

**No. 3**  
**STATE OF MICHIGAN**  
**Journal of the Senate**  
**96th Legislature**  
**REGULAR SESSION OF 2011**

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Senate Chamber, Lansing, Wednesday, January 19, 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 Terry Frazier of Liberty Foursquare Church of Warren offered the following invocation:

Precious Heavenly Father, I come to You today on behalf of this great state. I thank you for these precious public servants. Bless them and their families for their sacrifice. As we begin a new year, we look to You with renewed hope.

We look to the God who makes beauty out of ashes; the God who turns mourning into dancing and makes light to shine in darkness; the God who brings order out of chaos and life in the middle of barrenness. We pray to the God of restoration, the God of renewal, and the God of revival. We pray that You fill vacant homes with new families and businesses with new patrons. We pray that You rebuild our state from the rubble of recession. We pray that You create jobs for the jobless and wealth where poverty abounds. We pray that You take things that have become a reproach and make them into a model of reform.

Lord, we pray that You would restore our dignity, our self-esteem, our confidence, and our hope. Give wisdom to those who lead, creativity to those who design, ambition to the entrepreneurs, and perseverance to those who serve.

O great and awesome God, You said that if we would seek You first, all of these things would be added unto us. So above seeking material things, we humble ourselves, and we seek Your face. We seek the will of God above the will of man. We seek Your will above special interests, public opinion, personal agendas, and media pressures. Help us to realize that what You have called us to do, we cannot accomplish without Your help. As we seek You, O God, hear from heaven and bring healing to our state.

I pray for these who lead us, Lord. Give them wisdom in their decisions, direction in their vision, and courage in their leadership. May the word of God be their moral compass. May they find strength in the midst of storms and peace. Lord, we pray for peace in our cities, peace in our state, peace in our homes, and above all, peace in our hearts.

In the name of our Lord and Savior, we pray. Amen.

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

The President pro tempore, Senator Schuitmaker, assumed the Chair.

### Motions and Communications

Senator Meekhof moved that Senators Kahn and Marleau be temporarily excused from today's session.

The motion prevailed.

Senator Hunter moved that Senators Hopgood, Johnson and Smith be temporarily excused from today's session.

The motion prevailed.

The following communication was received and read:

Office of Senator Roger Kahn, M.D.

January 18, 2011

Pursuant to Senate Rule 2.105, I am hereby making the appointment to the following Appropriations subcommittees:

**Agriculture and Rural Development** – Senators Green (C), Moolenaar (VC) and Hopgood (MVC).

**Capital Outlay** – Senators Booher (C), Schuitmaker (VC), Jansen, Green, Moolenaar, Hood (MVC) and Anderson.

**Community Colleges** – Senators Booher (C), Schuitmaker (VC) and Anderson (MVC).

**Department of Community Health** – Senators Moolenaar (C), Caswell (VC), Booher and Gregory (MVC).

**Department of Energy, Labor, and Economic Growth** – Senators Jansen (C), Proos (VC) and Johnson (MVC).

**Department of Environmental Quality** – Senators Green (C), Walker (VC), Booher and Hopgood (MVC).

**Department of Human Services** – Senators Caswell (C), Jansen (VC), Proos and Gregory (MVC).

**Department of Natural Resources** – Senators Green (C), Walker (VC), Booher and Hopgood (MVC).

**General Government** – Senators Pappageorge (C), Jansen (VC), Colbeck and Johnson (MVC).

**Higher Education** – Senators Schuitmaker (C), Walker (VC) and Hood (MVC).

**Judiciary** – Senators Proos (C), Schuitmaker (VC) and Johnson (MVC).

**K-12, School Aid, Education** – Senators Walker (C), Caswell (VC), Pappageorge and Hopgood (MVC).

**Retirement** – Senators Jansen (C), Caswell (VC), Colbeck and Hood (MVC).

**State Police and Military Affairs** – Senators Colbeck (C), Pappageorge (VC) and Gregory (MVC).

**Transportation** – Senators Pappageorge (C), Colbeck (VC) and Anderson (MVC).

Respectfully yours,

Roger Kahn

Chair, Senate Appropriations Committee

The communication was referred to the Secretary for record.

Senator Meekhof moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

Senator Meekhof moved that rule 3.902 be suspended to allow guests admittance to the Senate floor.

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

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

The motion prevailed.

Senator Richardville's statement is as follows:

The late State Representative Kate Ebli was a friend of all of ours. I would like to request a moment of silence in her honor. She served the people of the 56th House District—not only the residents of Monroe County, but of the entire state—with compassion and selflessness. I wonder if the members would rise with me in a moment of silence.

A moment of silence was observed in memory of former State Representative Kate Ebli.

Senators Marleau, Kahn and Hopgood entered the Senate Chamber.

### Messages from the Governor

The following messages from the Governor were received and read:

January 11, 2011

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 of the Michigan Constitution of 1963, the following appointment to office under Section 179 of 1965 PA 380, MCL 16.279:

#### **Michigan Commission of Agriculture**

Diane M. Hanson of 3595 26th Road, Cornell, Michigan 49818, county of Delta, succeeding Audrey Herioux, term expiring December 31, 2010, is appointed for a term commencing January 12, 2011 and expiring December 31, 2014.

Robert Kennedy of 7710 S. Chapin Road, St. Charles, Michigan 48655, county of Saginaw, succeeding Todd Regis, term expiring December 31, 2010, is appointed for a term commencing January 12, 2011 and expiring December 31, 2014.

January 12, 2011

I respectfully submit to the Senate, pursuant to Section 6 of Article 5 and Section 3 of Article 5 of the Michigan Constitution of 1963, the following appointments to state office:

Rodney A. Stokes of 2840 Audreys Way, East Lansing, Michigan 48823, county of Ingham, is appointed to Director, Michigan Department of Natural Resources, for a term commencing March 13, 2011 and expiring at the pleasure of the Governor.

Keith E. Creagh, of 1965 Epley Road, Williamston, Michigan 48895, county of Ingham, is appointed to Director, Michigan Department of Agriculture, for a term commencing January 1, 2011 and expiring March 30, 2011.

Keith E. Creagh, of 1965 Epley Road, Williamston, Michigan 48895, county of Ingham, is appointed to Director, Michigan Department of Agriculture and Rural Development, for a term commencing March 31, 2011 and expiring at the pleasure of the Governor.

Andy Dillon of 26284 Graham Road, Redford, Michigan 48239, county of Wayne, is appointed to State Treasurer, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

Major General Gregory J. Vadnais of 1415 Cambridge Road, Lansing, Michigan 48911, county of Ingham, is appointed to Director, Department of Military & Veterans Affairs and Adjutant General, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

Maura D. Corrigan of 880 Bishop Road, Grosse Pointe Park, Michigan 48230, county of Wayne, is appointed to Director, Michigan Department of Human Services, for a term commencing January 14, 2011 and expiring at the pleasure of the Governor.

Lieutenant Colonel Kriste Kibbey Etue of 4782 Pine Eagles Drive, Brighton, Michigan 48116, county of Livingston, is appointed to Director, Michigan State Police, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

Kirk T. Steudle of 57694 Hidden Timbers Drive, South Lyon, Michigan 48178, county of Oakland, is appointed to Director, Michigan Department of Transportation, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

Daniel J. Wyant of 614 Camelot Drive, East Lansing, Michigan, 48823, county of Ingham, is appointed to Director, Michigan Department of Natural Resources & Environment, for a term commencing January 1, 2011 and expiring March 12, 2011.

Daniel J. Wyant of 614 Camelot Drive, East Lansing, Michigan, 48823, county of Ingham, is appointed to Director, Michigan Department of Environmental Quality, for a term commencing March 13, 2011 and expiring at the pleasure of the Governor.

