

No. 41
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Thursday, May 12, 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

Senator Bert Johnson of the 2nd District offered the following invocation:

“Our Father who art in Heaven, hallowed be Thy name.

Thy kingdom come. Thy will be done on earth, as it is in Heaven.

Give us this day our daily bread.

And forgive us our trespasses, as we forgive those who trespass against us.

And lead us not into temptation, but deliver us from evil.

For Thine is the Kingdom, and the power and the glory forever. Amen.”

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

Motions and Communications

Senators Gregory and Young entered the Senate Chamber.

Senator Meekhof moved that Senators Jansen, Booher, Emmons and Green be temporarily excused from today’s session. The motion prevailed.

Senator Hopgood moved that Senators Hunter and Smith be temporarily excused from today’s session. The motion prevailed.

Senator Meekhof moved that rule 2.106 be suspended to allow committees to meet during Senate session. The motion prevailed, a majority of the members serving voting therefor.

Senator Meekhof moved that rule 3.901 be suspended to allow the guests of Senator Whitmer to take photographs from the Gallery during session.

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

The Secretary announced that the following official bills were printed on Wednesday, May 11, and are available at the legislative website:

Senate Bill Nos.	368	369	370	371	372	373								
House Bill Nos.	4620	4621	4622	4623	4624	4625	4626	4627	4628	4629	4630	4631	4632	

Messages from the Governor

The following message from the Governor was received and read:

April 18, 2011

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

Hispanic/Latino Commission of Michigan

George Fierro of 3105 53rd Street, Hamilton, Michigan 49419, county of Allegan, succeeding Debra M. Rivera-Ehrmann, is appointed for a term expiring December 10, 2013.

Gilberto Guevara of 711 Millard Street, Saginaw, Michigan 48607, county of Saginaw, succeeding Michael Lee Espinoza, is appointed for a term expiring December 10, 2013.

Melinda C. Ysasi-Castanon of 1345 Columbia Avenue, N.E., Grand Rapids, Michigan 49505, county of Kent, succeeding Leonard Anthony Savala III, is appointed for a term expiring December 10, 2013.

Julio H. Morales of 7170 Nantucket Drive, S.W., Bryon Center, Michigan 49315, county of Kent, succeeding Ricardo DelRosario Garcia, is appointed for a term expiring December 10, 2013.

Sincerely,
Rick Snyder
Governor

The appointments were referred to the Committee on Government Operations.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 10:05 a.m.

12:32 p.m.

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

During the recess, Senators Emmons, Hunter, Smith, Jansen, Booher and Green 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. 4361

House Bill No. 4362

House Bill No. 4479

House Bill No. 4480

House Bill No. 4481

House Bill No. 4482

House Bill No. 4483

House Bill No. 4484

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

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 Assistant President pro tempore, Senator Hansen, designated Senator Walker as Chairperson.

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

House Bill No. 4227, entitled

A bill to prohibit certain covenants attaching to nonresidential real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for remedies.

House Bill No. 4228, entitled

A bill to prohibit certain covenants attaching to residential real property; to prohibit the imposition of certain fees upon transfer of that real property; and to provide for remedies.

Senate Bill No. 282, entitled

A bill to designate the period beginning on September 11 through September 17 of each year as Patriot Week in the state of Michigan.

House Bill No. 4291, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the judicial branch for the fiscal year ending September 30, 2011; and to provide for the expenditure of the appropriations.

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

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Bieda, Jones, Schuitmaker and Rocca introduced

Senate Bill No. 375, entitled

A bill to establish the terms upon which health benefits may be provided to legislators.

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

Senator Kowall introduced

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

Senators Booher, Jones, Anderson, Nofs, Pappageorge, Hopgood, Hansen and Proos introduced

Senate Bill No. 377, entitled

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending section 6 (MCL 333.26426).

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

Senator Hune introduced

Senate Bill No. 378, 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 Young introduced

Senate Bill No. 379, entitled

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

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

House Bill No. 4416, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601a (MCL 257.601a), as added by 2006 PA 549.

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

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

House Bill No. 4534, entitled

A bill to amend 1984 PA 425, entitled "An act to permit the conditional transfer of property by contract between certain local units of government; to provide for permissive and mandatory provisions in the contract; to provide for certain conditions upon termination, expiration, or nonrenewal of the contract; and to prescribe penalties and provide remedies," by amending section 6 (MCL 124.26).

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

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

Senator Meekhof stated that had he been present on May 11 when the votes were taken on the passage of the following bills, he would have voted "yea":

House Bill No. 4258

House Bill No. 4526

House Bill No. 4325

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

The following bill was read a third time:

Senate Bill No. 213, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), sections 7405, 17708, and 17763 as amended by 2009 PA 150 and section 17751 as amended by 2006 PA 672.

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. 146

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: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 333, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7340b.

The question being on the passage of the bill,

Senator Proos offered the following amendment:

1. Amend page 1, line 5, after "(NADDI)," by inserting "**A RETAILER SHALL NOT BE REQUIRED TO PAY A FEE FOR USING THE NPLEX SYSTEM.**".

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

Senator Proos offered the following amendment:

1. Amend page 2, following line 23, subsection (5), after the second "**FAILURE**" by inserting "**ABSENT A DIRECT AND PROXIMATE CAUSE**".

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

The question being on the passage of the bill,

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

Roll Call No. 147**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: Schuitmaker

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 350, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766e (MCL 333.17766e), as added by 2005 PA 87.

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. 148**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: Schuitmaker

The Senate agreed to the title of the bill.

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

Senate Bill No. 169, entitled

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

A bill to make appropriations for the department of agriculture and rural development for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 149

Yeas—0

Nays—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	Pros	Young
Green	Jones		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senate Bill No. 171, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 150

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: Schuitmaker

Senate Bill No. 172, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 151**Yeas—0****Nays—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		

Excused—0**Not Voting—0**

In The Chair: Schuitmaker

Senate Bill No. 173, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 152**Yeas—0****Nays—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
Emmons
Gleason
Green

Hunter
Jansen
Johnson
Jones

Pappageorge
Pavlov
Proos

Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: Schuitmaker

By unanimous consent the Senate proceeded to the order of
Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 53

Senate Resolution No. 54

The resolution consent calendar was adopted.

Senators Jansen, Marleau, Bieda, Booher, Brandenburg, Jones, Proos, Schuitmaker and Pappageorge offered the following resolution:

Senate Resolution No. 53.

A resolution to recognize May 2011 as Lupus Awareness Month.

Whereas, Each year the lupus agencies of Michigan designate May as Lupus Awareness Month to show support for the 1.5 million Americans and 5 million people worldwide who suffer from the often debilitating effects of lupus, a chronic autoimmune disease that can cause severe damage to the tissue and organs in the body and, in some cases, death; and

Whereas, Each year thousands of people are newly diagnosed with lupus, the great majority of whom are young people in the prime of their lives and 90 percent of whom are women; and

Whereas, Lupus is most prevalent among African Americans, Hispanics, Native Americans, and Asians. Tragically, thousands of people die from lupus each year because a cure remains elusive; and

Whereas, Many health professionals are unaware of the symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment, demonstrating the need for increased public and professional awareness of lupus; and

Whereas, Medical research efforts into lupus and the discovery of safer, more effective treatments for patients are underfunded in comparison with diseases of comparable magnitude and severity; and

Whereas, Increasing community awareness and focusing public attention on lupus and its devastating impact on patients' lives will provide hope for a better future for those affected; and

Whereas, The lupus agencies of Michigan are dedicated to "improving the quality of life for individuals with lupus and their loved ones by providing education, support and outreach services, and promoting programs of awareness, advocacy, and research"; and

Whereas, This legislative body recognizes the needs of the chronically ill people who are living with lupus and urges all citizens to support the search for a cure and assist those individuals and families who deal with this devastating disease on a daily basis; now, therefore, be it

Resolved by the Senate, That we hereby recognize May 2011 as Lupus Awareness Month in the state of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable Rick Snyder, Governor of the state of Michigan, the Michigan Department of Community Health, and the lupus agencies of Michigan.

Senators Gregory, Hansen, Hopgood, Hunter, Kowall and Richardville were named co-sponsors of the resolution.

Senators Schuitmaker, Pappageorge, Emmons, Hune, Hildenbrand, Jones, Nofs, Booher, Smith, Anderson, Richardville, Proos and Bieda offered the following resolution:

Senate Resolution No. 54.

A resolution congratulating the Republic of China (Taiwan) on its centenary and expressing continued support of Michigan's cordial relations with Taiwan and for increasing Taiwan's international space as part of the global community.

Whereas, The Republic of China (Taiwan) celebrates its centenary this year and its National Day on October 10, 2011, and joins friends and compatriots around the world in commemorating 100 years since its birth on October 10, 1911, as Asia's first republic; and

Whereas, The Republic of China, which exists today on Taiwan, is the world's 19th-largest economy and a major U.S. trading partner, which in the last two decades has achieved economic and social stability. It has been lauded as a beacon of democracy for Asia, dramatically improved its record on human rights, and taken great steps forward to enter the world arena as a trusted partner; and

Whereas, Taiwan has a strong economic and cultural relationship with Michigan, as Taiwan's imports of U.S. goods in 2010 increased 41 percent over those in 2009. Taiwan's imports of Michigan goods in 2010, valued at almost \$229 million, increased 28 percent over the same period. Hundreds of Taiwanese students are enrolled at Michigan colleges and universities. Reciprocal business, professional, legislative, and other delegations and cultural and educational exchanges over the years have promoted ties and enhanced relations between Michigan and Taiwan; and

Whereas, Taiwan's absence from international organizations has impeded its ability to participate in global climate initiatives and to respond to natural disasters like Typhoon Morakot, which struck Taiwan in the summer of 2009, an unusually destructive typhoon season in the Pacific; and

Whereas, The government of Taiwan is grateful for the assistance and condolences of the international community in the wake of Typhoon Morakot. Dozens of international organizations and nations stepped up to help, including the United States, which supplied military equipment for rescue and recovery operations, the European Union, Japan, and the Chinese mainland; and

Whereas, Aviation safety has become a major global concern since 2001, and Taiwan is a key air transport hub in the Asia-Pacific region, with more than 1.35 million flights passing through the Taipei Flight Information Region and the world's 15th-largest airport by cargo volume at Taoyuan International Airport; and

Whereas, The Taiwan government has undertaken a policy of flexible diplomacy in its international relations and a pragmatic approach to China, having completed a number of cross-strait liberalization measures, including regular, direct passenger flights between mainland China and Taiwan and other goodwill measures; resulting in reciprocal gestures and rapprochement between Taipei and Beijing; and has shown its readiness and ability to provide humanitarian aid to other nations, demonstrated by its swift delivery of assistance to Haiti following the 2010 earthquake there; now, therefore, be it

Resolved by the Senate, That we hereby congratulate the Republic of China (Taiwan) on the centennial of its birth in 1911 as Asia's first republic. We affirm our support of the cordial relations between Michigan and Taiwan and for the meaningful participation of Taiwan in the United Nations Framework Convention on Climate Change (UNFCCC) and the International Civil Aviation Organization (ICAO) to increase Taiwan's international space and contribution to the global community; and be it further

Resolved, That copies of this resolution be transmitted to Governor Richard D. Snyder, U.S. Secretary of State Hillary Rodham Clinton, UNFCCC Executive Secretary Christiana Figueres, ICAO Secretary General Raymond Benjamin, and the Taipei Economic and Cultural Office in Chicago.

Senators Brandenburg, Caswell, Hopgood and Kowall were named co-sponsors of the resolution.

Recess

Senator Meekhof moved that the Senate recess subject to the call of the Chair.
The motion prevailed, the time being 1:05 p.m.

1:43 p.m.

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

By unanimous consent the Senate returned 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 Walker 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 with a substitute therefor, the following bill:

House Bill No. 4361, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending the title and sections 2, 4, 6, 24, 26, 30, 30f, 36, 51, 52, 91, 102, 103, 105, 110, 115, 132, 195, 201, 251, 255, 256, 265, 266, 270, 271, 272, 278, 301, 311, 315,

322, 325, 351, 355, 365, 402, 408, 451, 455, 471, 475, 508, 510, 512, 514, 520, 522, 526, 527a, 530, and 532 (MCL 206.2, 206.4, 206.6, 206.24, 206.26, 206.30, 206.30f, 206.36, 206.51, 206.52, 206.91, 206.102, 206.103, 206.105, 206.110, 206.115, 206.132, 206.195, 206.201, 206.251, 206.255, 206.256, 206.265, 206.266, 206.270, 206.271, 206.272, 206.278, 206.301, 206.311, 206.315, 206.322, 206.325, 206.351, 206.355, 206.365, 206.402, 206.408, 206.451, 206.455, 206.471, 206.475, 206.508, 206.510, 206.512, 206.514, 206.520, 206.522, 206.526, 206.527a, 206.530, and 206.532), section 4 as amended by 2003 PA 52, section 26 as amended by 2003 PA 50, section 30 as amended by 2009 PA 134, section 30f as added by 2000 PA 163, sections 51 and 270 as amended by 2007 PA 94, section 52 as added by 1988 PA 1, section 110 as amended by 2003 PA 21, sections 255, 256, 301, and 475 as amended by 1996 PA 484, section 265 as amended by 1998 PA 19, section 266 as amended by 2008 PA 447, section 272 as added by 2006 PA 372, section 278 as added by 2010 PA 235, section 311 as amended by 2004 PA 199, section 315 as amended by 2003 PA 49, sections 325 and 514 as amended by 1987 PA 254, sections 351, 355, and 365 as amended by 2008 PA 360, section 402 as added and section 408 as amended by 1980 PA 169, section 451 as amended by 2003 PA 46, section 471 as amended by 2002 PA 486, section 508 as amended by 1990 PA 283, sections 510 and 520 as amended by 1995 PA 245, section 512 as amended by 2003 PA 29, section 522 as amended by 2000 PA 41, section 527a as amended by 2004 PA 335, and section 530 as amended by 1982 PA 480, by designating sections 1 to 532 as part 1, and by adding part 2; and to repeal acts and parts of acts.

Substitute (S-5).

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

1. Amend page 29, line 22, after “(E)” by striking out “(iii)”.
2. Amend page 30, line 16, after “(E)” by striking out “(iii)”.
3. Amend page 71, line 6, by striking out all of section 351.
4. Amend page 76, line 1, by striking out all of section 355.
5. Amend page 77, line 19, by striking out all of section 365.
6. Amend page 198, line 22, after “276,” by inserting “351, 355, 355a, 361, 365, 366,”.
7. Amend page 198, line 26, after “206.276,” by inserting “206.351, 206.355, 206.355a, 206.361, 206.365, 206.366,”.

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 Meekhof 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:

House Bill No. 4361

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

The following bill was read a third time:

House Bill No. 4361, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending the title and sections 2, 4, 6, 24, 26, 30, 30f, 36, 51, 52, 91, 102, 103, 105, 110, 115, 132, 195, 201, 251, 255, 256, 265, 266, 270, 271, 272, 278, 301, 311, 315, 322, 325, 351, 355, 365, 402, 408, 451, 455, 471, 475, 508, 510, 512, 514, 520, 522, 526, 527a, 530, and 532 (MCL 206.2, 206.4, 206.6, 206.24, 206.26, 206.30, 206.30f, 206.36, 206.51, 206.52, 206.91, 206.102, 206.103, 206.105, 206.110, 206.115, 206.132, 206.195, 206.201, 206.251, 206.255, 206.256, 206.265, 206.266, 206.270, 206.271, 206.272, 206.278, 206.301, 206.311, 206.315, 206.322, 206.325, 206.351, 206.355, 206.365, 206.402, 206.408, 206.451, 206.455, 206.471, 206.475, 206.508, 206.510, 206.512, 206.514, 206.520, 206.522, 206.526, 206.527a, 206.530, and 206.532), section 4 as amended by 2003 PA 52, section 26 as amended by 2003 PA 50, section 30 as amended by 2009 PA 134, section 30f as added by 2000 PA 163, sections 51 and 270 as amended by 2007 PA 94, section 52 as added by 1988 PA 1, section 110 as amended by 2003 PA 21, sections 255, 256, 301, and 475 as amended by 1996 PA 484, section 265 as amended by 1998 PA 19, section 266 as amended by 2008 PA 447, section 272 as added by 2006 PA 372, section 278 as added by 2010 PA 235, section 311 as amended by 2004 PA 199, section 315 as amended by 2003 PA 49, sections 325 and 514 as amended by 1987 PA 254, sections 351, 355, and 365 as amended by 2008 PA 360, section 402 as added and section 408 as amended by 1980 PA 169, section 451 as amended by 2003 PA 46, section 471 as amended by 2002 PA 486, section 508 as amended by 1990 PA 283, sections 510 and 520 as amended by 1995 PA 245, section 512 as amended by 2003 PA 29, section 522 as amended by 2000 PA 41, section 527a as amended by 2004 PA 335, and section 530 as amended by 1982 PA 480, by designating sections 1 to 532 as part 1, and by adding parts 2 and 3; and to repeal acts and parts of acts.

The question being on the passage of the bill,
 Senator Bieda offered the following amendment:

1. Amend page 199, following line 10, by inserting:

“Enacting section 3. This amendatory act does not take effect unless Senate Bill No. 117 of the 96th Legislature is enacted into law.”.

The question being on the adoption of the amendment,

Senator Bieda moved that the Senate adjourn.

The motion did not prevail.

Senator Hunter requested the yeas and nays.

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

The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 153

Yeas—13

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Rocca	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

Nays—25

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

Excused—0

Not Voting—0

In The Chair: President

The question being on the adoption of the amendment,

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 154

Yeas—13

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Rocca	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

Nays—25

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Young offered the following amendments:

1. Amend page 6, line 20, after “income” by striking out the balance of the line through “(9)” on line 21.
2. Amend page 29, line 4, by striking out all of subsection (9) and renumbering the remaining subsection.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 155**Yeas—19**

Anderson	Green	Hunter	Smith
Bieda	Gregory	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

Nays—18

Booher	Jansen	Moolenaar	Proos
Casperson	Kahn	Nofs	Richardville
Caswell	Kowall	Pappageorge	Schuitmaker
Emmons	Marleau	Pavlov	Walker
Hansen	Meekhof		

Excused—0**Not Voting—1**

Hildenbrand

In The Chair: President

Senator Bieda offered the following amendments:

1. Amend page 30, line 5, after “**PERSON**” by striking out the balance of the line through “**AND**” on line 6.
2. Amend page 30, line 9, after “**THE**” by striking out the balance of the line through “**THE**” on line 10.

The amendments were not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 156**Yeas—16**

Anderson	Colbeck	Hopgood	Smith
Bieda	Gleason	Hunter	Warren
Casperson	Gregory	Johnson	Whitmer
Caswell	Hood	Rocca	Young

Nays—21

Booher	Hune	Meekhof	Proos
Brandenburg	Jansen	Moolenaar	Richardville
Emmons	Jones	Nofs	Robertson
Green	Kahn	Pappageorge	Schuitmaker
Hansen	Kowall	Pavlov	Walker
Hildenbrand			

Excused—0**Not Voting—1**

Marleau

In The Chair: President

Senator Hunter moved to reconsider the vote by which the amendments offered by Senator Young were not adopted.

The motion did not prevail.

Senator Hunter requested the yeas and nays.

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

The motion did not prevail, a majority of the members not voting therefor, as follows:

Roll Call No. 157**Yeas—14**

Anderson	Hood	Robertson	Warren
Bieda	Hopgood	Rocca	Whitmer
Gleason	Hunter	Smith	Young
Gregory	Johnson		

Nays—24

Booher	Green	Kahn	Pappageorge
Brandenburg	Hansen	Kowall	Pavlov

Casperson	Hildenbrand	Marleau	Proos
Caswell	Hune	Meekhof	Richardville
Colbeck	Jansen	Moolenaar	Schuitmaker
Emmons	Jones	Nofs	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Gleason offered the following amendment:

1. Amend page 24, line 1, by inserting:

“(a) \$1,800.00 for each taxpayer and every dependent of the taxpayer who is 65 years of age or older. When a dependent of a taxpayer files an annual return under this act, the taxpayer or dependent of the taxpayer, but not both, may claim the additional exemption allowed under this subdivision. As used in this subdivision, ~~and subdivision (c);~~ “dependent” means that term as defined in section 30e.” and relettering the remaining subdivisions.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 158

Yeas—16

Anderson	Gregory	Johnson	Smith
Bieda	Hood	Jones	Warren
Colbeck	Hopgood	Nofs	Whitmer
Gleason	Hunter	Rocca	Young

Nays—22

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—0

Not Voting—0

In The Chair: President

Senator Bieda offered the following amendments:

1. Amend page 10, line 24, after “2007,” by striking out the balance of the line through “**SUBDIVISION**,” on line 25.
2. Amend page 11, line 11, by striking out all of line 11 through “**1945**,” on line 12.

The amendments were not adopted, a majority of the members serving not voting therefor.
 Senator Hunter requested the yeas and nays.

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

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 159**Yeas—16**

Anderson	Gregory	Hunter	Smith
Bieda	Hansen	Johnson	Warren
Gleason	Hood	Robertson	Whitmer
Green	Hopgood	Rocca	Young

Nays—22

Booher	Hildenbrand	Marleau	Pavlov
Brandenburg	Hune	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Jones	Nofs	Schuitmaker
Colbeck	Kahn	Pappageorge	Walker
Emmons	Kowall		

Excused—0**Not Voting—0**

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 59, line 26, by striking out all of section 272.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 160**Yeas—14**

Anderson	Gregory	Hunter	Warren
Bieda	Hildenbrand	Johnson	Whitmer
Gleason	Hood	Smith	Young
Green	Hopgood		

Nays—24

Booher	Hansen	Marleau	Proos
Brandenburg	Hune	Meekhof	Richardville
Casperson	Jansen	Moolenaar	Robertson
Caswell	Jones	Nofs	Rocca

Colbeck
Emmons

Kahn
Kowall

Pappageorge
Pavlov

Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Smith offered the following amendment:

1. Amend page 60, line 9, after “**DECEMBER 31,**” by striking out “**2011, 6%**” and inserting “**2013, 20%**”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 161

Yeas—14

Anderson
Bieda
Gleason
Gregory

Hansen
Hildenbrand
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Nays—24

Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons

Green
Hune
Jansen
Jones
Kahn
Kowall

Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 14, line 6, by inserting:

“(V) ~~(z)~~ Deduct, to the extent included in adjusted gross income, an amount equal to the qualified charitable distribution made in the tax year by a taxpayer to a charitable organization. The amount allowed under this subdivision shall be equal to the amount deductible by the taxpayer under section 170 of the internal revenue code with respect to the qualified charitable distribution in the tax year in which the taxpayer makes the distribution to the qualified charitable organization, reduced by both the amount of the deduction for retirement or pension benefits claimed by the taxpayer under subdivision (f)(i), (ii), (iv), or (v) and by 2 times the total amount of credits claimed under sections 260 and 261 for the tax year. As used in this subdivision, “qualified charitable distribution” means a distribution of assets to a qualified charitable organization

by a taxpayer not more than 60 days after the date on which the taxpayer received the assets as a distribution from a retirement or pension plan described in subsection (8)(a). A distribution is to a qualified charitable organization if the distribution is made in any of the following circumstances:

(i) To an organization described in section 501(c)(3) of the internal revenue code except an organization that is controlled by a political party, an elected official or a candidate for an elective office.

(ii) To a charitable remainder annuity trust or a charitable remainder unitrust as defined in section 664(d) of the internal revenue code; to a pooled income fund as defined in section 642(c)(5) of the internal revenue code; or for the issuance of a charitable gift annuity as defined in section 501(m)(5) of the internal revenue code. A trust, fund, or annuity described in this subparagraph is a qualified charitable organization only if no person holds any interest in the trust, fund, or annuity other than 1 or more of the following:

(A) The taxpayer who received the distribution from the retirement or pension plan.

(B) The spouse of an individual described in sub-subparagraph (A).

(C) An organization described in section 501(c)(3) of the internal revenue code.” and relettering the remaining subdivisions.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 162

Yeas—18

Anderson	Green	Hunter	Smith
Bieda	Gregory	Johnson	Warren
Casperson	Hansen	Rocca	Whitmer
Colbeck	Hood	Schuitmaker	Young
Gleason	Hopgood		

Nays—20

Booher	Hune	Marleau	Pavlov
Brandenburg	Jansen	Meekhof	Proos
Caswell	Jones	Moolenaar	Richardville
Emmons	Kahn	Nofs	Robertson
Hildenbrand	Kowall	Pappageorge	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Whitmer offered the following amendment:

1. Amend page 13, line 27, by inserting:

“(V) (y) Deduct, to the extent included in adjusted gross income, the amount of a distribution from individual retirement accounts that qualify under section 408 of the internal revenue code if the distribution is used to pay qualified higher education expenses as that term is defined in the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486.” and relettering the remaining subdivisions.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 163**Yeas—17**

Anderson	Gregory	Hopgood	Smith
Bieda	Hansen	Hunter	Warren
Caswell	Hildenbrand	Johnson	Whitmer
Gleason	Hood	Rocca	Young
Green			

Nays—21

Booher	Jansen	Meekhof	Proos
Brandenburg	Jones	Moolenaar	Richardville
Casperson	Kahn	Nofs	Robertson
Colbeck	Kowall	Pappageorge	Schuitmaker
Emmons	Marleau	Pavlov	Walker
Hune			

Excused—0**Not Voting—0**

In The Chair: President

Senator Hood offered the following amendment:

1. Amend page 24, line 19, by inserting:

“(B) ~~(e)~~ \$1,800.00 if the taxpayer’s return includes unemployment compensation that amounts to 50% or more of adjusted gross income.” and relettering the remaining subdivision.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 164**Yeas—16**

Anderson	Gregory	Johnson	Smith
Bieda	Hood	Jones	Warren
Casperson	Hopgood	Nofs	Whitmer
Gleason	Hunter	Rocca	Young

Nays—22

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Caswell	Hune	Moolenaar	Robertson
Colbeck	Jansen	Pappageorge	Schuitmaker
Emmons	Kahn	Pavlov	Walker
Green	Kowall		

Excused—0

Not Voting—0

In The Chair: President

Senator Whitmer offered the following amendment:

1. Amend page 12, line 7, by inserting:

“(u) Deduct the amount calculated under section 30d.” and relettering the remaining subdivisions.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 165

Yeas—18

Anderson	Gleason	Hopgood	Smith
Bieda	Gregory	Hunter	Warren
Brandenburg	Hansen	Johnson	Whitmer
Caswell	Hildenbrand	Rocca	Young
Colbeck	Hood		

Nays—20

Booher	Jansen	Meekhof	Proos
Casperson	Jones	Moolenaar	Richardville
Emmons	Kahn	Nofs	Robertson
Green	Kowall	Pappageorge	Schuitmaker
Hune	Marleau	Pavlov	Walker

Excused—0

Not Voting—0

In The Chair: President

Senator Warren offered the following amendment:

1. Amend page 64, line 5, by striking out all of subdivision (d).

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 166

Yeas—13

Anderson	Hood	Johnson	Warren
Bieda	Hopgood	Schuitmaker	Whitmer
Gleason	Hunter	Smith	Young
Gregory			

Nays—25

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

Excused—0**Not Voting—0**

In The Chair: President

Senator Hunter offered the following amendment:

1. Amend page 89, line 13, by striking out all of sections 520 and 522.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 167**Yeas—17**

Anderson	Gregory	Hunter	Smith
Bieda	Hansen	Johnson	Warren
Casperson	Hood	Jones	Whitmer
Gleason	Hopgood	Rocca	Young
Green			

Nays—21

Booher	Hune	Meekhof	Proos
Brandenburg	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Robertson
Colbeck	Kowall	Pappageorge	Schuitmaker
Emmons	Marleau	Pavlov	Walker
Hildenbrand			

Excused—0**Not Voting—0**

In The Chair: President

Senator Anderson offered the following amendment:

1. Amend page 30, following line 22, by inserting:

“(E) THIS SUBSECTION SHALL NOT BE EFFECTIVE IF A STATE OR FEDERAL APPELLATE COURT RULES THAT THE ELIMINATION OF THE DEDUCTION FROM ADJUSTED GROSS INCOME OF RETIREMENT OR PENSION BENEFITS UNDER SUBSECTION (1)(F)(i), (ii), OR (iv) IS UNCONSTITUTIONAL, AND THAT HOLDING IS NOT OVERTURNED ON IMMEDIATE APPEAL.”.

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Hunter requested the yeas and nays.

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

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

Roll Call No. 168

Yeas—17

Anderson	Hood	Jones	Smith
Bieda	Hopgood	Nofs	Warren
Brandenburg	Hunter	Robertson	Whitmer
Gleason	Johnson	Rocca	Young
Gregory			

Nays—21

Booher	Hansen	Kowall	Pavlov
Casperson	Hildenbrand	Marleau	Proos
Caswell	Hune	Meekhof	Richardville
Colbeck	Jansen	Moolenaar	Schuitmaker
Emmons	Kahn	Pappageorge	Walker
Green			

Excused—0

Not Voting—0

In The Chair: President

The question being on the passage of the bill,

Point of Order

Senator Hunter raised the Point of Order with regard to whether Senators with a direct interest in LLCs or other entities whose business tax liability would be abolished under this bill had a conflict of interest under Senate Rules, such that they should not vote on the bill.

The President, Lieutenant Governor Calley, ruled that the Presiding Officer does not make a determination as to a conflict of interest for each member per the rules of the Senate. That is at the discretion of the Senators individually.

Senator Hunter appealed the decision of the Chair.

The question being shall the decision of the Chair stand as the judgment of the Senate,

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor.

Senator Hunter requested the yeas and nays.

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

The decision of the Chair stood as the judgment of the Senate, a majority of the members voting therefor, as follows:

Roll Call No. 169**Yeas—26**

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

Nays—12

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Whitmer
Gleason	Hopgood	Smith	Young

Excused—0**Not Voting—0**

In The Chair: President

Point of Order

Senator Hunter raised the Point of Order that it was not proper for the President to make editorial remarks from the Chair and to comply with Section 578 of *Mason's Manual*.

The President, Lieutenant Governor Calley, ruled that he would adhere to Section 578 of *Mason's Manual*, pertaining to the Presiding Officer.

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted "yea."

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 170**Yeas—19**

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hildenbrand	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

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 not concurred in, 2/3 of the members serving not voting therefor.
 Senator Hunter requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The recommendation was not concurred in, 2/3 of the members serving not voting therefor, as follows:

Roll Call No. 171**Yeas—25**

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

Nays—11

Anderson	Gregory	Hunter	Warren
Bieda	Hood	Johnson	Young
Gleason	Hopgood	Smith	

Excused—0**Not Voting—2**

Brandenburg Whitmer

In The Chair: President

Senator Meekhof moved that the bill be given immediate effect.
 The motion did not prevail, 2/3 of the members serving not voting therefor.
 Senator Hunter requested the yeas and nays.
 The yeas and nays were ordered, 1/5 of the members present voting therefor.
 The motion prevailed, 2/3 of the members serving voting therefor, as follows:

Roll Call No. 172**Yeas—26**

Booher	Hansen	Marleau	Proos
Brandenburg	Hildenbrand	Meekhof	Richardville
Casperson	Hune	Moolenaar	Robertson
Caswell	Jansen	Nofs	Rocca

Colbeck
Emmons
Green

Jones
Kahn
Kowall

Pappageorge
Pavlov

Schuitmaker
Walker

Nays—12

Anderson
Bieda
Gleason

Gregory
Hood
Hopgood

Hunter
Johnson
Smith

Warren
Whitmer
Young

Excused—0

Not Voting—0

In The Chair: President

Senator Jansen offered to amend the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending the title and sections 2, 4, 6, 24, 26, 30, 30f, 36, 51, 52, 91, 102, 103, 105, 110, 115, 132, 195, 201, 251, 255, 256, 265, 266, 270, 271, 272, 278, 301, 311, 315, 322, 325, 402, 408, 451, 455, 471, 475, 508, 510, 512, 514, 520, 522, 526, 527a, 530, and 532 (MCL 206.2, 206.4, 206.6, 206.24, 206.26, 206.30, 206.30f, 206.36, 206.51, 206.52, 206.91, 206.102, 206.103, 206.105, 206.110, 206.115, 206.132, 206.195, 206.201, 206.251, 206.255, 206.256, 206.265, 206.266, 206.270, 206.271, 206.272, 206.278, 206.301, 206.311, 206.315, 206.322, 206.325, 206.402, 206.408, 206.451, 206.455, 206.471, 206.475, 206.508, 206.510, 206.512, 206.514, 206.520, 206.522, 206.526, 206.527a, 206.530, and 206.532), section 4 as amended by 2003 PA 52, section 26 as amended by 2003 PA 50, section 30 as amended by 2009 PA 134, section 30f as added by 2000 PA 163, sections 51 and 270 as amended by 2007 PA 94, section 52 as added by 1988 PA 1, section 110 as amended by 2003 PA 21, sections 255, 256, 301, and 475 as amended by 1996 PA 484, section 265 as amended by 1998 PA 19, section 266 as amended by 2008 PA 447, section 272 as added by 2006 PA 372, section 278 as added by 2010 PA 235, section 311 as amended by 2004 PA 199, section 315 as amended by 2003 PA 49, sections 325 and 514 as amended by 1987 PA 254, section 402 as added and section 408 as amended by 1980 PA 169, section 451 as amended by 2003 PA 46, section 471 as amended by 2002 PA 486, section 508 as amended by 1990 PA 283, sections 510 and 520 as amended by 1995 PA 245, section 512 as amended by 2003 PA 29, section 522 as amended by 2000 PA 41, section 527a as amended by 2004 PA 335, and section 530 as amended by 1982 PA 480, by designating sections 1 to 532 as part 1, and by adding parts 2 and 3; and to repeal acts and parts of acts.

The amendment to the title was adopted.

The Senate agreed to the title as amended.

Protests

Senators Whitmer, Hood, Anderson, Hunter, Smith, Robertson, Young, Colbeck and Gregory, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 4361.

Senators Whitmer, Anderson, Hunter and Smith moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Whitmer’s statement, in which Senator Hood concurred, is as follows:

I am a little surprised by the lecture that we just got. I am curious as to where the authority is for that, but I am not going to challenge that. It is what it is and it’s over. But I am sure most of you know that the Senate Democratic Caucus has recently traveled the state to talk to the residents of Michigan about the Governor’s proposed budget and tax proposals.

However, for me, it wasn't so much as talking as it was about listening. I listened to a man from Grand Rapids tell me about how strong a Republican supporter he was. He even voted for Governor Snyder, but he isn't sure how he is going to pay his bills with the proposed pension tax. He retired a couple of years ago after much thoughtful planning to the penny on his and his wife's retirement, and now that thoughtful planning is in flux as they struggle to balance their daily cost of food, prescriptions, and utility bills.

I listened to a young mother from East Lansing who, in tears, shared her concern about the level of education for her children and the steady reduction of dollars that their school will receive. First, Governor Snyder proposed taking \$895 million out of the School Aid Fund to pay for a business tax break, and now it has been exacerbated perpetually by half of a billion dollars as a result of the tax changes that you just adopted—\$597 million next year and \$530 million the year after.

During the past five months, I have listened carefully to what leaders in our state are proposing. I have heard phrases like "simple," "fair," and "efficient and no gimmicks," "games," or "one-time fixes." So you can imagine how surprised I was to see that this proposed tax reform is anything but. The proposed business tax is inherently a gimmick because, as a lawyer, I can tell you that there are many corporations that will change from C corp to LLC and change their corporate forms to avoid this new tax, ensuring that the pot of money will diminish over time.

I listened to you, Mr. President, in committee explain how each component of this was fair, simple, and efficient. But this Republican pension tax is neither simple—with its three tiers—nor fair, as you are targeting one group of seniors to favor business. I ask is it fair to give Chrysler an inherent advantage over the business tax over GM and Ford, two Michigan-based companies?

Finally, I listened when you said the old business tax picked winners and losers but your tax would not. Well, that is not true. In law school, you learn a phrase called "res ipsa loquitur." It means the thing, it speaks for itself. If you look at this legislation package, it is a \$1.8 billion break for business, paid for by cuts to our schools, pension taxes, and eliminating the earned income tax credits on working families in the state of Michigan. You have chosen winners and losers. Your winners are the businesses, and the losers are our working families, our retirees, and our kids.

With this vote, you value business taxes over local schools. With this vote, you are valuing businesses' bottom lines over families who are struggling to make ends meet. You are valuing a business tax cut over our seniors. You can lie to yourself, but don't lie to me. Don't lie to the people of our state. Don't sugarcoat this to your constituents. When they ask you to explain your vote, be honest with them. Tell them you voted to increase taxes on individuals in order to support a tax cut to business, without any guarantee that it will create one job.

Senator Anderson's statement is as follows:

I rise for my "no" vote explanation. I oppose this bill to tax the pension of our senior citizens that has just recently passed the House and just past here in the Senate. We owe a tremendous debt to our seniors. They cared for us and helped us provide for our children. We should continue to see that they are protected in their golden years. Virtually all legislation that relates to our senior population receives overwhelming bipartisan support, as we care for our seniors. It is something that we can usually agree on. We have made elder abuse a focus of this in previous legislatures, seeking to prevent the physical and emotional abuse of our seniors and deter the financial exploitation of our senior citizens.

Far too often, the elderly are victimized for monetary gain, and sadly, the scheming and swindling of our seniors is not just limited to scam artists and sometimes even involves unscrupulous family members. Unfortunately, that took place today. There is probably no one in this chamber who says they don't realize the need to protect our seniors, and yet, this Senate has just passed Republican plans to tax pensions that unfairly single out our seniors and squeezes their already-strained finances.

Mind you, this tax increase on our state's retirees was not necessary to maintain funding for our schools or to keep our citizens safe, but rather, to benefit a select few who are already receiving or who are already much better off than the seniors you want to tax.

While this move to raise taxes on our seniors may be legal and within the powers of this Legislature, it is certainly unfair. I oppose this attempt to pickpocket all of our retirees in Michigan to pay for a corporate tax cut. When we go back to our districts after today's session, I can guarantee you that those seniors we represent will have questions as to why we abandoned them in their golden years to pay for a massive corporate tax cut. I hope members will think about the message that we are also sending to our seniors, as well as our children and our grandchildren, by the unprecedented tax shift on our seniors in today's vote. One thing is for sure that future statements by those who voted for this terrible bill that they want to protect our seniors will ring hollow from this day forward.

Senator Hunter's statement is as follows:

I rise to, first of all, express my appreciation for my very fine colleagues on my side of the aisle, as well as several on the other side of the aisle, who voted against this legislation. I also would like to express my deep disappointment in you, Mr. President, for the statement that you made after the vote to this chamber, which I presume was some sort of justification to the people of this great state as to why you had to cast this vote to raise taxes on our citizens.

Mr. President, the people of Michigan don't need a lecture on the need for change. We all recognize that the ways of the past don't necessary meet the needs of the future. However, change for the sake of change without considering the

consequences is not progress, and yet, that is exactly what this legislation today is—change without consideration of the consequences it will have on the people of this great state.

Instead of standing here and lecturing us, Mr. President, I would encourage you to instead listen to the people of this great state who are telling you that this plan was wrong for this state. Raising their taxes to give corporations a billion-dollar bailout is the wrong way to go. So, again, Mr. President, the people of the great state of Michigan are not asking to hear your justifications, Mr. President. They are asking you, Mr. President, to listen to them instead, Mr. President.

Senator Smith's statement is as follows:

As legislators, we must walk a fine line between creating an atmosphere that is friendly to business and protecting our quality of life. Taxing retirees and taking away credits from hardworking families hurts their bottom line at the end of the month. Just because we offer tax breaks to businesses does not mean that they will locate here or create jobs. I will say this: We are not Delaware.

Senator Robertson's statement is as follows:

I rise this afternoon to speak on House Bill No. 4361 and the discussion that happened this afternoon. As you know, I voted against House Bill No. 4361. I did not come to this decision lightly. Let me begin my statement by saying for the record that which is already known. I opposed the passage of the MBT as a member of the House, and I strongly supported the repeal of the Michigan business tax just as I supported the repeal of the single business tax which it replaced.

I supported the Governor's corporate tax plan for the simplification it brings in the reduction in taxes on Michigan's job providers. Since we began this debate over the tax proposal, I have continuously argued for the business tax cut and against the imposition of the income tax on pensioners and retirement income. I opposed the scheduled interruption of the scheduled reduction of the income tax rate. These are clear and distinct issues and should have been treated as such.

After the 30-plus-year nightmare of both the single business tax and the Michigan business tax, can anyone really argue that its elimination and replacement doesn't have the merit to stand alone as its own issue? I understand that arguments have been made regarding fairness and shared sacrifice as justification for tax increases that were part of this package. However, my experience teaches me that here in Lansing, a rationale can always be found for raising taxes on some or all of Michigan's taxpayers. I remind my colleagues that within the last few years, we have seen income tax increases, cigarette tax increases, liquor tax increases, and business tax increases. The MBT itself was a tax increase above the SBT, and the surcharge was an insult added on top of the injury that was provided here.

All of these tax increases took place over my objection, I would point out, and I believe that state government has been living off the shared sacrifices that these tax increases represent for all of the last eight years. Now there has been a very refreshing change in the occupancy of the Governor's office. However, I am concerned that the culture in Lansing here has not changed as well. Governor Snyder has advanced a strong reform agenda in all areas of state government, and I believe he is correct to do so. We Senate Republicans have argued for reforms first. His efforts in all these areas have my support.

I am concerned, however, that the inclusion of a pension tax increase and the interruption in the income tax cut will embolden those in opposition to his reform agenda and make the advanced reform agenda more difficult. I do believe that we should move on reform measures before we moved on the budget because ultimately the greatest mechanism that we have enforcing change is the power of the purse strings, and one should come before the other. We must never forget that the power to tax is the most potent power that we have. The tax dollars that we spend here in this town routinely represent the production hours, days, weeks, and years of our constituents' lives, and that fact has never been too far from my mind. I have always believed the real courage and real leadership comes in finding solutions to policy questions without imposing new or additional taxes on our constituency.

Senator Young's statement is as follows:

I would like to start with a quote: "Men do not make laws. They do but discover them. Laws must be justified by something more than the will of the majority. They must rest on the eternal foundation of righteousness. That state is most fortunate in its form of government which has the aptest instruments for the discovery of law," by Calvin Coolidge.

I rise today to speak against the reprehensible tax proposals being considered by this chamber. It is incomprehensible that at a time when Michigan families are struggling, we would consider raising taxes on retirees and low-income families and continue to go after the middle class. Even more appalling is that this plan is unconstitutional, and it breaks our vow to retirees to protect their pensions. Not only is it illegal, but it is immoral on top of that.

This is an injustice to the men and women of Michigan who have worked hard all of their lives and now will be robbed of the opportunity to enjoy their retirement. This is an injustice to the men and women who continue to work long hours just to put food on the table and clothing on their children's backs. We are asking seniors, children, and the working poor to make huge sacrifices, even after we made draconian cuts to services like police officers, firefighters, and took hundreds of millions of dollars from schools; not to mention the fact that this bill is not only a disgrace, but is the economic equivalent of suplexing Grandma or hitting her with a running clothesline. This is ridiculous. I can't believe we actually did this. This is one of the worst things I have ever seen. I have never been more terrified of actions that took place than when I was a kid and I saw that movie *Child's Play*. This is just absolutely the wrong thing to do.

We were sent here to improve our state's economy. Instead, we are considering shameful legislation to take money away from people who can barely afford to buy groceries, gas, or medication. Now you ask us to give businesses nearly a \$2 billion tax break with absolutely no guarantee that this tax break will create a single job. How dare we ask those people with so little to sacrifice and not be able to promise them that they will get something in return. I ask my colleagues to join me in taking this bill up again so we can vote it down. It is wrong and it is disgraceful. We must stop it dead in its tracks.

I listened to my good friend, the chairman from the Finance Committee, when he said we need to turn this ship around. The problem is that land is in sight. The ship of our state has survived the iceberg. Now the majority wants to turn this ship around and head backward. The majority wants to fire the crew—all the grade-school teachers, all our fantastic seniors—and punch a big hole in the ship's budget, and then turn the ship around and go back out to sea and hope for the best. You can't swim? Too bad, so sad. It sucks to be you. If you are a senior citizen, oh well, hope you can survive. Good luck. It's wrong. It's despicable. It's disgraceful. This is just the wrong approach.

We can do better. We are so much more capable than this. We could have come together and found a bipartisan solution. We could have forged a path to eminence and excellence. Instead, we chose this backwards way of doing things and hurting our senior citizens. Madam President, take a personal note: Grandma was the person who used to make me milk and cookies and rub my back when I was sad. Now my response to that is to tax her out of house and home and give her the boot and say good luck, hope you can make it? It's wrong.

Senator Colbeck's statement is as follows:

Today, I rise to express my opposition to several elements of the tax policy that has just been passed by my Senate colleagues. I should first note, though, that I support many of the provisions of the tax policy; most notably, the MBT repeal addressed in House Bill No. 4362, which I did vote in favor of.

The repeal of the MBT represents an historic step forward towards the goal of improving Michigan's business environment and fueling job growth in our state. The repeal of the MBT should be applauded. My issue is with several of the replacement taxes. We are constitutionally required to balance the budget. In this context, it is important to note that the tax policy is connected to the appropriations policy that we have. Despite our constitutional provisions and despite passing what on paper each year is a balanced budget, we continue to exhibit a structural budget deficit year after year.

There are two ways to fix a structural budget deficit. One is with structural tax policy reform. The other is with structural spending reform. Today, we came before you to consider proposals for the tax policy structural reform. This tax policy structural reform features two elements of concern personally to me and to many of the citizens here in Michigan. No. 1, it removes many of the pension tax exemptions that have been specified and that have been carried on to date. And, No. 2, it features a freezing of an income tax rate at 4.35 percent in spite of the previous commitment to return it to 3.9 percent.

The first of these elements, the removal of the pension tax exemptions, is very likely to face constitutional challenges. Whether or not these challenges come out to bear fruit, these challenges yield the risk that the revenue projection forecast will not be realized. If this risk becomes a reality, we will have failed to balance the budget, thereby continuing our structural budget deficit.

This risk would not be necessary if we were to employ additional vigor in the area of structural spending reform. In the words of President Reagan, "No government ever voluntarily reduces itself in size. Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this earth." I'm here to tell you that while we did make significant strides in regard to spending reductions in our appropriation bills and we continue to have further discussions on ways to discuss our appropriation spending, we need to do better.

My colleagues and I worked very hard on the tax policy structural reform. Many difficult choices were made along the way. The hard choices are not over. We now need to focus on spending. Now more than ever, we need to make sure our citizens' taxpayer dollars are used in the most efficient and effective manner possible. We need improved accountability for how we spend each and every dollar. I look forward to working with my colleagues to enact sweeping structural reforms on the spending side of the ledger, so that we can alleviate the tax burden on even more of Michigan's citizens.

Senator Gregory's statement is as follows:

I rise today to explain my "no" vote on House Bill No. 4361. In my view, House Bill No. 4361, this was not shared sacrifice. This is picking winners and losers again. It's picking big business winners again, and Michigan kids, working families and senior citizens as losers again.

Even the revenue sources for this plan are losers. Relying on pensions where more and more people are moving to defined contribution plans like 401(k) and banking a tax cut on corporate classifications which businesses will change to get into a lower tax bracket.

This is another gimmick, another short-term fix which is going to create a structural deficit down the road. Colleagues, this is not what we were elected to do. This is not the way to rebuild our state and move forward, especially when there is no proof that cutting billions of dollars in taxes for businesses is going to create a single job just as a means of explanation.

I have a friend who has a pool and spa business. Last year, he had one employee, but due to the loss of revenue, he had to let his employee go. It's just he and his wife now who operate this business. I asked him his opinion of this tax plan.

He told me that currently with his small business he doesn't pay a lot of taxes anyway. He said what he needs is people to use his business. He told me that he is afraid that by taxing people—taking more money out their pocket—will actually hurt him in the long run. These senior citizens who would use his business because they all have a reduced amount of money coming into their household, well, now maybe it will take a longer time for them to call him out to clean the pool or to clean their spa, if they even have a spa.

Speaking of that, when it comes to seniors, we're talking about seniors who treat themselves by going out to the restaurant maybe once a week. By taxing these seniors, they will no longer be able to go to that restaurant once a week. They will now have to cut back and going back even further, going to the hairdresser, going to the barber shop, going to the car wash, using lawn services, all of these things will come into play now because they will have less income to be able to do these things with.

I guess in summation, I would say that Michigan's kids, workers, and seniors have entrusted us to act in their best interest in the Legislature. I believe it is high time we need to start doing that.

The President of the Senate made a statement and requested that it be printed in the Journal.

The President's statement is as follows:

I ask for the chamber's indulgence. As we move through this course of embracing the future of Michigan for all that it could be; as we move forward away from the past where there are policies that have resulted in a spectacular failure and for our citizens of this state, shall we then cling to that past? Shall we then pretend as though the status quo has been some sort of a resounding success for us, or will we take a chance on the future?

When we deal with the difficult questions before this state today, we know that we have left huge problems for the next generation; problems that have accumulated far earlier than anybody in this room took office. All others have been afraid to address them because real change comes with real consequence. Real change will come with drama. At the same time, we have an obligation and a responsibility to this next generation not to leave them with a demographic problem in the future, where the ability for us to meet the needs of our citizens, including senior citizens, would continue to be diminished each year as we allowed for the complete exemption of most retirement income.

As much as we don't want to face it, retirees will soon comprise one-fifth of our population. It is hard. It is hard to deal with real problems, and yet, we still have that obligation. So the question is would we put ourselves ahead of the next generation simply because they cannot vote yet? Should we put ourselves ahead of the next generation because some of them who can vote haven't figured out yet how important it is, or will we do right by our kids and our grandkids? Will we fix these problems today?

Regardless of how difficult they are, and I would say to those who disagree that I can appreciate the disagreements. I would also ask that all members consider the entire picture and the difficulty that we have in balancing a budget, given the current financial reality that we face.

And so we have heard time and time again that there's more needed to fund each of these budgets. I have listened patiently as we have heard time after time that we should not cut this and that. We should not cut that, and, yet again, I heard time after time we should pass out or restore over a billion dollars in additional tax credits. It seems to be self-defeating. It seems to be inconsistent. What I ask is that everyone in this state start to pull in the same direction; that we start believing in the future, instead of denying the reality that we face today.

The President votes "aye."

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

The motion prevailed.

Senator Young's statement is as follows:

Mr. President, I would like to start with a quote: "Anyone entrusted with power will abuse it if not also animated with the love of truth and virtue no matter whether he be a prince or one of the people." It's a quote from Jean de La Fontaine.

Mr. President, this amendment is quite simple. It fixes a mistake made in the very concept of this tax plan. It would remove the language in this bill that creates a new tax on our senior pensions and restores the public and private pension exemption back to their current levels.

From day one, when the Governor began talking about his idea for a tax plan, he emphasized the need to eliminate any system that picks winners and losers. Unfortunately, this tiered pension tax would do exactly that. It is not only illegal and unconstitutional, but it is immoral.

So please let's not give Grandma a flying drop kick. It's not right. Don't tax Grandma—just not right. Mr. President, it's not right. It creates a system where some seniors will be burdened while others will be spared, but it will force all of our seniors to pay more so the businesses can pay less. We are going to tax Grandma out of a house and home so businesses can pay less. What happened to being in the Legislature and using the instrument of power only to help the powerless? We have lost sight of why we are up here in Lansing and what we are here to do with our authority as legislators.

This amendment gives us an opportunity to fix this mistake and tell our seniors that we are not going to put the burden of this budget on their backs. Rarely do we have the opportunity where we can make a mistake and correct that mistake and go down a road of marvelous opportunities. This is that chance right here. This is the time where all can draw a line in the sand and say that we will not put this financial burden on the backs of our teachers and the backs of our seniors. We are better than that, and they deserve better than that.

So please come join me and join us as we move in a bipartisan fashion to forge a trail to become a prosperous phenomenon here in Michigan that honors and cherishes our seniors and our teachers. I ask all my colleagues for their support on this amendment.

Senator Jansen's statement is as follows:

I want to remind my colleagues that as we discuss this bill, retirement income is part of that discussion. I want them to understand that anyone older than 67, all 478,613 families are exempt who are 67 or older; 60 to 66, there are 228,785 families, households, couples, or whatever you want to classify it. But only 80,367 would pay a tax—a retirement income. Finally, anyone younger than 60, there are 149,468 single-couple families or whatever you want to classify that as.

So we are not talking about everybody in the state of Michigan. I love the debate. It is wonderful, but let's kind of get the facts out there. I would ask that you vote "no" on this amendment.

Again, we have a lot of work to do here today.

Senator Warren's statement is as follows:

I rarely stand before you and begin with a quote, but I must have spent one too many hours with Senator Young this week. So I am going to start my comments on Amendment No. 7 with a quote, and it comes from President Ronald Reagan. Ronald Reagan called the earned income tax credit the "most pro-family, pro-work idea that has ever come from government."

The EITC helps low-income families make ends meet. It rewards hard work, and it injects much-needed capital into our economy. My amendment restores the current EITC to the level as it sits currently at 20 percent of the federal credit. It is my firm belief that this credit is not only a vital safety net to thousands of Michiganders, but also an economic boom to our state with a tremendous ripple effect in local businesses.

According to a recent report that was commissioned by CEDEM and the Michigan Association of United Ways, the EITC puts more than a billion dollars into the hands of Michigan's working families every year and produces just as much in economic activity throughout the state. In other words, for every dollar of EITC received, \$1.67 is generated in new earnings for Michigan residents.

This amendment would restore this program to its current amount and tells our lowest-earning workers that we are not going to balance the budget on their backs at a time when so many are already struggling to make ends meet. Some have asked how this amendment technically works. The amendment removes Section 272 from this bill so it would stay current law. It would be removed from the list of sections in this bill that we are considering changing.

So I ask that my colleagues support this amendment to retain the earned income tax credit at this time when it is so vitally important to so many Michiganders.

By unanimous consent the Senate returned 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 Walker as Chairperson.

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

House Bill No. 4480, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

House Bill No. 4481, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 46 (MCL 38.1346), as amended by 2002 PA 94.

House Bill No. 4482, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 57 (MCL 38.1057), as amended by 2002 PA 97.

House Bill No. 4483, entitled

A bill to amend 1927 PA 339, entitled "An act to authorize the establishment of a system of retiring allowances for employes of public libraries now existing or which may hereafter be established in incorporated cities of 250,000 population or more," by amending section 5 (MCL 38.705).

House Bill No. 4484, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 720 (MCL 38.2670), as amended by 2002 PA 95.

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:

House Bill No. 4362, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 107, 117, and 455 (MCL 208.1107, 208.1117, and 208.1455), section 117 as amended by 2009 PA 142 and section 455 as amended by 2010 PA 312, and by adding section 500; and to repeal acts and parts of acts.

Substitute (S-3).

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

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

House Bill No. 4479, entitled

A bill to amend 1969 PA 343, entitled "An act to adopt a multistate tax compact to facilitate and promote convenient, uniform, nonduplicative and proper determination of state and local tax liability of multistate taxpayers," by amending section 1 (MCL 205.581).

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

Third Reading of Bills

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

House Bill No. 4362

House Bill No. 4479

House Bill No. 4480

House Bill No. 4481

House Bill No. 4482

House Bill No. 4483

House Bill No. 4484

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

The following bill was read a third time:

House Bill No. 4362, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 107, 117, 409, and 455 (MCL 208.1107, 208.1117, 208.1409, and 208.1455), section 117 as amended by 2009 PA 142, section 409 as amended by 2010 PA 103, and section 455 as amended by 2010 PA 312, and by adding sections 500 and 510; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Senator Young offered the following amendment:

1. Amend page 30, following line 8, by inserting:

"(7) WHEN A TAXPAYER MAKES AN ELECTION AS PROVIDED IN THIS SECTION, THE TAXPAYER SHALL DISCLOSE, IN WRITING, TO THE DEPARTMENT AND THE SECRETARY OF STATE A DETAILED LISTING OF ALL CONTRIBUTIONS AND EXPENDITURES UNDER THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.201 TO 169.282, MADE IN THE IMMEDIATELY PRECEDING 5 YEARS."

The amendment was not adopted, a majority of the members serving not voting therefor.

The President, Lieutenant Governor Calley, resumed the Chair.

Senator Johnson offered the following amendment:

1. Amend page 3, following line 8, by inserting:

“(I) A CREDIT DESCRIBED IN SECTION 455, 457, OR 459.”

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Johnson requested the yeas and nays.

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

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

Roll Call No. 173

Yeas—16

Anderson	Gleason	Hunter	Smith
Bieda	Gregory	Johnson	Warren
Brandenburg	Hood	Nofs	Whitmer
Caswell	Hopgood	Rocca	Young

Nays—22

Booher	Hildenbrand	Marleau	Proos
Casperson	Hune	Meekhof	Richardville
Colbeck	Jansen	Moolenaar	Robertson
Emmons	Jones	Pappageorge	Schuitmaker
Green	Kahn	Pavlov	Walker
Hansen	Kowall		

Excused—0

Not Voting—0

In The Chair: President

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. 174

Yeas—27

Anderson	Gleason	Kahn	Pavlov
Bieda	Green	Kowall	Proos
Brandenburg	Hansen	Marleau	Richardville
Casperson	Hildenbrand	Meekhof	Rocca
Caswell	Hune	Moolenaar	Schuitmaker
Colbeck	Jansen	Nofs	Walker
Emmons	Jones	Pappageorge	

Nays—10

Gregory	Hunter	Smith	Whitmer
Hood	Johnson	Warren	Young
Hopgood	Robertson		

Excused—0

Not Voting—1

Booher

In The Chair: President

Senator Meekhof moved that Senator Booher be temporarily excused from the balance of today's session. The motion prevailed.

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

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

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

The Senate agreed to the full title.

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

The motion prevailed.

Senator Young's statement is as follows:

I want to start with a quote, and it's a quote from David Axelrod, campaign manager of Barack Obama. He said, “Sunshine is the best disinfectant.” Let us all acknowledge that this legislation does not eliminate the Michigan business tax. Instead, it allows companies to continue to file under it in order to continue receiving the special credits it has provided them. This type of favor to them should require special conditions. Specifically, this would require that at the time a business makes the one-time election to file under the MBT instead of this new corporate tax we are creating today, they must complete a disclosure of all political campaign donations over \$5,000 from the previous five years. This addresses a transparency issue, as well as a disclosure issue, so that Michigan's taxpayers know where those dollars will be going. I ask my colleagues for support.

Senator Johnson's statement is as follows:

One of the most alarming aspects of this bill is that it would cut the legs out of one of Michigan's fastest-growing industries, the film industry. By eliminating the film credit, we will be disallowing a new industry to take root and grow here in Michigan. We will specifically be telling those employers that we don't want them or their jobs that they brought with them to our state. We will be telling those workers to go elsewhere to find those jobs, and we will be telling those companies in every sector that we are willing to go back on the commitment that this state makes.

This amendment would restore those film credits and allow a growing industry and an expanding job market to continue to succeed here in Michigan. I ask for my colleagues' support.

Senator Booher entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4479, entitled

A bill to amend 1969 PA 343, entitled “An act to adopt a multistate tax compact to facilitate and promote convenient, uniform, nonduplicative and proper determination of state and local tax liability of multistate taxpayers,” by amending section 1 (MCL 205.581).

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. 175**Yeas—29**

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

Nays—9

Gregory	Hunter	Smith	Whitmer
Hood	Johnson	Warren	Young
Hopgood			

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 title of the bill.

The following bill was read a third time:

House Bill No. 4480, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 176**Yeas—19**

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—18

Anderson	Gregory	Hunter	Rocca
Bieda	Hildenbrand	Johnson	Smith
Brandenburg	Hood	Jones	Warren
Colbeck	Hopgood	Robertson	Young
Gleason	Hune		

Excused—0

Not Voting—1

Whitmer

In The Chair: President

Senator Meekhof moved to reconsider the vote by which the bill was defeated.

The motion prevailed.

The question being on the passage of the bill,

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

The motion prevailed.

The following bill was read a third time:

House Bill No. 4481, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 46 (MCL 38.1346), as amended by 2002 PA 94.

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted “yea.”

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 177

Yeas—19

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hildenbrand	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

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.

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

“An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to

prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4482, entitled

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending section 57 (MCL 38.1057), as amended by 2002 PA 97.

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. 178

Yeas—30

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

Nays—8

Hildenbrand	Hopgood	Johnson	Warren
Hood	Hunter	Smith	Young

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.

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

“An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to establish certain funds in connection with the retirement system; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4483, entitled

A bill to amend 1927 PA 339, entitled “An act to authorize the establishment of a system of retiring allowances for employes of public libraries now existing or which may hereafter be established in incorporated cities of 250,000 population or more,” by amending section 5 (MCL 38.705).

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted “yea.”

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 179**Yeas—19**

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hildenbrand	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

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 title of the bill.

The following bill was read a third time:

House Bill No. 4484, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 720 (MCL 38.2670), as amended by 2002 PA 95.

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted "yea."

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 180**Yeas—19**

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hildenbrand	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

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.

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

“An act to establish a judges retirement system; to provide for the administration and maintenance of the retirement system; to create a retirement board; to prescribe the powers and duties of the retirement board; to establish certain reserves for the retirement system; to establish certain funds; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; to provide for certain disqualifications; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”.

The Senate agreed to the full title.

By unanimous consent, the Senate returned to consideration of the following bill:

House Bill No. 4480, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

(This bill was defeated earlier today, vote reconsidered and consideration postponed. See p. 687.)

The question being on the passage of the bill,

The bill was defeated, a majority of the members serving not voting therefor, as follows:

Roll Call No. 181

Yeas—19

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—18

Anderson	Gregory	Hunter	Rocca
Bieda	Hildenbrand	Johnson	Smith
Brandenburg	Hood	Jones	Warren
Colbeck	Hopgood	Robertson	Young
Gleason	Hune		

Excused—0

Not Voting—1

Whitmer

In The Chair: President

Senator Meekhof moved that rule 3.311 be suspended to permit reconsideration of the vote by which the bill was defeated.

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

Senator Meekhof moved to reconsider the vote by which the bill was defeated.

The motion prevailed.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the Senate returned to the order of

Messages from the House

Senate Bill No. 174, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the disposition of fees and other income received by the state agency.

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

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

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 182

Yeas—0

Nays—37

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson

Jones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Young

Excused—0

Not Voting—1

Whitmer

In The Chair: President

Senator Hunter moved that Senator Whitmer be temporarily excused from the balance of today’s session. The motion prevailed.

Senator Whitmer entered the Senate Chamber.

Senate Bill No. 175, entitled

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 183

Yeas—0

Nays—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	Pros	Young
Green	Jones		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 176, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 184

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 177, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2012; to provide for the expenditure of these appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 185**Yeas—0****Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 178, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2012; to provide for the expenditures of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

A bill to make appropriations for higher education for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 186**Yeas—0****Nays—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		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 179, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

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

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

Pending the order that, under rule 3.202, the bill be laid over one day, Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 187

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 180, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2012; to provide for the expenditure of these appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state

and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

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

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 188

Yeas—0

Nays—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		

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 181, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

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

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 189**Yeas—0****Nays—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	Pros	Young
Green	Jones		

Excused—0**Not Voting—0**

In The Chair: President

Senate Bill No. 182, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 190**Yeas—0****Nays—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
Gleason
Green

Jansen
Johnson
Jones

Pavlov
Proos

Whitmer
Young

Excused—0

Not Voting—0

In The Chair: President

Senate Bill No. 183, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18, 20, 20d, 22a, 22b, 22d, 22e, 24, 24a, 24c, 26a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 39a, 40, 51a, 51c, 51d, 53a, 54, 56, 61a, 62, 74, 81, 93, 94a, 98, 99, 101, 104, 107, 109, 147, and 152a (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1620, 388.1620d, 388.1622a, 388.1622b, 388.1622d, 388.1622e, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1640, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1693, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1704, 388.1707, 388.1709, 388.1747, and 388.1752a), sections 3, 6, 11a, 11g, 11k, 15, 18, 20, 20d, 22b, 22d, 24, 24a, 31a, 31d, 31f, 32b, 32d, 32j, 39, 51c, 51d, 53a, 54, 61a, 62, 74, 98, 99, 101, 107, and 147 as amended by 2010 PA 110, sections 11, 11m, 22a, 51a, and 56 as amended and section 152a as added by 2010 PA 217, sections 11j, 22e, 24c, 26a, 39a, 81, 94a, and 104 as amended and section 93 as added by 2010 PA 204, section 40 as amended by 2000 PA 297, and section 109 as amended by 1994 PA 283, and by adding sections 12, 22f, and 166f; and to repeal acts and parts of acts.

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

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

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2010 PA 217 and section 17b as amended by 2007 PA 137.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 191

Yeas—0

Nays—37

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter

Jones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs

Proos
Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker

Emmons
Gleason
Green

Jansen
Johnson

Pappageorge
Pavlov

Warren
Young

Excused—0

Not Voting—1

Whitmer

In The Chair: President

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

Senate Bill No. 184, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; to provide for the powers and duties of certain committees, certain state agencies, and certain employees; and to provide for the acquisition and disposition of certain real and personal property.

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

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

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 192

Yeas—0

Nays—37

Anderson
Bieda
Booher
Brandenburg
Casperson
Caswell
Colbeck
Emmons
Gleason
Green

Gregory
Hansen
Hildenbrand
Hood
Hopgood
Hune
Hunter
Jansen
Johnson

Jones
Kahn
Kowall
Marleau
Meekhof
Moolenaar
Nofs
Pappageorge
Pavlov

Proos
Richardville
Robertson
Rocca
Schuitmaker
Smith
Walker
Warren
Young

Excused—1

Whitmer

Not Voting—0

In The Chair: President

Senator Whitmer entered the Senate Chamber.

Senate Bill No. 185, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2012; to provide anticipated appropriations for the fiscal year ending September 30, 2013; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

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

A bill to make appropriations for the department of transportation for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

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

Senator Meekhof moved that the rule be suspended.

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

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

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 193**Yeas—0****Nays—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		

Excused—0**Not Voting—0**

In The Chair: President

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

Senator Meekhof moved to reconsider the vote by which the following bill was passed:

House Bill No. 4482, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 57 (MCL 38.1057), as amended by 2002 PA 97.

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

The question being on the passage of the bill,

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

Roll Call No. 194

Yeas—30

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

Nays—8

Gregory	Hopgood	Johnson	Warren
Hood	Hunter	Smith	Young

Excused—0

Not Voting—0

In The Chair: President

By unanimous consent, the Senate returned to consideration of the following bill:

House Bill No. 4480, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

(This bill was defeated earlier today, rules suspended, vote reconsidered and consideration postponed. See p. 691.)

The question being on the passage of the bill,

The Senators being equally divided (yeas 19; nays 19), the Lieutenant Governor voted "yea."

The bill was passed, a majority members serving and the Lieutenant Governor voting therefor, as follows:

Roll Call No. 195

Yeas—19

Booher	Hansen	Meekhof	Proos
Casperson	Jansen	Moolenaar	Richardville
Caswell	Kahn	Nofs	Schuitmaker
Emmons	Kowall	Pappageorge	Walker
Green	Marleau	Pavlov	

Nays—19

Anderson	Gregory	Hunter	Smith
Bieda	Hildenbrand	Johnson	Warren
Brandenburg	Hood	Jones	Whitmer
Colbeck	Hopgood	Robertson	Young
Gleason	Hune	Rocca	

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.

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

“An act to provide for a state employees’ retirement system; to create a state employees’ retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; to prescribe and make appropriations for the retirement system; and to prescribe penalties and provide remedies.”.

The Senate agreed to the full title.

By unanimous consent the Senate returned 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 Walker 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 joint resolution:

Senate Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article XI, to provide for establishing uniform cost allocation requirements for health benefits for public employers.

The joint resolution 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. 7, entitled

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

Substitute (S-3).

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

By unanimous consent the Senate proceeded to the order of

Statements

The President pro tempore, Senator Schuitmaker, resumed the chair.

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

The motion prevailed.

Senator Warren's statement is as follows:

I rise today to speak against Governor Snyder's tax proposal which my Senate colleagues decided to pass today. It's no secret that I have consistently supported new revenue throughout my career in the Legislature in order to provide proper investment in our schools, our communities, and our people. Being a liberal Democrat from Ann Arbor, some folks have even said of me that I have never met a tax increase I didn't like. Well, I'm here today to say congratulations, Madam President, you've introduced me to one.

With this legislation, we are giving an unprecedented \$2 billion tax break to businesses while handing the bill over to our children, our seniors, and our needy families. We are cutting a burgeoning film industry in Michigan which has proven that it can bring jobs and money to this state. We are decimating the earned income tax credit, a vital safety net that many of our most vulnerable citizens rely on to survive. We are cutting the childcare and home heating credits, among many others, all under the guise of shared sacrifice.

What can we promise our constituents for this shared sacrifice? We cannot promise them improved roads or vibrant cities, smoothly paved roads or safe bridges, or state assistance if they hit a rough patch. And, no, we cannot promise them a job.

We can promise them that the severe inequity which we already face in our tax code will be heightened and further entrenched. We can promise them that if our struggling families hang in there, we just might think about reinstating some of these programs in a few years when things get better, for whatever that promise is worth.

You were right about one thing today, Madam President. These are challenging times, and we do need to make difficult decisions. This plan will, indeed, balance the budget. I guess at the end of the day, a budget is about values and priorities. I think ours are just different. Make no mistake, this plan will fix our budget deficit for today, but it does nothing to preserve our way of life for tomorrow. That is something all of our constituents are going to have to pay for.

Senator Casperson's statement is as follows:

I have been listening to comments being made from my good friends on the other side of the aisle. I learned something today. I was involved in a small business for 27 years, following my dad in that business and my grandfather. I wore steel-toe boots for 27 years. I wore Carhartts through the winter for 27 years, I just found out that, I guess, I am not part of the middle class because I owned a business; I owned a business so I don't count.

I keep hearing we are cutting corporate America. I am tired of it, especially when the other side knows full well that Governor Snyder went to big business and said, "You are going to start paying your fair share," and the loopholes were cut. What he targeted were the small business people, but what I am finding out today is that they don't count because, I guess, they are part of this big corporate deal.

Yesterday in testimony, we had one of those big corporate people come in—a very small business owner who worked, actually, for the state for quite a while and decided to branch out and go into business for herself; not making a whole lot of money, struggling to make the business go. In 2007, her SBT tax liability was \$23,269. I am going to say that again; \$23,269, that was her tax liability under the SBT. Then when my good friends on the other side of the aisle decided we needed to fix the taxes, and we needed to go after those rich corporate people, they changed the tax structure in 2008. Now she is working under the MBT. Her new tax liability, and by the way, folks, I asked her if her business had expanded or grown or some major accomplishment to bring in a lot of money so she had a bigger liability, and she said, "No, my business stayed almost neutral."

Her tax liability in 2008 under the new business tax was \$60,621. It was over a \$30,000 increase in her tax liability, but I guess it doesn't matter because she is a business person. She is one of those big corporate guys who get all the breaks, doesn't matter to her. No big deal. She doesn't have a family to feed. She doesn't have kids or whatever. They don't need anything because they own a business. Remember, they are the big business guys. They don't have to take care of all the things folks have been talking about here. They don't have to take care of insurance premiums, putting their kids through school because they are big business people. They can handle that. If anybody in here can tell me that going from a \$23,000 tax liability to a \$60,000 tax liability in one year is fair, I don't know what planet you are coming from, but it's not the planet I am used to.

The last speaker who just spoke talked about a small business person who was worried because the people might not now have money to go spend, but had just said just prior to that under the conditions that we have been conducting business, he had to let somebody go because his business was failing. I think that is the definition of insanity because the definition, I understand, is to keep doing the same thing and expecting different results. That is what I heard. Let's go back to doing the same thing. Let's go get those small businesses people and take them to the cleaners—\$30,000 in one year, no extra business whatsoever and that is acceptable. I don't think so.

Senator Jansen's statement is as follows:

I just want to thank, really, the whole Senate today. It was yeoman's work that a lot of people probably put what they stand for on an edge. They took risks, and they were willing to step out, the many who said "yes." They are going to go home this weekend and have a lot of people saying thank you very much. And they will get a lot of people, if you listen to the other side of the aisle, who are just going to go crazy. Well, I live in Michigan and I think 99 percent of the people don't go crazy.

They want us to be fair and just. They want us to find solutions. Today, I think we found solutions. I think we can be proud to go home if we voted “yes,” and we can say to people that we tried to make it more equitable. And guess what? I have already had a call from businesses that said, “You know what? We are going to go hire new people.” I think there are new jobs coming. I think Michigan is beginning to turn a page, and I believe we are going to see some tremendous things happening in the state of Michigan. Why? It’s not because the state of Michigan decided to charge businesses more money. It’s going to be because we asked them to spend less on taxes, but they are probably going to spend more on their people.

I do want to clarify one thing in one of the debates that when someone is 67 years old or older, they will receive a \$20,000-\$40,000 exemption based on single and couple against all types of income. Someone asked about Social Security. This exemption can be taken instead of Social Security and the personal exemptions if it would result in a more generous tax treatment. I want people to understand we tried very hard to be fair with those who are retired, and if they are retired, to give them the best deal possible.

There are a lot of intricacies to this legislation from today. We are going to hear all kinds of versions. There are going to be people who tell us that we did some things that didn’t really happen. I heard them in a debate. I think primarily today I want to thank the Michigan Senate. I believe we made history today. I believe that in the next three and a half years, while I finish out my term, when I say my farewell in three and a half years, we are going to see a lot of different numbers. We are going to see a lot of happier neighbors. They’ll forget all about this, and we will be very proud of what happened here today. I just want to thank everybody for that. I want to thank the Governor for his leadership in this. I look forward to moving on, moving ahead, and watching Michigan become the best state in the nation.

Senator Anderson’s statement is as follows:

I couldn’t sit here and listen to the revisionist historian on the other side a few minutes ago, from the 38th District. Unfortunately, he failed to mention that the current Lieutenant Governor was the primary sponsor of the MBT. The MBT passed when the former Majority Leader from his side of the aisle was here in the Senate, with his support, as I remember. So I think there are a few things that need to be corrected for the record.

By unanimous consent the Senate returned to the order of
Motions and Communications

The following communications were received and read:
 Office of the Senate Majority Leader

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 169, appoints the following members to sit on the conference committee:

Senator Mike Green, Chair
 Senator Roger Kahn
 Senator Hoon-Yung Hopgood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 171, appoints the following members to sit on the conference committee:

Senator Darwin Booher, Chair
 Senator Roger Kahn
 Senator Glenn Anderson

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 172, appoints the following members to sit on the conference committee:

Senator John Moolenaar, Chair
 Senator Roger Kahn
 Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 173, appoints the following members to sit on the conference committee:

Senator John Proos, Chair
 Senator Roger Kahn
 Senator Glenn Anderson

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 174, appoints the following members to sit on the conference committee:

Senator Howard Walker, Chair

Senator Roger Kahn

Senator Hoon-Yung Hopgood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 175, appoints the following members to sit on the conference committee:

Senator Mark Jansen, Chair

Senator Roger Kahn

Senator Bert Johnson

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 176, appoints the following members to sit on the conference committee:

Senator Mike Green, Chair

Senator Roger Kahn

Senator Hoon-Yung Hopgood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 177, appoints the following members to sit on the conference committee:

Senator John Pappageorge, Chair

Senator Roger Kahn

Senator Bert Johnson

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 178, appoints the following members to sit on the conference committee:

Senator Tonya Schuitmaker, Chair

Senator Roger Kahn

Senator Morris Hood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 179, appoints the following members to sit on the conference committee:

Senator Bruce Caswell, Chair

Senator Roger Kahn

Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 180, appoints the following members to sit on the conference committee:

Senator John Proos, Chair

Senator Roger Kahn

Senator Bert Johnson

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 181, appoints the following members to sit on the conference committee:

Senator Patrick Colbeck, Chair

Senator Roger Kahn

Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 182, appoints the following members to sit on the conference committee:

Senator Mike Green, Chair
 Senator Roger Kahn
 Senator Hoon-Yung Hopgood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 183, appoints the following members to sit on the conference committee:

Senator Howard Walker, Chair
 Senator Roger Kahn
 Senator Hoon-Yung Hopgood

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 184, appoints the following members to sit on the conference committee:

Senator Patrick Colbeck, Chair
 Senator Roger Kahn
 Senator Vincent Gregory

Thank you for your prompt consideration of this matter.

May 12, 2011

Pursuant to Joint Rule 3, the Senate, having non-concurred in the House substitute (H-1) to Senate Bill 185, appoints the following members to sit on the conference committee:

Senator John Pappageorge, Chair
 Senator Roger Kahn
 Senator Glenn Anderson

Thank you for your prompt consideration of this matter.

Sincerely,
 Randy Richardville
 Senate Majority Leader
 17th District

The communications were referred to the Secretary for record.

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

Senate Bill No. 256, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 4, and 6 (MCL 722.711, 722.714, and 722.716), sections 1 and 6 as amended by 2000 PA 31 and section 4 as amended by 1998 PA 113.

The motion prevailed.

Senator Meekhof moved that the rules be suspended and that the following bill, now on Committee Reports, be referred to the Committee on Government Operations:

Senate Bill No. 358, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2010 PA 362.

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

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Kowall and Smith introduced

Senate Bill No. 383, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 455, 457, and 459 (MCL 208.1455, 208.1457, and 208.1459), section 455 as amended by 2010 PA 312, section 457 as added by 2008 PA 86, and section 459 as added by 2008 PA 74.

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

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 244, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 3, and 4 (MCL 780.621, 780.623, and 780.624), section 1 as amended by 2002 PA 472, section 3 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

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.

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker and Bieda

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 346, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33d (MCL 791.233d), as amended by 2001 PA 86.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 356, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4702 (MCL 600.4702), as amended by 2002 PA 142.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 357, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3801 (MCL 600.3801), as amended by 1988 PA 2.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

Senate Bill No. 358, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2010 PA 362.

With the recommendation that the bill pass.

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

Rick Jones
Chairperson

To Report Out:

Yeas: Senators Jones, Schuitmaker, Rocca and Bieda

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submitted the following:

Meeting held on Tuesday, May 10, 2011, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jones (C), Schuitmaker, Rocca and Bieda

The Committee on Economic Development reported

Senate Bill No. 275, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1305, 1307, and 1311 (MCL 324.1305, 324.1307, and 324.1311), as added by 2004 PA 325.

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.

Michael W. Kowall
Chairperson

To Report Out:

Yeas: Senators Kowall, Hildenbrand, Nofs, Emmons and Hansen

Nays: Senators Hunter and Smith

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

COMMITTEE ATTENDANCE REPORT

The Committee on Economic Development submitted the following:

Meeting held on Wednesday, May 11, 2011, at 1:32 p.m., Room 110, Farnum Building

Present: Senators Kowall (C), Hildenbrand, Nofs, Emmons, Hansen, Hunter and Smith

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 226, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

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

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 227, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 7k.

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

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

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 228, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2008 PA 300.

With the recommendation that the bill pass.

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

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Families, Seniors and Human Services reported

Senate Bill No. 229, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7b (MCL 722.627b), as added by 1997 PA 167.

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.

Judith K. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Rocca, Nofs and Gregory

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 Families, Seniors and Human Services submitted the following:

Meeting held on Wednesday, May 11, 2011, at 3:03 p.m., Room 210, Farnum Building

Present: Senators Emmons (C), Rocca, Nofs and Gregory

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4361, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending the title and sections 2, 4, 6, 24, 26, 30, 30f, 36, 51, 52, 91, 102, 103, 105, 110, 115, 132, 195, 201, 251, 255, 256, 265, 266, 270, 271, 272, 278, 301, 311, 315, 322, 325, 351, 355, 365, 402, 408, 451, 455, 471, 475, 508, 510, 512, 514, 520, 522, 526, 527a, 530, and 532 (MCL 206.2, 206.4, 206.6, 206.24, 206.26, 206.30, 206.30f, 206.36, 206.51, 206.52, 206.91, 206.102, 206.103, 206.105, 206.110, 206.115, 206.132, 206.195, 206.201, 206.251, 206.255, 206.256, 206.265, 206.266, 206.270, 206.271, 206.272, 206.278, 206.301, 206.311, 206.315, 206.322, 206.325, 206.351, 206.355, 206.365, 206.402, 206.408, 206.451, 206.455, 206.471, 206.475, 206.508, 206.510, 206.512, 206.514, 206.520, 206.522, 206.526, 206.527a, 206.530, and 206.532), section 4 as amended by 2003 PA 52, section 26 as amended by 2003 PA 50, section 30 as amended by 2009 PA 134, section 30f as added by 2000 PA 163, sections 51 and 270 as amended by 2007 PA 94, section 52 as added by 1988 PA 1, section 110 as amended by 2003 PA 21, sections 255, 256, 301, and 475 as amended by 1996 PA 484, section 265 as amended by 1998 PA 19, section 266 as amended by 2008 PA 447, section 272 as added by 2006 PA 372, section 278 as added by 2010 PA 235, section 311 as amended by 2004 PA 199, section 315 as amended by 2003 PA 49, sections 325

and 514 as amended by 1987 PA 254, sections 351, 355, and 365 as amended by 2008 PA 360, section 402 as added and section 408 as amended by 1980 PA 169, section 451 as amended by 2003 PA 46, section 471 as amended by 2002 PA 486, section 508 as amended by 1990 PA 283, sections 510 and 520 as amended by 1995 PA 245, section 512 as amended by 2003 PA 29, section 522 as amended by 2000 PA 41, section 527a as amended by 2004 PA 335, and section 530 as amended by 1982 PA 480, by designating sections 1 to 532 as part 1, and by adding part 2; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4362, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 107, 117, and 455 (MCL 208.1107, 208.1117, and 208.1455), section 117 as amended by 2009 PA 142 and section 455 as amended by 2010 PA 312, and by adding section 500; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4479, entitled

A bill to amend 1969 PA 343, entitled "An act to adopt a multistate tax compact to facilitate and promote convenient, uniform, nonduplicative and proper determination of state and local tax liability of multistate taxpayers," by amending section 1 (MCL 205.581).

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4480, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4481, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 46 (MCL 38.1346), as amended by 2002 PA 94.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4482, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 57 (MCL 38.1057), as amended by 2002 PA 97.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson, Kowall and Robertson

Nays: Senators Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4483, entitled

A bill to amend 1927 PA 339, entitled "An act to authorize the establishment of a system of retiring allowances for employes of public libraries now existing or which may hereafter be established in incorporated cities of 250,000 population or more," by amending section 5 (MCL 38.705).

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

The Committee on Reforms, Restructuring and Reinventing reported

House Bill No. 4484, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 720 (MCL 38.2670), as amended by 2002 PA 95.

With the recommendation that the bill pass.

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

Mark C. Jansen
Chairperson

To Report Out:

Yeas: Senators Jansen, Colbeck, Casperson and Kowall

Nays: Senators Robertson, Young and Warren

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, May 12, 2011, at 9:00 a.m., Senate Hearing Room, Ground Floor, Boji Tower

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

COMMITTEE ATTENDANCE REPORT

The Committee on Reforms, Restructuring and Reinventing submitted the following:
Meeting held on Wednesday, May 11, 2011, at 8:40 a.m., Senate Hearing Room, Ground Floor, Boji Tower
Present: Senators Jansen (C), Colbeck, Casperson, Kowall, Robertson, Young and Warren

COMMITTEE ATTENDANCE REPORT

The Committee on Education submitted the following:
Meeting held on Wednesday, May 11, 2011, at 12:30 p.m., Room 100, Farnum Building
Present: Senators Pavlov (C), Emmons, Hopgood and Young
Excused: Senator Colbeck

COMMITTEE ATTENDANCE REPORT

The Committee on Redistricting submitted the following:
Meeting held on Wednesday, May 11, 2011, at 3:00 p.m., Rooms 402 and 403, Capitol Building
Present: Senators Hune (C), Hildenbrand, Marleau, Moolenaar, Proos, Bieda, Johnson and Smith
Excused: Senator Jones

Scheduled Meetings

Agriculture - Thursday, May 19, 9:00 a.m., Room 110, Farnum Building (373-5312)

Economic Development - Friday, May 13, 3:00 p.m., Raleigh Studios, Stage 4, 1999 Centerpoint Parkway, Pontiac (373-5312)

State Drug Treatment Court Advisory Committee - Tuesday, May 24, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Bieda moved that the Senate adjourn.
The motion prevailed, the time being 5:52 p.m.

The President pro tempore, Senator Schuitmaker, declared the Senate adjourned until Tuesday, May 17, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

