

No. 38
STATE OF MICHIGAN
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REGULAR SESSION OF 2009

Senate Chamber, Lansing, Tuesday, May 12, 2009.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Senator Thomas M. George of the 20th District offered the following invocation:

Heavenly Father, as we gather today on a beautiful Michigan spring morning, we ask for Your guidance in our work of self-governance. We represent Your people from all corners of the state and all walks of life. We ask Your blessing as we craft the earthly laws that define our human interactions, commerce, and institutions.

We humbly ask that Your hand be expressed in our work, so that it balances the needs of our people in a just and fair fashion. Amen.

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

Recess

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

The motion prevailed, the time being 10:03 a.m.

11:07 a.m.

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

During the recess, Senators Scott, Gleason, Barcia, Patterson, Hunter, Hardiman, Kuipers, Gilbert, Kahn, Stamas, Brown, Garcia, Cassis, Pappageorge, Allen, Van Woerkom, Birkholz, Bishop, Jansen and Jelinek entered the Senate Chamber.

A quorum of the Senate was present.

Motions and Communications

The following communications were received:

Department of State

Administrative Rules
Notices of Filing

April 23, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-007-LG (Secretary of State Filing #09-04-07) on this date at 4:40 p.m. for the Department of Energy, Labor, and Economic Growth, entitled "Unarmed Combat."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a (6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State

April 28, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Energy, Labor, and Economic Growth and the State Office of Administrative Hearings and Rules filed Administrative Rule #2008-045-LG (Secretary of State Filing #09-04-08) on this date at 10:46 a.m. for the Department of Energy, Labor, and Economic Growth, entitled "Michigan State Housing Development Authority - General Rules."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a (6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Thursday, May 7:
House Bill No. 4169

The Secretary announced that the following official bills were printed on Thursday, May 7, and are available at the legislative website:

House Bill Nos. 4890 4891 4892 4893 4894 4895 4896 4897 4898

The Secretary announced that the following official bills were printed on Friday, May 8, and are available at the legislative website:

Senate Bill Nos. 541 542 543 544 545 546 547 548 549 550 551 552 553 554
555 556 557 558
House Bill Nos. 4899 4900 4901 4902 4903 4904 4905 4906

Messages from the Governor

The following message from the Governor was received:

Date: May 7, 2009
 Time: 10:05 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 322 (Public Act No. 23), being

An act to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

(Filed with the Secretary of State on May 7, 2009, at 10:25 a.m.)

Respectfully,
 Jennifer M. Granholm
 Governor

The following message from the Governor was received:

May 7, 2009

Today I have signed Senate Bill 322 providing fiscal year 2009 supplemental appropriations for capital outlay. My action today makes \$48.9 million of Michigan Natural Resources Trust Funds available for the protection of natural resources and open space, and the development of public outdoor recreation facilities. This bill also enhances training facilities for our military troops at Camp Grayling.

I thank the Legislature for its important work on this budget bill.

Sincerely,
 Jennifer M. Granholm
 Governor

Messages from the House

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

Senate Bill No. 363

The motion prevailed.

Senate Bill No. 466, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 6.

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

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

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

The Senate agreed to the full title.

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

By unanimous consent the Senate proceeded to the order of
General Orders

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

The motion prevailed, and the President, Lieutenant Governor Cherry, designated Senator Jansen as Chairperson.

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

Senate Bill No. 490, entitled

A bill to amend 1950 (Ex Sess) PA 21, entitled "An act to create the Mackinac bridge authority, and to prescribe its powers and duties; to provide for the determination of the physical and financial feasibility of a bridge connecting the upper and lower peninsulas of Michigan; to provide for a board of consulting engineers, and to prescribe its powers and duties; and to make an appropriation to carry out the provisions of this act," (MCL 254.301 to 254.302) by amending the title and by adding section 1a.

Senate Bill No. 358, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2008 PA 105.