Olga Guerra Dazzo of 5791 Westminster Way, East Lansing, Michigan 48823, county of Ingham, is appointed to Director, Michigan Department of Community Health, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

John Nixon of 500 E. Michigan, Lansing, Michigan 48912, county of Ingham, is appointed to Director, State Budget Office, for a term commencing January 1, 2011 and expiring at the pleasure of the Governor.

Sincerely,  
Rick Snyder  
Governor

The appointments were referred to the Committee on Government Operations.

### Messages from the House

The following message was received and read:

January 12, 2011

By direction of the House of Representatives, I hereby notify you that the House of Representatives has elected Representative Jase Bolger as Speaker and Gary Randall as Clerk.

Very respectfully,  
Gary L. Randall, Clerk  
House of Representatives

The message was referred to the Secretary for record.

### Recess

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

10:19 a.m.

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

### Resolutions

Senator Richardville offered the following resolution:

#### **Senate Resolution No. 3.**

A resolution to decry the recent shooting in Tucson and to express the hope that this tragedy can unify our country.

Whereas, The recent shooting in Tucson, Arizona, which took the lives of 6 people, including a federal court judge and a 9-year-old girl, and injured 13 people, including Congresswoman Gabrielle Giffords, has shocked the country. It has also generated confusion, as senseless violence does, as we ask questions that defy answers; and

Whereas, The heroic actions taken by the men and women at the site of the shooting to halt the rampage, even as they placed themselves at greater risk, as well as the measures taken to provide immediate first aid and comfort to the victims, reflect the best of our national character; and

Whereas, Although it seems ironic, in times of tragedy and confusion, there is often an opportunity. Much as our heart-broken country came together in the wake of 9/11 and much as communities come together in the aftermath of a natural

disaster, an event as jarring as these senseless deaths and injuries reminds us of how much we have in common. Clearly, there are ways in which we can honor the victims of the Tucson shooting by recommitting ourselves to working together in pursuit of the more perfect union to which we are all dedicated; now, therefore, be it

Resolved by the Senate, That we decry the recent shooting in Tucson and join together to express our deepest sympathies to the families and loved ones who have experienced the loss of those close to them and our well wishes for speedy recoveries for the injured; and be it further

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

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Meekhof requested the yeas and nays.

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

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

**Roll Call No. 5**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Johnson                      Smith

**Not Voting—0**

In The Chair: Schuitmaker

Senator Meekhof moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

Senators Proos and Pavlov offered the following concurrent resolution:

**Senate Concurrent Resolution No. 4.**

A concurrent resolution to express support for the concept of preparing biennial state budgets.

Whereas, One of the key issues facing a Legislature is how to organize most effectively the budget process. A whole series of elements go into deciding what is the best approach a state should use in addressing budgetary issues. A number of elements, including constitutional, statutory, and legislative rules, as well as standard operating procedures, go into

structuring how the budgetary process is organized and implemented. One of the key components is the period of time for which the budget is effective—on an annual or a biennial cycle; and

Whereas, Individual states have utilized annual or biennial budgets at one time or another. The trend among state governments for the past two decades has been to abandon biennial budgeting for annual budgeting. Forty-four states practiced biennial budgeting in 1940, and about half as many do so currently. According to the National Conference of State Legislatures, there is little evidence that either annual or biennial state budgets hold clear advantages over the other. However, there is strong evidence that biennial budgeting is more conducive to program review and evaluation. In a state like Michigan, which has faced economic stress over the past decade and has faced difficult decisions over raising revenues, it is incumbent upon the Legislature to examine approaches like a biennial budget to get a better handle on reviewing and evaluating state programs; and

Whereas, Too much time is spent by the Michigan Legislature and the executive branch in dealing with annual budget battles not to consider a biennial budget approach. It is conducive to long-term planning as well as allowing more time for program review and evaluation and is less expensive and time-consuming than annual budgeting; and

Whereas, A two-year budgeting process would remove a great deal of the uncertainty now facing state-supported entities. As it is now, schools and local units of government face significant challenges to their own budgets and planning when the state's budget is completed late; and

Whereas, With more time for oversight under a biennial budget structure, particularly in the second year of the two-year cycle, the Legislature would be more vigilant in making sure programs operate as intended. This added attention to how public dollars are spent is clearly in order; and

Whereas, Biennial budgeting has been proposed and utilized to a limited extent in Michigan in recent years. Beginning with fiscal year 1994, Governor Engler proposed adoption of two-year appropriation bills for all state government to provide certainty and a planning base for those who receive state aid. Although biennial appropriation bills were not passed by the Legislature for the 1994 and 1995 fiscal years, that experience may serve as a possible model and evidence of the Legislature's serious effort. In order to ensure that revenue and expenditures receive legislative review in the second year, the Governor proposed that virtually identical appropriation bills be enacted for the second fiscal year. Such an approach would have required legislators to take additional action in the second year to determine new spending priorities and to appropriate any growth or reduction in revenue while providing state aid recipients and others with some certainty about the base level of funding. Governor Engler also indicated that a two-year budget would give state policymakers almost 18 months to focus on ways to reduce automatic growth in budgetary areas. In addition, in years past, the Legislature enacted biennial school aid appropriation bills; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we express support for the concept of preparing biennial state budgets; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the House of Representatives, the chair of the House Appropriations Committee, the Senate Majority Leader, the chair of the Senate Appropriations Committee, the Governor, and the State Budget Director.

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

Senator Meekhof moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Meekhof moved that the concurrent resolution be referred to the Committee on Appropriations.

The motion prevailed.

Senators Brandenburg, Hansen, Jones, Kowall and Nofs were named co-sponsors of the concurrent resolution.

### **Senate Concurrent Resolution No. 1.**

A concurrent resolution granting authority for adjournment for more than 2 days.

(For text of resolution, see Senate Journal No. 1, p. 22.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

### **Senate Concurrent Resolution No. 2.**

A concurrent resolution prescribing the Joint Convention Rules for the Legislature.

(For text of resolution, see Senate Journal No. 1, p. 22.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.



**Senate Concurrent Resolution No. 3.**

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.

(For text of resolution, see Senate Journal No. 1, p. 23.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

**Introduction and Referral of Bills**

Senator Pappageorge introduced

**Senate Joint Resolution A, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and section 18 of article V, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations.

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

Senator Pappageorge introduced

**Senate Joint Resolution B, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article I, sections 12 and 48 of article IV, section 23 of article V, sections 3 and 18 of article VI, section 9 of article VII, sections 5, 6, and 7 of article VIII, and section 5 of article XI and adding section 9 to article XI, to impose a three-year reduction of five percent in the pay rate for all public servants in this state.

The joint resolution was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senator Jansen introduced

**Senate Joint Resolution C, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 8 to article XI, to provide for establishing uniform cost allocation requirements for health benefits for public employers.

The joint resolution was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

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

**Senate Bill No. 1, entitled**

A bill to repeal 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601).

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

Senator Pappageorge introduced

**Senate Bill No. 2, 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 promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; 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 2010 PA 143.

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

Senator Pappageorge introduced

**Senate Bill No. 3, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 2008 PA 207.

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

Senator Pappageorge introduced

**Senate Bill No. 4, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 365.

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

Senator Pappageorge introduced

**Senate Bill No. 5, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 547.

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

Senator Jansen introduced

**Senate Bill No. 6, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 281 (MCL 208.1281), as added by 2007 PA 145.

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

Senator Jansen introduced

**Senate Bill No. 7, entitled**

A bill to limit a public employer's portion of the cost of health insurance benefits; and to provide for exceptions.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jansen introduced

**Senate Bill No. 8, entitled**

A bill to provide for certain municipal joint endeavors; to provide standards for those municipal joint endeavors; to provide powers and duties of a municipal joint endeavor; to authorize the levy of a property tax by a municipal joint endeavor; and to provide for the powers and duties of certain government officials.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jansen introduced

**Senate Bill No. 9, entitled**

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare



and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” (MCL 423.201 to 423.217) by adding section 1a.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jansen introduced

**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.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jansen introduced

**Senate Bill No. 11, entitled**

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending sections 1 and 14 (MCL 423.201 and 423.214), section 1 as amended by 1999 PA 204.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinvesting.

Senator Jansen introduced

**Senate Bill No. 12, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” (MCL 421.1 to 421.75) by adding section 22c.

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

Senator Jansen introduced

**Senate Bill No. 13, entitled**

A bill to amend 1846 RS 1, entitled “Of the statutes,” by amending section 3 (MCL 8.3) and by adding section 3x.

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

Senator Jansen introduced

**Senate Bill No. 14, entitled**

A bill to repeal 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094).

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

Senator Jansen introduced

**Senate Bill No. 15, entitled**

A bill to implement the provisions of section 8 of article XI of the state constitution of 1963 relating to certain qualifications of public employees; to require an affidavit affirming the qualifications from applicants for hire or transfer to certain public employment; to prohibit a public employer from hiring or retaining in public employment certain convicted felons; and to prescribe penalties.

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

Senator Jansen introduced

**Senate Bill No. 16, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending sections 111 and 113 (MCL 208.1111 and 208.1113), section 111 as amended by 2010 PA 133 and section 113 as amended by 2008 PA 472.

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

Senator Jones introduced

**Senate Bill No. 17, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7421. The bill was read a first and second time by title and referred to the Committee on Health Policy.

Senator Jones introduced

**Senate Bill No. 18, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301 and 41309 (MCL 324.41301 and 324.41309), section 41301 as amended by 2009 PA 51 and section 41309 as amended by 2009 PA 52.

The bill was read a first and second time by title and referred to the Committee on Natural Resources, Environment and Great Lakes.

Senator Jones introduced

**Senate Bill No. 19, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 169 (MCL 750.169). The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senator Jones introduced

**Senate Bill No. 20, entitled**

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 17.

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

Senator Schuitmaker introduced

**Senate Bill No. 21, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 447.

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

Senator Schuitmaker introduced

**Senate Bill No. 22, entitled**

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending section 5 (MCL 554.75), as amended by 2008 PA 149.

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

Senator Schuitmaker introduced

**Senate Bill No. 23, entitled**

A bill to amend 2008 PA 148, entitled "Personal property trust perpetuities act," by amending section 4 (MCL 554.94).

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

Senator Schuitmaker introduced

**Senate Bill No. 24, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1505 (MCL 500.1505).

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

Senator Jones introduced

**Senate Bill No. 25, entitled**

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

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

Senator Jones introduced

**Senate Bill No. 26, entitled**

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

The bill was read a first and second time by title and referred to the Committee on Reforms, Restructuring and Reinventing.

Senator Hansen introduced

**Senate Bill No. 27, entitled**

A bill to amend 2000 PA 190, entitled "Privately owned cervidae producers marketing act," by amending sections 2, 3, 4, 6, 7, and 10 (MCL 287.952, 287.953, 287.954, 287.956, 287.957, and 287.960), as amended by 2006 PA 561.

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

Senator Hansen introduced

**Senate Bill No. 28, 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 19 (MCL 205.19), as amended by 2002 PA 657.

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

Senator Hansen introduced

**Senate Bill No. 29, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

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

Senators Jones and Hansen introduced

**Senate Bill No. 30, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending the title and sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), the title as amended and section 5k as added by 2000 PA 381, section 5f as amended by 2008 PA 194, and section 5o as amended by 2008 PA 407.

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

Senator Hansen introduced

**Senate Bill No. 31, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2004 PA 379 and section 9 as amended by 2005 PA 239.

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

Senator Hansen introduced  
**Senate Bill No. 32, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2010 PA 213.

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

Senator Hansen introduced  
**Senate Bill No. 33, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2010 PA 17.

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

Senator Nofs introduced  
**Senate Bill No. 34, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 9n. The bill was read a first and second time by title and referred to the Committee on Finance.

Senator Nofs introduced  
**Senate Bill No. 35, 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, Gleason, Whitmer and Hood introduced  
**Senate Bill No. 36, 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.

Senators Hunter, Gleason, Hood and Whitmer introduced  
**Senate Bill No. 37, entitled**

A bill to establish the autism research fund in the department of community health; 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, Gleason, Hood and Whitmer introduced  
**Senate Bill No. 38, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Hunter, Gleason, Whitmer and Hood introduced  
**Senate Bill No. 39, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senator Hunter introduced  
**Senate Bill No. 40, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 933 (MCL 168.933), as amended by 2003 PA 119, and by adding section 558a.

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

Senator Hunter introduced

**Senate Bill No. 41, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 87c and 87d (MCL 211.87c and 211.87d), section 87c as amended by 2002 PA 165 and section 87d as amended by 1982 PA 503.

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

Senator Hunter introduced

**Senate Bill No. 42, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as amended by 2006 PA 498.

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

Senator Hunter introduced

**Senate Bill No. 43, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219d.

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

Senator Hunter introduced

**Senate Bill No. 44, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2005 PA 171.

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

Senators Anderson, Bieda, Whitmer, Gregory, Hopgood, Warren and Hunter introduced

**Senate Bill No. 45, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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

### Recess

Senator Meekhof moved that the Senate recess until 6:00 p.m.

The motion prevailed, the time being 10:41 a.m.

The Senate reconvened at the expiration of the recess and was called to order by the President, Lieutenant Governor Calley.

During the recess, Senators Johnson and Smith entered the Senate Chamber.

### Recess

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

The motion prevailed, the time being 6:01 p.m.

6:20 p.m.

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

### Joint Convention

The Sergeant at Arms announced a committee from the House of Representatives who, through their chairperson, Representative Howze, reported that the House was ready to meet with the Senate in Joint Convention.

The President, Lieutenant Governor Calley, announced that the hour had arrived for the meeting of the two houses in Joint Convention.

Senator Meekhof moved that the Senate recess for the purpose of proceeding to the Hall of the House of Representatives for Joint Convention.

The motion prevailed, the time being 6:22 p.m.

(For proceedings in Joint Convention, see House Journal No. 4, p. 66.)

The Senate reconvened at the expiration of the recess at 7:57 p.m. and pursuant to rule 1.101, in the absence of the Presiding Officers, was called to order by the Secretary of the Senate.

The Secretary of the Senate announced that the Senate had attended the Joint Convention in the Hall of the House of Representatives and had received the State of the State message by Governor Snyder.

### **Committee Reports**

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, January 13, 2011, at 10:35 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building  
Present: Senators Kahn (C), Moolenaar, Jansen, Booher, Caswell, Colbeck, Green, Proos, Anderson, Hood, Hopgood and Johnson

Excused: Senators Pappageorge, Schuitmaker, Walker and Gregory

### **Scheduled Meetings**

#### **Appropriations -**

##### **Subcommittee -**

**State Police and Military Affairs** - Thursdays, January 20 (CANCELED), January 27, February 24, March 3, March 10, and March 17, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Health Policy** - Thursday, January 20, 2:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-5312)

**State Drug Treatment Court Advisory Committee** - Tuesday, January 25, 9:30 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Meekhof moved that the Senate adjourn.

The motion prevailed, the time being 7:58 p.m.

The Secretary of the Senate declared the Senate adjourned until Thursday, January 20, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate