jansen—present
Johnson—present
Jones—present
Kahn—present
Kowall—present
Marleau—present
Meekhof—present
Moolenaar—present
Nofs—present

Pappageorge—present
Pavlov—present
Proos—present
Richardville—present
Robertson—present
Rocca—present
Schuitmaker—present
Smith—present
Walker—present
Warren—present
Whitmer—present
Young—present

Pastor Edward L. Branch of Third New Hope Baptist Church of Detroit offered the following invocation:

God of love and peace, how we honor You on this great and glorious day. We thank You for Your love and Your mercy toward us. Thank You for the flow of blessings in our lives. Thank You for safekeeping, protection, and Your provisions. We pray now that Your presence, Your power, and Your grace be upon all gathered here. We pray Your blessings upon our great state, our Governor, all our leaders, and upon this Legislature.

God, we pray that wherever we have been weak, You would give us strength; where we have been fearful, You will give us courage; and where we have been cold or insensitive, You would warm our hearts. We pray that we would be Your hands, Your eyes, and Your feet as we serve Your people. God, I pray for Your continued care for every family represented. I pray, God, that You will continue to surround us with Your love and Your grace.

Keep us in every way, and we are careful to give You glory, honor, and praise for it all. Amen.

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

Motions and Communications

Senator Gleason entered the Senate Chamber.

Senator Hunter moved that Senator Johnson be temporarily excused from today's session.
The motion prevailed.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:04 a.m.

11:41 a.m.

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

During the recess, Senator Johnson entered the Senate Chamber.

Senator Meekhof 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. 4445

House Bill No. 5014

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

Senator Meekhof moved that the following bill, now on the order of General Orders, be referred to the Committee on Economic Development:

Senate Bill No. 376, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2010 PA 273.

The motion prevailed.

Senator Meekhof moved that the following bills, now on the order of General Orders and Third Reading of Bills, be referred to the Committee on Reforms, Restructuring and Reinventing:

Senate Bill No. 10, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 976a.

House Bill No. 4310, entitled

A bill to amend 1967 PA 204, entitled "Metropolitan transportation authorities act of 1967," by amending section 13 (MCL 124.413).

The motion prevailed.

Senator Meekhof moved that the following bills, now on the order of General Orders, be referred to the Committee on Judiciary:

Senate Bill No. 55, entitled

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

Senate Bill No. 234, 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.

Senate Bill No. 236, 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.

House Bill No. 4109, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h. The motion prevailed.

Senator Meekhof moved that the following bills, now on the order of Third Reading of Bills, be referred to the Committee on Finance:

Senate Bill No. 656, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 665 (MCL 206.665), as added by 2011 PA 38.

House Bill No. 4937, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 669 (MCL 206.669), as added by 2011 PA 38.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, November 3:

House Bill Nos. 4701 4702

The Secretary announced that the following official bills were printed on Thursday, November 3, and are available at the legislative website:

Senate Bill Nos. 791 792 793 794

House Bill Nos. 5143 5144

The Secretary announced that the following official bills and joint resolution were printed on Friday, November 4, and are available at the legislative website:

Senate Bill Nos. 795 796 797 798 799

House Bill Nos. 5145 5146 5147 5148 5149 5150 5151

House Joint Resolution HH

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

Senator Meekhof moved that consideration of the following bills be postponed for today:

Senate Bill No. 291

House Bill No. 4369

The motion prevailed.

Senate Bill No. 427, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), section 4 as amended by 2008 PA 1, section 5 as amended by 2009 PA 205, and section 614 as amended by 2004 PA 419.

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. 502, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 513a.

Substitute (H-1).

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

Senator Nofs offered the following amendment to the substitute:

1. Amend page 3, line 18, by striking out all of subsection (8) and renumbering the remaining subsections.

The amendment to the substitute was adopted.

The question being on concurring in the House substitute as amended,

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

Roll Call No. 655**Yeas—38**

Anderson	Gregory	Kahn	Richardville
Bieda	Hansen	Kowall	Robertson
Booher	Hildenbrand	Marleau	Rocca
Brandenburg	Hood	Meekhof	Schuitmaker
Casperson	Hopgood	Moolenaar	Smith
Caswell	Hune	Nofs	Walker
Colbeck	Hunter	Pappageorge	Warren
Emmons	Jansen	Pavlov	Whitmer
Gleason	Johnson	Proos	Young
Green	Jones		

Nays—0**Excused—0****Not Voting—0**

In The Chair: President

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

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

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Calley, designated Senator Casperson as Chairperson.

After some time spent therein, the Committee arose; and the President, Lieutenant Governor Calley, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

House Bill No. 4642, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 2004 PA 19.

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. 368, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 2010 PA 38.

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. 369, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 105, 111, 113, 117, 201, 207, 305, 403, 405, 413, 433, 505, and 511 (MCL 208.1105, 208.1111, 208.1113, 208.1117, 208.1201, 208.1207, 208.1305, 208.1403, 208.1405, 208.1413, 208.1433, 208.1505, and 208.1511), sections 105, 405, and 413 as amended by 2007 PA 145, section 111 as amended by 2010 PA 133, section 113 as amended by 2008 PA 472, section 117 as amended by 2009 PA 142, section 201 as amended by 2009 PA 135, section 207 as amended by 2008 PA 435, section 305 as amended by 2007 PA 205, section 403 as amended by 2008 PA 434, and section 433 as amended by 2007 PA 215.

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. 4298, 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.

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:

House Bill No. 4445, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 22a, 22b, 51a, 51c, and 74 (MCL 388.1611, 388.1611m, 388.1622a, 388.1622b, 388.1651a, 388.1651c, and 388.1674), sections 11, 11m, 22a, and 51a as amended by 2010 PA 217 and sections 22b, 51c, and 74 as amended by 2010 PA 110.

Substitute (S-1).

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

1. Amend page 2, line 26, after "IF" by striking out "THIS STATE IS" and inserting "THE DEPARTMENT IS NOTIFIED BY JUNE 1, 2012 THAT THIS STATE HAS BEEN".

2. Amend page 3, line 4, after "SECTION." by inserting "HOWEVER, THESE FEDERAL FUNDS ARE NOT APPROPRIATED OR ALLOCATED UNTIL A NOTIFICATION OF THE FEDERAL GRANT AWARD HAS BEEN MADE TO THE DEPARTMENT AS DESCRIBED UNDER THIS SUBSECTION."

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill: **House Bill No. 5014, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; 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 4, line 19, after "treatment" by inserting "program".
2. Amend page 4, line 21, after "treatment" by inserting "program".
3. Amend page 5, line 23, by striking out "8,851,100" and inserting "8,520,900".
4. Amend page 8, line 10, by striking out "20,441,700" and inserting "20,516,700".
5. Amend page 8, line 20, by striking out "42,893,400" and inserting "42,968,400".
6. Amend page 10, following line 17, by inserting:

"Special revenue funds:

Total private revenues.....	25,000".
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7. Amend page 10, line 18, by striking out "(31,300)" and inserting "(56,300)".
8. Amend page 17, following line 18, by inserting:

"(4) REVENUE SHARING

Economic vitality incentive program.....	\$ (200,000,000)
Economic vitality incentive program.....	200,000,000
Economic vitality incentive program, one-time basis only	(15,000,000)
Economic vitality incentive program, one-time basis only	15,000,000
GROSS APPROPRIATION.....	\$ 0

Appropriated from:

Special revenue funds:

Sales tax revenue.....	0
State general fund/general purpose	\$ 0"

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

9. Amend page 17, line 25, after "is" by striking out "\$96,859,100.00" and inserting "\$96,834,100.00".
10. Amend page 19, line 11, after "least" by striking out "15.0%" and inserting "10.0%".
11. Amend page 20, line 5, after "treatment" by inserting "program".
12. Amend page 20, line 24, by striking out all of section 271 and inserting:

"Sec. 271. (1) From the amount appropriated in part 1 for office of great start operations, there is allocated \$75,000.00 to the department to contract for a report that updates the information and data in the previously completed analysis published by the W.K. Kellogg Foundation entitled "Building a Sustainable Future - Analysis of the Fiscal Resources Supporting Children from Birth Through Age 8 in Michigan."

(2) The report identified in (1) shall include at least the following:

- (a) Each source and amount of early childhood funding.
- (b) The agency responsible for distributing the funding identified in subdivision (a).
- (c) The recipients of each type of funding identified in subdivision (a).
- (d) For each recipient identified in (c), the dollar amount and percentage of funding spent for administrative purposes.
- (e) A fiscal map of federal, state, and private expenditures on programs and services for children, from birth through age 8 and their families.

(f) An analysis of the effectiveness of early childhood funding, highlighting the diversification and adequacy of existing funding, the stability and flexibility of available programs and funding sources, and the coordination of funding from multiple public and private sources.

(3) The updated information and data shall be included in a report to the legislature along with any related recommendations the department may have to ensure children are developmentally ready to succeed in school at the time of school entry.

(4) The report shall be completed not later than May 15, 2012 and, upon completion, the report shall be transmitted to the state budget director, the chairpersons of the senate and house of representatives committees on appropriations and the appropriations subcommittees responsible for the department of education budget, and the senate and house fiscal agencies."

13. Amend page 21, line 25, by striking out all of section 303 and inserting:

"Sec. 303. (1) If private funds become available, the department shall enter into a contract with a state university or outside research entity to conduct a behavioral health study of juvenile justice facilities operated or contracted for by the state. The study shall utilize diagnostic clinical interviews with and records reviews for a representative random sample of juvenile justice system detainees to develop a report on each of the following:

(a) The proportion of juvenile justice detainees with a primary diagnosis of emotional disorder, the percentage of those detainees considered to currently require mental health treatment, and the proportion of those detainees currently receiving mental health services, including a description and breakdown, encompassing, at a minimum, the categories of inpatient, residential, and outpatient care, of the type of mental health services provided to those detainees.

(b) The proportion of juvenile justice detainees with a primary diagnosis of addiction disorder, the percentage of those detainees considered to currently require substance abuse treatment, and the proportion of those detainees currently receiving substance abuse services, including a description and breakdown, encompassing, at a minimum, the categories of residential and outpatient care, of the type of substance abuse services provided to those detainees.

(c) The proportion of juvenile justice detainees with a dual diagnosis of emotional disorder and addiction disorder, the percentage of those detainees considered to currently require treatment for their condition, and the proportion of those detainees currently receiving that treatment, including a description and breakdown, encompassing, at a minimum, the categories of mental health inpatient, mental health residential, mental health outpatient, substance abuse residential, and substance abuse outpatient, of the type of treatment provided to those detainees.

(d) Data indicating whether juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder were previously hospitalized in a state psychiatric hospital for persons with mental illness. These data shall be broken down according to each of these 3 respective categories.

(e) Data indicating whether and with what frequency juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder have been detained previously. These data shall be broken down according to each of these 3 respective categories.

(f) Data classifying the types of offenses historically committed by juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder. These data shall be broken down according to each of these 3 respective categories.

(g) Data indicating whether juvenile justice detainees have previously received services managed by a community mental health program or substance abuse coordinating agency. These data shall be broken down according to the respective categories of detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder.

(2) The report referenced under subsection (1) would be provided not later than June 30 of the current fiscal year to the senate and house appropriations subcommittees on human services, the senate and house fiscal agencies and policy offices, and the state budget director.”

14. Amend page 24, following line 16, by inserting:

“DEPARTMENT OF TRANSPORTATION

Sec. 371. The funds appropriated in part 1 for welcome center operations shall be used first to maintain a minimum of 8 hours of operation, seven days per week, at the Mackinaw City, St. Ignace, and Sault Ste. Marie welcome centers. Any remaining funds shall be distributed equally among the remaining welcome centers across the state.”.

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.

Resolutions

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

Senate Resolution No. 34

Senate Resolution No. 67

The motion prevailed.

House Concurrent Resolution No. 34.

A concurrent resolution relative to secondary road patrol funds for counties providing road patrol services to cities and villages.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Concurrent Resolution No. 19.

A concurrent resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Senate Resolution No. 93.

A resolution to memorialize Congress and the U.S. Department of Transportation to approve a grant for a project at the I-275 and Ford Road interchange under the Transportation Investment Generating Economic Recovery Discretionary Grant program.

The question being on the adoption of the resolution,
The resolution was adopted.

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

The motion prevailed.

Senator Colbeck's statement is as follows:

I rise in support of these resolutions. The Ford Road and I-275 is an area that represents the No. 1 and No. 2 accident-incident sites in the state. It is a case where we have serious economic development concerns around that as a result of the bottleneck from that. We currently have bipartisan and bicameral support for this initiative, and I urge the adoption by my colleagues.

Introduction and Referral of Bills

Senators Gregory, Whitmer, Hood, Smith, Warren, Hopgood, Johnson, Bieda, Gleason, Anderson, Hunter and Young introduced

Senate Bill No. 800, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 672a. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Jones, Hood, Kowall, Schuitmaker and Bieda introduced

Senate Bill No. 801, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180. The bill was read a first and second time by title and referred to the Committee on Education.

Senators Colbeck, Caswell, Kahn, Nofs, Pappageorge, Brandenburg, Green, Marleau, Schuitmaker, Walker, Casperson, Jansen, Hildenbrand, Hune, Meekhof, Emmons, Kowall, Pavlov, Booher, Jones, Robertson, Rocca, Richardville and Proos introduced

Senate Bill No. 802, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 141a.

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

Senator Booher introduced

Senate Bill No. 803, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 523, 759, and 761 (MCL 168.523, 168.759, and 168.761), sections 523 and 761 as amended by 2005 PA 71 and section 759 as amended by 1995 PA 261.

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

House Bill No. 4701, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1b, 20, 27, 35, 38, 47, 48, 49, 50, 55, 64, 65, 67a, 68, and 68c (MCL 38.1b, 38.20, 38.27, 38.35, 38.38, 38.47, 38.48, 38.49, 38.50, 38.55, 38.64, 38.65, 38.67a, 38.68, and 38.68c), sections 1b, 20, and 48 as amended by 2002 PA 93, sections 27 and 67a as amended by 2004 PA 109, section 35 as added and sections 38, 68, and 68c as amended by 2010 PA 185, section 47 as amended by 2002 PA 743, section 49 as amended by 2008 PA 353, sections 50 and 65 as added by 1996 PA 487, section 55 as amended by 2010 PA 256, and section 64 as amended by 2004 PA 33, and by adding sections 20j, 35a, 50a, 63a, 68b, and 68e.

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. 4702, entitled

A bill to amend 2010 PA 77, entitled "Public employee retirement health care funding act," by amending the title and sections 1, 2, 3, 4, 8, 10, 11, and 14 (MCL 38.2731, 38.2732, 38.2733, 38.2734, 38.2738, 38.2740, 38.2741, and 38.2744) and by adding sections 2a, 2b, and 10a.

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.

By unanimous consent the Senate returned to the order of

Messages from the Governor

The following messages from the Governor were received and read:

October 12, 2011

I respectfully submit to the Senate the following appointment to office:

Michigan State Board of Accountancy

James E. Bayson of 4862 Stamford Drive, West Bloomfield, Michigan 48323, county of Oakland, representing the general public, succeeding Sally Fedus, is appointed for a term expiring June 30, 2015.

November 1, 2011

I respectfully submit to the Senate the following appointments to office:

Health Information Technology Commission

Gregory J. Forzley of 1435 Glen Ellyn Drive, S.E., Grand Rapids, Michigan 49546, county of Kent, representing doctors of medicine, succeeding himself, is reappointed for a term expiring August 3, 2015.

Michael G. Chrissos of 415 Sumark Way, Ann Arbor, Michigan 48103, county of Washtenaw, representing the general public, succeeding Robin M. Cole, is appointed for a term expiring August 3, 2015.

November 3, 2011

I respectfully submit to the Senate the following appointments to office:

Highland Park Review Team

Carol L. Wolenberg of 2459 Barnsbury Road, East Lansing, Michigan 48823, county of Ingham, representing the Superintendent of Public Instruction, is appointed for a term expiring at the pleasure of the Governor.

Robert D. Charles of 6646 Crest Top Drive, West Bloomfield, Michigan 48322, county of Oakland, representing the Senate Majority Leader, is appointed for a term expiring at the pleasure of the Governor.

Robert A. Bovitz of 47992 Inveraray Road, Canton, Michigan 48188, county of Wayne, representing the Speaker of the House, is appointed for a term expiring at the pleasure of the Governor.

David R. Martell of 5577 Lanoga Lane, Haslett, Michigan 48840, county of Ingham, representing the Governor, is appointed for a term expiring at the pleasure of the Governor.

Thomas Saxton of 3836 Bush Garden Lane, Holt, Michigan 48842, county of Ingham, representing the State Treasurer, is appointed for a term expiring at the pleasure of the Governor.

John C. Clark of 31265 Sleepy Hollow Lane, Beverly Hills, Michigan 48025, county of Oakland, representing the Governor, is appointed for a term expiring at the pleasure of the Governor.

Doug A. Ringler of 2624 S. Edgar Road, Mason, Michigan 48854, county of Ingham, representing the Director of the Department of Technology, Management and Budget, is appointed for a term expiring at the pleasure of the Governor.

Thomas (Brom) A. Stibitz of 4144 Wharf Drive, Okemos, Michigan 48864, county of Ingham, representing the Governor, is appointed for a term expiring at the pleasure of the Governor.

Frederick B. Headen of 5571 White Ash Lane, Haslett, Michigan 48840, county of Ingham, representing the Governor, is appointed for a term expiring at the pleasure of the Governor.

Phillip Pierce of 17 Oxford Road, Grosse Pointe Shores, Michigan 48236, county of Wayne, representing the Governor, is appointed for a term expiring at the pleasure of the Governor.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Statements

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

The motion prevailed.

Senator Young's statement is as follows:

I would like to start with a quote: "Every civilization rests on a set of promises; if the promises are broken too often, the civilization dies, no matter how rich it may be, or how mechanically clever. Hope and faith depend on the promises; if hope and faith go, everything goes." —Herbert Agar.

I rise today because of a deal that took place in 1999 with then-Governor Engler and the Detroit delegation involved in revenue sharing. They basically said that all revenue sharing payments would be frozen, and they would not cut them, but they would cut other areas in this great state of Michigan—other cities, townships, and municipalities—but they would hold Detroit harmless. Then the state decided to go back on the promise. As a result, the citizens of Detroit feel that is not only injustice, but they believe it is fiscal terrorism.

Citizens in Detroit seek economic elevation and restoration. They believe the city's coffers have been pillaged, prodded, and as a result, they have inadequate living conditions. We will not thrive and have shared prosperity as a state if we continue to treat the state's economic engine, the epicenter of prosperity—the city of Detroit—in this fashion. It is reflected in a lack of police service. It is reflected when you have little girls who are burned alive in buildings because the fire department shows up and the water pumps don't work in the truck. It is reflected in the fact that buses cannot properly operate, and as a result, you have women and children waiting for two or three hours in the cold and dark to catch a bus. You have people who are having their jobs and their ability to provide for their families taken away from them because they do not have the finances necessary to operate the city.

I think that there are only a couple of times in our lives that we are able to truly blaze a trail; we are able to set a dawn of a new era; we are able to right the wrongs and ills of injustice that our citizens face. This is that time. We must grab that scepter of fairness. We must come together and close the gap between the promise and the reality of the city of Detroit by restoring the finances and honoring the promise that we made to the citizens. As I always say, nobody cares how much you know. It's how much you care. It is time to show the citizens of Detroit that we care by paying back the revenue that is owed to them.

Committee Reports

The Committee on Agriculture reported
Senate Resolution No. 94.

A resolution to memorialize Congress and the United States Department of Labor to halt the implementation of proposed restrictions regarding youth employment on farms.

(For text of resolution, see Senate Journal No. 87, p. 2485.)

With the recommendation that the resolution be adopted.

Joseph R. Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Emmons and Hansen

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Agriculture reported
Senate Bill No. 725, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7dd and 34c (MCL 211.7dd and 211.34c), section 7dd as amended by 2010 PA 17 and section 34c as amended by 2006 PA 646.

With the recommendation that the bill pass.

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

Joseph R. Hune
Chairperson

To Report Out:

Yeas: Senators Hune, Emmons, Hansen and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Agriculture submitted the following:

Meeting held on Thursday, November 3, 2011, at 9:04 a.m., Room 110, Farnum Building

Present: Senators Hune (C), Emmons, Hansen and Gleason

Excused: Senator Booher

The Committee on Appropriations reported

House Bill No. 4445, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11m, 22a, 22b, 51a, 51c, and 74 (MCL 388.1611, 388.1611m, 388.1622a, 388.1622b, 388.1651a, 388.1651c, and 388.1674), sections 11, 11m, 22a, and 51a as amended by 2010 PA 217 and sections 22b, 51c, and 74 as amended by 2010 PA 110.

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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Jansen, Pappageorge, Booher, Caswell, Green, Proos, Schuitmaker and Walker

Nays: Senators Moolenaar, Colbeck, Anderson, Gregory, Hood, Hopgood and Johnson

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. 5014, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2012; 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.

Roger Kahn, M.D.
Chairperson

To Report Out:

Yeas: Senators Kahn, Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Walker and Hopgood

Nays: Senator Proos

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Wednesday, November 2, 2011, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Kahn (C), Moolenaar, Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson, Gregory, Hood, Hopgood and Johnson

The Committee on Regulatory Reform reported

House Bill No. 4293, entitled

A bill to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts.

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

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

Tory Rocca
Chairperson

To Report Out:

Yeas: Senators Rocca, Jones, Hune, Meekhof, Pavlov, Johnson and Warren

Nays: None

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

The Committee on Health Policy reported

House Bill No. 4893, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), section 16184 as amended by 2006 PA 591 and section 16185 as amended by 2011 PA 55.

With the recommendation that the bill pass.

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

James A. Marleau
Chairperson

To Report Out:

Yeas: Senators Marleau, Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Gleason

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submitted the following:

Meeting held on Thursday, November 3, 2011, at 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Marleau (C), Robertson, Emmons, Hune, Jones, Schuitmaker, Warren and Gleason

COMMITTEE ATTENDANCE REPORT

The Committee on Local Government and Elections submitted the following:

Meeting held on Wednesday, November 2, 2011, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Robertson (C), Meekhof and Brandenburg

Excused: Senator Young

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources, Environment and Great Lakes submitted the following:

Meeting held on Thursday, November 3, 2011, at 8:30 a.m., Room 210, Farnum Building

Present: Senators Casperson (C), Pavlov, Green, Kowall, Meekhof and Warren

Excused: Senator Hood

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:

Meeting held on Monday, November 7, 2011, at 3:30 p.m., Oakland University, Oakland Center, Gold Room, 2200 North Squirrel Road, Rochester

Present: Senators Jansen (C), Colbeck, Kowall and Robertson

Excused: Senators Casperson, Young and Warren

Scheduled Meetings

Appropriations - Wednesday, November 9, 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1106)

Subcommittees -

Retirement - Thursday, November 10, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

State Police and Military Affairs and House State Police Appropriations Subcommittee - Thursday, November 10, 2:00 p.m., Room 405, Capitol Building (373-2768)

Economic Development - Wednesday, November 9, 3:30 p.m., Oakland University, Oakland Center, Gold Room, 2200 North Squirrel Road, Rochester (373-5312)

Education - Wednesday, November 9, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-5314)

Families, Seniors and Human Services - Wednesday, November 9, 3:00 p.m., Room 210, Farnum Building (373-5312)

Finance - Wednesday, November 9, 12:30 p.m., Room 210, Farnum Building (373-5307)

Local Government and Elections - Wednesday, November 9, 3:00 p.m., Room 100, Farnum Building (373-5323)

Michigan Law Revision Commission - Wednesday, December 7, 11:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Natural Resources, Environment and Great Lakes - Thursday, November 10, 8:30 a.m., Room 210, Farnum Building (373-5323)

Outdoor Recreation and Tourism - Thursday, November 10, 12:30 p.m., Room 210, Farnum Building (373-5323)

Reforms, Restructuring and Reinventing - Wednesday, November 9, 8:30 a.m., Rooms 402 and 403, Capitol Building (373-5307)

State Drug Treatment Court Advisory Committee - Tuesday, November 22, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Pavlov moved that the Senate adjourn.
The motion prevailed, the time being 12:16 p.m.

The President, Lieutenant Governor Calley, declared the Senate adjourned until Wednesday, November 9, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