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

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

Senate Bill No. 282, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

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. 321, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 204c.

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. 141, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

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. 432, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2007 PA 11.

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. 539, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 457 (MCL 208.1457), as added by 2008 PA 86.

Substitute (S-1).

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

1. Amend page 5, line 22, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE QUALIFIED FILM AND DIGITAL MEDIA INFRASTRUCTURE PROJECT".

2. Amend page 6, line 1, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE QUALIFIED FILM AND DIGITAL MEDIA INFRASTRUCTURE PROJECT".

3. Amend page 6, line 16, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE QUALIFIED FILM AND DIGITAL MEDIA INFRASTRUCTURE PROJECT".

4. Amend page 6, line 21, after "STATE" by inserting "WITHIN 90 DAYS AFTER COMMENCEMENT OF THE QUALIFIED FILM AND DIGITAL MEDIA INFRASTRUCTURE PROJECT".

5. Amend page 10, line 2, after "TO" by striking out the balance of the line through "2011" on line 3 and inserting "THE GOVERNOR, THE PRESIDENT OF THE MICHIGAN STRATEGIC FUND, THE CHAIRPERSON OF THE SENATE FINANCE COMMITTEE, AND THE CHAIRPERSON OF THE HOUSE TAX POLICY COMMITTEE BY MARCH 1, 2010".

6. Amend page 10, line 4, after "AFTER" by striking out "2011" and inserting "2010".

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 bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 539

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. 539

Senate Bill No. 349

Senate Bill No. 419

Senate Bill No. 25

Senate Bill No. 216

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 539, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 457 (MCL 208.1457), as added by 2008 PA 86.

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. 168

Yeas—37

Allen	Clark-Coleman	Jacobs	Prusi
Anderson	Clarke	Jansen	Richardville
Barcia	Cropsey	Jelinek	Sanborn
Basham	Garcia	Kahn	Scott
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brater	Gleason	Olshove	Thomas

Brown
Cassis
Cherry

Hardiman
Hunter

Pappageorge
Patterson

Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 349, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43521 (MCL 324.43521), as amended by 1996 PA 585.

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. 169

Yeas—37

Allen
Anderson
Barcia
Basham
Birkholz
Bishop
Brater
Brown
Cassis
Cherry

Clark-Coleman
Clarke
Cropsey
Garcia
George
Gilbert
Gleason
Hardiman
Hunter

Jacobs
Jansen
Jelinek
Kahn
Kuipers
McManus
Olshove
Pappageorge
Patterson

Prusi
Richardville
Sanborn
Scott
Stamas
Switalski
Thomas
Van Woerkom
Whitmer

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 419, entitled

A bill to amend 1971 PA 22, entitled "An act prescribing the age at which persons may donate their blood," by amending section 1 (MCL 722.41), as amended by 1981 PA 228.

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. 170

Yeas—37

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 25, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

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. 171

Yeas—29

Allen	Clarke	Jansen	Patterson
Barcia	Cropsey	Jelinek	Richardville
Basham	Garcia	Kahn	Sanborn
Birkholz	George	Kuipers	Stamas
Bishop	Gilbert	McManus	Switalski
Brown	Hardiman	Olshove	Thomas
Cassis	Jacobs	Pappageorge	Van Woerkom
Cherry			

Nays—8Anderson
BraterClark-Coleman
GleasonHunter
PrusiScott
Whitmer**Excused—0****Not Voting—0**

In The Chair: President

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Garcia and Cropsey introduced

Senate Bill No. 559, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1f of chapter IX (MCL 769.1f), as amended by 2008 PA 466.

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

Senators Garcia, Cropsey and Anderson introduced

Senate Bill No. 560, entitled

A bill to amend 1846 RS 171, entitled “Of county jails and the regulation thereof,” by amending sections 4 and 4a (MCL 801.4 and 801.4a), as amended by 2006 PA 20.

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

Senator Gilbert introduced

Senate Bill No. 561, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 34c (MCL 211.34c), as amended by 2006 PA 646.

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

Senator Gilbert introduced

Senate Bill No. 562, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending sections 31, 32, and 35a (MCL 205.731, 205.732, and 205.735a), as amended by 2008 PA 125.

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

Senators George, Birkholz, Cassis, Garcia and Brown introduced

Senate Bill No. 563, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 269 (MCL 206.269), as added by 2004 PA 313.

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

Senators Van Woerkom, Garcia, Birkholz, Jansen, Hardiman and Kuipers introduced

Senate Bill No. 564, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 504 (MCL 380.504), as amended by 2008 PA 1.

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

Senator Stamas introduced

Senate Bill No. 565, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17777. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Olshove, Birkholz, Barcia, Anderson, Cherry and Whitmer introduced

Senate Bill No. 566, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 743 (MCL 257.743), as amended by 2006 PA 298.

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

Senators Hardiman, Pappageorge and Kahn introduced

Senate Bill No. 567, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 6 (MCL 205.96), as amended by 2004 PA 172. The bill was read a first and second time by title and referred to the Committee on Finance.

Senators Jansen, Garcia, Allen, Hardiman, Gilbert, Pappageorge, Jacobs and Birkholz introduced

Senate Bill No. 568, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5080 (MCL 600.5080), as added by 2000 PA 420.

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

Senators Jansen, Garcia, Allen, Hardiman, Gilbert, Pappageorge, Jacobs and Birkholz introduced

Senate Bill No. 569, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 4 (MCL 722.24), as amended by 1998 PA 482.

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

Senators Patterson, Richardville, Pappageorge, Van Woerkom, Jelinek, Kuipers, Hardiman and Anderson introduced

Senate Bill No. 570, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7403, and 7404 (MCL 333.7212, 333.7403, and 333.7404), as amended by 2002 PA 710.

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

Senators Gilbert, Sanborn, Pappageorge, Jansen, Gleason and Thomas introduced

Senate Bill No. 571, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding sections 811r, 811s, 811t, and 811u.

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

House Bill No. 4169, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13a of chapter XIIA (MCL 712A.13a), as amended by 2004 PA 475.

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 Families and Human Services.

Statements

Senators Scott, Switalski and Jacobs asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott's statement is as follows:

The folk singer Joan Baez said, "As long as one keeps searching, the answers come." I have been searching for years for the answer to high auto insurance rates for my constituents and citizens across this great state. An answer to this problem is for the Senate to take action on my bills.

I introduced these bills during our last legislative session, and I have introduced them again in this legislative session. I have faith that someday soon all of my colleagues here in the Senate will realize that their constituents need the same relief from high auto insurance rates that mine need. Then we will be able to work together and find the answer to these unfair rates that people across Michigan are paying.

I told you it was me today and you tomorrow, but I believe your tomorrow is here today.

Senator Switalski's statement is as follows:

It's time to drop the DROP. We must end the DROP program which pays a bonus to discourage retirement at a time when we are laying off State Police troopers. Since the passage of the executive order last week, there has been a great deal of interest in the impending layoff of 100 state troopers. Several suggestions offered so far include using \$25 million in one-time funds from refinancing lottery securities to cancel the layoffs.

Use of one-time funds to maintain budgets at an unsustainable rate rebuilds the cliff that we had begun grading downward into a slope with the executive order cuts. We are attempting to glide down this slope to a soft landing of sustainable budgets in 2011, rather than fall off the cliff of 2009 to the depths of 2011.

Let me suggest alternatives that are sustainable. I called last month for an end to the DROP program, which allows State Police eligible for retirement to continue working while collecting their retirement. This program to encourage employees not to retire has outlived its usefulness. We should terminate this program immediately. How can we justify paying a bonus to employees to not retire while we lay off recent hires and new employees who just went through the trooper school? This is poor management. I call for an end to the DROP program now.

We are laying off 100 troopers. We have 147 uniformed officers in the DROP program. When the program began in 2004, employees signed a six-year contract to enroll in the DROP program and 43 will be required to retire in 2010. That leaves 104. By coincidence, that matches our layoff number. We should determine whether the contract allows us to terminate DROP early. But we should quickly ensure that DROP is not extended to any other employees. According to the Senate Fiscal analyst for State Police, 80 officers will become eligible in 2010. DROP must end now.

There is another alternative for the State Police budget. We must redefine the roles and responsibilities of the State Police. We must establish priorities for what functions are essential and which can be accomplished by coordinating with local authorities. The sheriffs of Macomb and Oakland Counties are urging this partnership. That is an offer we can't refuse.

This Friday in the Revenue Estimating Conference, we are going to get some more bad news. Our 2010 budgets will require a fundamental restructuring of the way Michigan government does business. The old order is not sustainable. We must change.

Senator Jacobs' statement is as follows:

I want to take a moment or two to read an editorial that was just posted by the *Jackson Citizen Patriot* on May 12, 2009, entitled "Reason for change." Understand that Jackson—I would not consider to be a liberal bastion.

"With a pared-down election season ahead this year, the state House recently supported making it easier for Michigan residents to vote. The House overwhelmingly passed a bill allowing people to vote by absentee ballot for any reason.

House lawmakers passed this proposal last year, too, but the bill died in the state Senate. If Michigan lawmakers are serious about encouraging more people to vote, let's hope the bill does not languish again.

'No-reason' absentee voting would let people pick up and turn in ballots in advance of Election Day without having to explain why. Today, absentee ballots are given for certain reasons, such as age, out-of-town travel and illness.

If someone's day is filled with work, taking care of family or both, that can leave little time to get to the polls.

Critics—including the 30 Republicans who voted against the House bill—suggest expanding absentee voting invites voter fraud. They even proposed silly amendments to ban members of the community-organizing group ACORN from possessing absentee ballots other than their own.

What's more persuasive is this: Twenty-eight states already allow no-reason absentee voting, according to the Early Voting Information Center. What's more, the Michigan Association of County Clerks—the people who run elections—supports this change.

The state Senate should look out for the interests of residents who want to vote but might lack the time on Election Day. It should allow absentee voting for any reason."

I hope that my friends and colleagues on the other side of the aisle take note of the public expression that understands why this is such an important bill to pass.

Committee Reports

The Committee on Appropriations reported

Senate Bill No. 416, entitled

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 480, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 515 (MCL 208.1515), as amended by 2007 PA 145.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 494, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 810b, 811d, 811e, and 811h (MCL 257.208b, 257.217a, 257.232, 257.801, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.810b, 257.811d, 257.811e, and 257.811h), sections 208b and 232 as amended by 2005 PA 173, sections 217a and 804 as amended and section 803r as added by 2003 PA 152, section 801 as amended by 2008 PA 7, section 802 as amended by 2004 PA 163, section 803b as amended by 2004 PA 426, section 806 as amended by 2008 PA 281, section 809 as amended by 2008 PA 280, section 810b as amended by 2006 PA 549, and sections 811d, 811e, and 811h as amended by 2006 PA 562.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

Senate Bill No. 495, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), as amended by 2005 PA 174.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Appropriations reported

Senate Bill No. 540, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 7 (MCL 28.297), as amended by 2005 PA 172.

With the recommendation that the bill pass.

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

Ron Jelinek
Chairperson

To Report Out:

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

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 388, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2005, 2030, 2035, 74101, 74102a, 74116, 74117, 74122, 74123, 78105, and 83106 (MCL 324.2005, 324.2030, 324.2035, 324.74101, 324.74102a, 324.74116, 324.74117, 324.74122, 324.74123, 324.78105, and 324.83106), sections 2005, 2030, and 2035 as added and sections 74101, 74122, 78105, and 83106 as amended by 2004 PA 587, section 74102a as amended by 2006 PA 307, sections 74116 and 74123 as added by 1995 PA 58, and section 74117 as amended by 2006 PA 477, and by adding sections 1911 and 2045; and to repeal acts and parts of acts.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Gleason

Nays: None

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

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 389, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 805.

With the recommendation that the substitute (S-6) be adopted and that the bill then pass.

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

Patricia L. Birkholz
Chairperson

To Report Out:

Yeas: Senators Birkholz, Van Woerkom, Patterson, Basham and Gleason

Nays: None

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, May 6, 2009, at 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Michigan Capitol Committee submitted the following:

Meeting held on Thursday, April 30, 2009, at 3:30 p.m., Room 426, Capitol Building

Present: Senators George (C), Garcia (designee), Brown and Brater

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Department of Community Health submitted the following:

Meeting held on Thursday, May 7, 2009, at 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kahn (C), George, Stamas, Barcia, Switalski and Pappageorge

Excused: Senator Cherry

COMMITTEE ATTENDANCE REPORT

The Committee on Energy Policy and Public Utilities submitted the following:

Meeting held on Thursday, May 7, 2009, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Patterson (C), Brown, Birkholz, Kuipers, Richardville, Olshove, Clarke and Thomas

Scheduled Meetings

Administrative Rules - Thursday, May 14, 9:00 a.m., Rooms 402 and 403, Capitol Building (373-6476)

Appropriations - Wednesday, May 13, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)
(CANCELED)

Subcommittees -

Community Colleges - Wednesday, May 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Community Health Department - Thursday, May 21, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Environmental Quality Department - Wednesdays, May 13 and May 20, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

Higher Education - Friday, May 15, 10:00 a.m., University of Michigan-Ann Arbor, Michigan League, Vandenberg Room, 911 North University Street, Ann Arbor; Thursday, May 14, 9:00 a.m., and Wednesday, May 20, 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Judiciary and Corrections - Tuesday, May 19, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

K-12, School Aid, Education - Tuesday, May 19, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2768)

Natural Resources Department - Tuesday, May 19, 12:00 noon or later immediately following session, Room 405, Capitol Building (373-2768) (CANCELED)

Banking and Financial Institutions - Wednesday, May 13, 9:00 a.m., Room 210, Farnum Building (373-3543)

Conference Committees -

Foreclosure Proceedings on Residential Property (HB 4453) - Wednesday, May 13, 12:30 p.m., Room 308, South Tower, House Office Building (373-0070)

Modified Mortgage Loan Payment/FDIC Workout Program (HB 4455) - Wednesday, May 13, 12:40 p.m., Room 308, South Tower, House Office Building (373-0070)

Written Notice for Residential Property Foreclosure (HB 4454) - Wednesday, May 13, 12:35 p.m., Room 308, South Tower, House Office Building (373-0070)

Economic Development and Regulatory Reform - Wednesday, May 13, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

Energy Policy and Public Utilities - Thursday, May 14, 1:00 p.m., Room 210, Farnum Building (373-7350)

Health Policy - Wednesday, May 13, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-0793)

Legislative Commission on Statutory Mandates - Tuesday, May 19, 3:00 p.m., Oakland County Executive Office Building, Waterford Room, 1st Floor, Building 41-West, 2100 Pontiac Lake Road, Waterford (373-0212)

Legislative Retirement Board of Trustees - Thursdays, June 4, September 10 and December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

Natural Resources and Environmental Affairs - Wednesday, May 13, 1:00 p.m., Room 110, Farnum Building (373-3447)

Senior Citizens and Veterans Affairs - Wednesday, May 13, 9:00 a.m., Room 100, Farnum Building (373-2413)

Senator Cropsey moved that the Senate adjourn.
The motion prevailed, the time being 12:05 p.m.

The President, Lieutenant Governor Cherry, declared the Senate adjourned until Wednesday, May 13, 2009, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate