

No. 1
STATE OF MICHIGAN
Journal of the Senate
96th Legislature
REGULAR SESSION OF 2011

Senate Chamber, Lansing, Wednesday, January 12, 2011.

12:00 noon.

In conformity with the requirements of the Constitution of the state of Michigan, the Senators of the 96th Legislature of the state of Michigan assembled in the Senate Chamber in the Capitol at Lansing this day (being the second Wednesday of January 2011), at twelve o'clock noon, and were called to order by the President, Lieutenant Governor Brian N. Calley.

Deacon Mike Stewart of St. John Catholic Church of Monroe offered the following invocation:

Good and gracious God, we have so much to be grateful for, but even our gratitude pales in comparison to the breadth of Your love for us. We thank You for the blessings that brought us here today; for our lives, our health, our families, and the faith that gives life and meaning to all of those gifts. We thank You for the trust that the people of this great state have placed in us. We thank You for the gifts and the talents You've blessed us with. Grant that we will use them in a spirit of wisdom and humility.

We thank You for the blessings that are abundant in this great state; its beauty, its resources, its people, and its rich history. We thank You for our freedom, which is a gift of Your grace and borne through the sacrifices of our veterans. Please continue to bless this great state and this great nation with abundant freedom.

And so, in this spirit of gratitude, we face the challenges that have been set before us, Lord, and we ask for the strength, the courage, the wisdom, and the energy to do all You've set before us to do.

Lord, this past week we witnessed once again the darkness of hatred and violence in the events in Tucson. We pray that You will welcome into Your eternal glory those who lost their lives, that You will heal those who were injured, especially Representative Giffords, and that You will bless and heal the environment in which hatred feeds and grows. Help us, Lord, even when—especially when—it feels that we are powerless to help ourselves, and surround us with the assurance of Your presence.

Lord, grant that Your Holy Spirit will lead us and guide us in all that You place before us this year. In God's holy name, we pray. Amen.

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

Motions and Communications

Senator Meekhof moved that rule 3.901 be suspended to allow filming and photographs to be taken from the Gallery. The motion prevailed, a majority of the members serving voting therefor.

Senator Meekhof moved that rule 3.902 be suspended to allow Supreme Court Chief Justice Robert P. Young, Jr., the guests and families of the Senators and the Secretary of the Senate, and photographers admittance to the Senate floor, including the center aisle.

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

Senator Meekhof moved that when the Senate adjourns today, it stand adjourned until Thursday, January 13, at 10:00 a.m.; and when it adjourns on Thursday, January 13, it stand adjourned until Wednesday, January 19, at 10:00 a.m.

The motion prevailed.

Certified List of Senators

The following communication was received and read:
Department of State

November 29, 2010

Enclosed please find a certified listing of the candidates elected to the office of State Senator at the November 2, 2010 general election. A copy of the official returns certified for the election is also provided for your reference.

Please do not hesitate to contact this office if we can be of any further assistance.

Sincerely,
Christopher M. Thomas
Director of Elections

United States of America

THE STATE OF MICHIGAN

DEPARTMENT OF STATE

I, Terri Lynn Land, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that the persons named on the attached listing were duly elected at the November 2, 2010 General Election to the Office of State Senator for a term commencing on January 1, 2011 and ending on January 1, 2015, as shown by the official returns certified for the election and placed on file in this office.

[SEAL]

In witness whereof, I have hereto attached my signature and the Great Seal of the State of Michigan, at Lansing, on November 19, 2010.

Terri Lynn Land
Secretary of State

Members-Elect of the Senate

District	Party	Name	Address
1	Dem	Coleman A. Young	3430 East Jefferson Avenue #438, Detroit 48207
2	Dem	Bert Johnson	36 Eason Street, Highland Park 48203
3	Dem	Morris Hood	8872 Cloverlawn Street, Detroit 48204
4	Dem	Virgil Smith	20445 Sheffield Road, Detroit 48221
5	Dem	Tupac A. Hunter	24461 Pembroke Avenue, Detroit 48219
6	Dem	Glenn S. Anderson	34300 Parkgrove Drive, Westland 48185
7	Rep	Patrick J. Colbeck	P.O. Box 871583, Canton 48187
8	Dem	Hoon-Yung Hopgood	10815 Westlake Street, Taylor 48180
9	Dem	Steven Bieda	P.O. Box 1311, Warren 48090
10	Rep	Tory Rocca	12481 Starlite Court, Sterling Heights 48312
11	Rep	Jack Brandenburg	37596 Huron Pointe, Harrison Township 48045
12	Rep	Jim Marleau	3181 Sandoval Drive, Lake Orion 48360
13	Rep	John Pappageorge	2133 Lakeside Drive, Troy 48085
14	Dem	Vincent Gregory	29501 Red Leaf Drive, Southfield 48076
15	Rep	Mike Kowall	2333 Cumberland Drive, White Lake 48383
16	Rep	Bruce Caswell	8940 East Bacon Road, Hillsdale 49242
17	Rep	Randy Richardville	P.O. Box 1631, Monroe 48161
18	Dem	Rebekah Warren	234 8th Street, Ann Arbor 48103
19	Rep	Mike Nofs	95 Jennings Road, Battle Creek 49015
20	Rep	Tonya Schuitmaker	P.O. Box 1116, Portage 49081
21	Rep	John Proos	P.O. Box 271, St. Joseph 49085

22	Rep	Joe Hune	P.O. Box 357, Hamburg 48139
23	Dem	Gretchen Whitmer	P.O. Box 11063, Lansing 48909
24	Rep	Rick Jones	P.O. Box 115, Grand Ledge 48837
25	Rep	Phil Pavlov	1577 S. Allen Road, St. Clair 48079
26	Rep	David B. Robertson	P.O. Box 181, Grand Blanc 48480
27	Dem	John J. Gleason	604 Leland Street, Flushing 48433
28	Rep	Mark C. Jansen	1044 68th Street, S.E., Grand Rapids 49508
29	Rep	Dave Hildenbrand	P.O. Box 1075, Grand Rapids 49501
30	Rep	Arlan B. Meekhof	9128 Oak Creek Lane, West Olive 49460
31	Rep	Mike Green	1500 East Blackmore Road, Mayville 48744
32	Rep	Roger Kahn	P.O. Box 1627, Saginaw 48605
33	Rep	Judy Emmons	506 East Carson City Road, Sheridan 48884
34	Rep	Goeff Hansen	P.O. Box 167, Hart 49420
35	Rep	Darwin L. Booher	P.O. Box 971, Evart 49631
36	Rep	John Moolenaar	P.O. Box 2244, Midland 48641
37	Rep	Howard Walker	8481 Underwood Ridge, Traverse City 49686
38	Rep	Tom Casperson	P.O. Box 545, Escanaba 49829

The roll was called by the Secretary of the Senate.

District	Name	District	Name
1st	Coleman A. Young II	20th	Tonya Schuitmaker
2nd	Bert Johnson	21st	John Proos
3rd	Morris Hood III	22nd	Joe Hune
4th	Virgil K. Smith	23rd	Gretchen Whitmer
5th	Tupac A. Hunter	24th	Rick Jones
6th	Glenn S. Anderson	25th	Phil Pavlov
7th	Patrick J. Colbeck	26th	David B. Robertson
8th	Hoon-Yung Hopgood	27th	John J. Gleason
9th	Steven M. Bieda	28th	Mark C. Jansen
10th	Tory Rocca	29th	Dave Hildenbrand
11th	Jack Brandenburg	30th	Arlan B. Meekhof
12th	Jim Marleau	31st	Mike Green
13th	John G. Pappageorge	32nd	Roger Kahn, M.D.
14th	Vincent Gregory	33rd	Judith K. Emmons
15th	Mike Kowall	34th	Goeff Hansen
16th	Bruce Caswell	35th	Darwin L. Booher
17th	Randy Richardville	36th	John Moolenaar
18th	Rebekah Warren	37th	Howard Walker
19th	Michael L. Nofs	38th	Tom Casperson

The Secretary of the Senate announced that 38 Senators having answered the roll call, a quorum of the Senate was present.

Oath of Office

The foregoing named Senators took and subscribed to the Constitutional Oath of Office, which was administered by Chief Justice Robert P. Young, Jr., and entered upon the performance of their duties as Senators.

By unanimous consent the Senate proceeded to the order of

Resolutions

Senator Meekhof offered the following resolution:

Senate Resolution No. 1.

A resolution notifying the Governor and the House of Representatives that the Senate is ready to proceed with the business of the session.

Resolved by the Senate, That the Secretary of the Senate inform the Governor and the House of Representatives that a quorum of the Senate is present and that the Senate is ready to proceed with the business of the session.

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

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

The resolution was adopted.

Senators Brandenburg, Caswell, Hansen, Jones and Proos were named co-sponsors of the resolution.

Senator Meekhof offered the following resolution:

Senate Resolution No. 2.

A resolution for the adoption of the Standing Rules of the Senate.

Resolved by the Senate, That the following rules be and are hereby adopted as the Standing Rules of the Senate:

SENATE RULES

CHAPTER I - SECTION 1

SENATE ORGANIZATION

1.101 PRESIDING OFFICER

a) The Lieutenant Governor shall be the President of the Senate and shall preside over all sessions of the Senate or, in his or her absence, the President pro tempore, Assistant President pro tempore, or Associate President pro tempore shall preside.

b) The Lieutenant Governor may vote only when the Senators are equally divided in their vote (see Const. Art. 5, Sec. 25).

c) In the absence of the President of the Senate, President pro tempore, Assistant President pro tempore, or Associate President pro tempore, the Secretary of the Senate shall preside until the Senate shall appoint a Senator to act as presiding officer or until the President of the Senate, President pro tempore, Assistant President pro tempore, or Associate President pro tempore shall appear. In the absence of all, or all but one Senator, the Secretary of the Senate shall preside.

1.102 AUTHORITY OF THE PRESIDENT OF THE SENATE

a) The presiding officer shall call the Senate to order at the hours provided by the Constitution, by these rules, or at the hour established by the Senate at its last meeting.

b) Unless Rule 1.205 b) is in effect, following the invocation and Pledge of Allegiance, the presiding officer shall instruct the Secretary of the Senate to record the attendance. The attendance shall be taken by using the electronic voting system for one minute, except for the first session in January or if the electronic voting system is not operational, the presiding officer shall instruct the Secretary of the Senate to call the roll orally and record and announce the results.

1.103 THE PRESIDENT OF THE SENATE'S CONTROL WITHIN THE CHAMBER

The presiding officer shall preserve order and decorum and shall have general control within the Chamber. During every session of the Senate, the Sergeant at Arms is under the direct supervision of the presiding officer. Every question of order and procedure shall be decided by the presiding officer, subject to an appeal by the Senate.

1.104 ELECTION OF SENATE OFFICERS

a) A President pro tempore, Assistant President pro tempore, and Associate President pro tempore shall be elected by a vote of a majority of the Senators elected and serving. They shall be elected at the first session of a quadrennium. All officers elected by the Senate are to hold office until their successors are elected and qualified or until the expiration of their term, whichever occurs first.

b) Prior to the commencement of the quadrennium session, the majority party shall meet in an organizational caucus and elect a Majority Leader, Majority Floor Leader, Majority Whip, Majority Caucus Chairperson, Assistant Majority Leader, Assistant Majority Floor Leader, Assistant Majority Whip, and Assistant Majority Caucus Chairperson. At a similar organizational caucus, the minority party shall elect a Minority Leader, Minority Floor Leader, Minority Whip, Minority Caucus Chairperson, Assistant Minority Leader, Assistant Minority Floor Leader, Assistant Minority Whip, and Assistant Minority Caucus Chairperson.

c) All majority party Senate Officers shall serve at the pleasure of the majority party caucus. All minority party Senate Officers shall serve at the pleasure of the minority party caucus.

d) All majority and minority caucuses shall be subject to the provisions of Section 8 of the Open Meetings Act (see MCL 15.268).

1.105 APPOINTMENT OF COMMITTEES

a) The Senate Majority Leader shall appoint all committees except when the Senate shall otherwise order. The Senate Majority Leader may appoint subcommittees of standing committees when some of the members of that subcommittee are not also members of that standing committee. Such subcommittees shall contain at least one majority member and one minority member who are members of that standing committee and shall have one more majority party member than minority party member.

b) The Senate Majority Leader shall make appointments of minority party members from a list submitted by the Senate Minority Leader, and shall consider the preferences, seniority, and experience of the members in making appointments. The Senate Majority Leader may accept the list submitted by the Senate Minority Leader in whole or in part. If the Senate Majority Leader rejects names on the list and their corresponding committee assignments, the Senate Minority Leader shall submit replacement nominations.

c) All appointments to standing and select committees and subcommittees appointed by the Senate Majority Leader shall be subject to the approval of the Senate given by a majority of the Senators elected and serving. All appointments to conference committees shall be effective upon appointment by the Senate Majority Leader until disapproved by the Senate given by a majority of the Senators elected and serving.

1.106 ELECTION OF A SECRETARY OF THE SENATE

A Secretary of the Senate shall be elected as an officer of the Senate. The Secretary of the Senate shall take and subscribe to the Constitutional Oath of Office for the true and faithful discharge of the duties of office. The Secretary of the Senate is responsible for the constitutional and statutory duties of this office and is also authorized to sign papers, forms, documents and contracts on behalf of the Senate.

1.107 SENATE PARLIAMENTARIAN

The Secretary of the Senate, or a member of the staff of the Secretary of the Senate, shall serve as the Senate Parliamentarian to advise the Senate on questions relating to parliamentary law and procedure.

1.108 SENATE BROADCAST

The Secretary of the Senate, with the concurrence of the Senate Majority Leader, is authorized to broadcast Senate session.

1.109 SENATE JOURNALS

a) The Secretary of the Senate shall keep a correct Journal of each day's proceedings of the Senate, supervise its publication, and make corrections from day to day as may be necessary. During the consideration and passage of appropriation bills, the Secretary of the Senate is authorized to correct totals that may have been affected by amendments made to items in the bill. The corrections shall be made in the bill and the Journal.

b) The Secretary of the Senate shall have copies of the Journal distributed to the offices of the President of the Senate and Senators daily, and shall make copies available to the general public.

c) When the Senate goes into Executive Session, the proceedings of the Senate shall be kept in a separate Journal, which shall be open to inspection by Senators only, unless otherwise ordered. Such Journal shall be published after the close of the session, at the end of the regular Journals of the Senate proceedings, unless otherwise ordered by the Senate.

1.110 INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

a) All bills and joint resolutions to be introduced shall be submitted to the Secretary of the Senate to be available for introduction on the next succeeding Senate legislative day, and accompanied by 12 true copies. Once submitted to the Secretary of the Senate, all bills and joint resolutions become the property of the Senate and cannot be withdrawn. Each bill, conference report, substitute bill and joint resolution shall be approved as to form and numbering of sections by the Legislative Service Bureau prior to being submitted for introduction. Bills and joint resolutions may be submitted for introduction during the interim between sessions.

b) Each Senate bill and joint resolution when introduced and each House bill and joint resolution when first received from the House shall be read a first and second time by title.

c) Senators may move to co-sponsor a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee. The first named member is the sponsor. After final passage of a Senate bill or adoption of a Senate joint resolution, or upon final action on a Senate bill or Senate joint resolution returned from the House, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors. A sponsor or co-sponsor may move to remove his or her name from a Senate bill or Senate joint resolution when it is in possession of the Senate and not in a Senate committee, provided that at least one Senator remains listed as the sponsor.

1.111 NUMBERING, LETTERING AND PRINTING OF BILLS AND JOINT RESOLUTIONS

a) The Secretary of the Senate shall assign Senate bill numbers to all Senate bills in the order they are submitted for introduction. All joint resolutions shall be assigned letters in the order they are submitted for introduction.

b) The Secretary of the Senate shall attend to the printing or reproduction of all bills, joint resolutions, acts, or documents ordered printed or reproduced by the Senate. The heading of every bill and joint resolution ordered reproduced shall contain the number of the bill or letter of the joint resolution, name of the Senator or Senators introducing the bill or joint resolution, date of introduction, and the name of the committee to which the bill or joint resolution is referred (see Const. Art. 4, Sec. 26).

1.112 ANNOUNCEMENT OF PRINTING AND ENROLLMENT OF BILLS AND JOINT RESOLUTIONS

The Secretary of the Senate shall print in the Journal each day the number of all Senate and House bills and letters of all joint resolutions which have been printed or reproduced and distributed to the offices of the President of the Senate and Senators, and the numbers of the Senate bills which have been enrolled and presented to the Governor.

1.113 CARE AND PRESERVATION OF BILLS AND RESOLUTIONS

The Secretary of the Senate shall be responsible to the Senate for the care and preservation of every bill and resolution introduced in the Senate and each bill and resolution received from the House, which responsibility shall only be relieved by a receipt from an authorized person.

1.114 ENROLLMENT OF BILLS AND PRESENTATION TO THE GOVERNOR

a) After a Senate bill has passed both Houses, the Secretary of the Senate shall attend to the enrollment printing. The Secretary of the Senate shall present the enrolled bill to the Governor, obtaining a receipt, on which the exact date and time shall be shown for the bill deposited in the Executive Office.

b) The Secretary of the Senate may be authorized by a motion to enroll a Senate bill while the Senate is not in session if that bill has passed both Houses and no action is pending. The Secretary of the Senate shall notify the Senate of such action on the next Senate legislative day.

c) When a Senate bill is approved by the Governor, the Secretary of the Senate shall obtain a receipt from the Governor's office verifying the exact date and time the bill was filed with the Secretary of State. At the end of each year, the Secretary of the Senate shall deposit with the Secretary of State the official printed copy of the Senate bill as passed by both Houses and obtain a receipt.

1.115 ENROLLMENT OF JOINT RESOLUTIONS

a) After a Senate joint resolution has been adopted by both Houses, the Secretary of the Senate shall attend to the enrollment printing. The Secretary of the Senate shall certify and file the enrolled joint resolution with the Secretary of State and others as directed by the joint resolution.

b) The Secretary of the Senate may be authorized by a motion to enroll a Senate joint resolution while the Senate is not in session if that joint resolution has been adopted by both Houses and no action is pending. The Secretary of the Senate shall notify the Senate of such action on the next Senate legislative day.

c) When filing an enrolled Senate joint resolution with the Secretary of State, the Secretary of the Senate shall obtain a receipt verifying the exact date and time filed. At the end of each year, the Secretary of the Senate shall deposit with the Secretary of State the official printed copy of the Senate joint resolution as adopted by both Houses and obtain a receipt.

1.116 BILL AND RESOLUTION HISTORY

The Secretary of the Senate shall keep a record and index of all bills and resolutions received by the Senate. This record shall include the title, bill or resolution number, joint resolution letter, name of the sponsor and co-sponsor(s) introducing the bill or resolution, name of the committee to which the bill or resolution is referred, and an entry of all action, including the date, taken on the bill or resolution.

1.117 SENATE ADMINISTRATION AND OFFICE BUDGETS

a) The Senate Majority Leader shall assign duties to Senate employees not specified by other rules, and shall have final approval authority for all expenses for the operation of the Senate, except as provided by law.

b) In the absence of the Senate Majority Leader, the Assistant Majority Leader shall assume the duties and responsibilities of the Senate Majority Leader.

c) The Secretary of the Senate shall create a budget with the concurrence of the Senate Majority Leader, discuss it with the Senate Minority Leader and present it to the Committee on Appropriations at the beginning of each budget year. The form of the budget shall parallel, as closely as practical, the departmental budgets presented to the Committee on Appropriations.

d) The Senate financial records shall be open for public inspection. Upon a request that describes the financial record sufficiently to enable the Senate to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the Senate. Documents shall be available for inspection during normal business hours. The Secretary of the Senate shall keep a record of these requests. A copy of the Senate financial records shall be on file with the Secretary of the Senate, who shall have overall authority to administer the Senate financial records under the direction of the Senate Majority Leader. The Secretary of the Senate shall provide to each Senator access to information regarding the status of the Senator's staff account, office operations account, and committee operations account for any standing committee that he or she chairs. The Senate Majority Leader shall have access to the reports for the accounts of all Senators.

1) The Secretary of the Senate shall serve as the Senate Information Officer to respond to requests for Senate financial records from the public and the media on behalf of a Senator or the Senate. All requests must include the first and last name, mailing address, and phone number of the requester. When the Secretary of the Senate receives a written request for a public record, the Secretary shall immediately, but not more than 5 business days after the day the request is received unless otherwise agreed to in writing by the person making the request, respond to the request by 1 of the following:

A) Grant the request.

B) Issue a written notice to the requesting person denying the request.

C) Grant the request in part and issue a written notice to the requesting person denying the request in part.

D) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Senate shall respond to the request. The Senate shall not issue more than 1 notice of extension for a particular request.

If the Senate fails to respond to the written request within these guidelines, there will be a fine of \$250 and all Senate copying and inspection fees shall be waived.

2) As used in this section, "financial record" means a budget, account, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or other such summaries of financial transactions.

The following information contained in Senate financial records is exempt from disclosure under this rule:

A) Information of a personal nature contained in financial records where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy. Such exempt information would include, but not be limited to, the following:

(i) An employee's social security account number, financial institution record, electronic transfer fund number, deferred compensation, savings bonds, W-2 and W-4 forms, and any court enforced judgment.

(ii) An employee's benefit selection.

(iii) Telephone bill detail including the telephone number and name of individual called.

(iv) Unemployment compensation and workers' disability compensation records.

B) Records and information specifically described and exempted from disclosure under statute or subject to attorney-client privilege.

C) A bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of bids or proposals, or if a public opening is not to be conducted, until the time for the receipt of bids or proposals has expired.

D) Commercial or financial information or trade secrets voluntarily provided to the Senate for use in developing government policy if submitted upon a promise of confidentiality by the Senate.

E) Communications, notes, and electronic data within the Senate or between the Senate and other public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to the final Senate determination of policy or action.

3) The Senate may charge a reasonable fee for providing a copy of a financial record. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion of exempt information from nonexempt information.

4) The Senate may also charge a reasonable fee for providing for the inspection of financial records. This fee may include the actual incremental cost of supervising the inspection including labor, the cost of search, examination, review, and the deletion of exempt information from nonexempt information.

The Senate may adopt any such other rules and policies as are necessary to provide for the orderly dissemination of materials to the public.

e) Each Senator shall be allotted separate budget amounts for the annual staff account and the annual office operations account, as determined by the Senate Majority Leader, to be used on a fiscal year basis. Each standing committee chairperson shall be allotted a separate budget amount for the annual committee operations account, as determined by the Senate Majority Leader. The amounts allocated to these accounts may be adjusted for all Senate offices by the Senate Majority Leader. Any unused amount in a fiscal year shall not be carried into the succeeding year. A Senator shall not exceed the annual limits for each of these accounts without approval of the Senate Majority Leader.

f) The Senate Majority Leader shall establish guidelines to allow Senators to transfer a limited amount of funds between their own staff account and their office operations account.

1.118 SECRETARY OF THE SENATE ADMINISTRATIVE DUTIES

a) With the approval of the Senate Majority Leader, the Secretary of the Senate shall appoint a staff to conduct the business of the Senate.

b) The Secretary of the Senate shall exercise supervisory care and control of the Senate Chamber, all Senate rooms, corridors, furniture, and equipment. Upon approval of the Senate Majority Leader, the Secretary of the Senate shall purchase all necessary furniture, carpet, equipment, postage, supplies, and services for use by the Senate.

c) The Secretary of the Senate shall install and maintain any equipment approved for use by the Senate.

d) The Secretary of the Senate shall have responsibility for the development and maintenance of a system for preserving records of the Senate and its committees. The Secretary of the Senate shall issue guidelines for the organization and preservation of these records.

e) The Secretary of the Senate shall be responsible for keeping the Senate seal and for affixing the Senate seal to official Senate documents, as authorized by the Senate Majority Leader. The Senate seal shall be comprised of the coat of arms of the State of Michigan encompassed by the words: "Senate - State of Michigan".

f) The Secretary of the Senate shall maintain a schedule of Senate committee rooms.

g) The Secretary of the Senate shall make and maintain an official tape of all sessions of the Senate. Copies of the official tape shall be made only upon application approved by the Senate Majority Leader. All official tapes of the Senate sessions shall be transferred to the State Archives four years following the end of each biennial session of the Senate.

h) The Secretary of the Senate shall compile and maintain a list of appointments by the Governor subject to the advice and consent power of the Senate. This list shall contain the name and function of the office, the holder of the office, the date of appointment, and the expiration date of the officeholder's term. This list shall be posted on the Senate Website.

i) The Secretary of the Senate shall compile and maintain a list of the appointments that the Senate Majority Leader or the Senate Minority Leader are authorized to make to various boards and commissions. This list shall contain the name and function of the office, the holder of the office, the date of appointment, and the expiration date of the officeholder's term. This list shall be posted on the Senate Website.

1.119 DUTIES OF THE SERGEANT AT ARMS

a) The Sergeant at Arms shall be the chief security officer of the Senate. Under the direction of the Senate Majority Leader, the Secretary of the Senate shall supervise and direct the work of the Sergeant at Arms, Assistant Sergeants at Arms, and Couriers and may commission the Sergeant at Arms and Assistant Sergeants at Arms, who meet the certification requirements of this state, as law enforcement officers with the powers provided under the Legislative Sergeant at Arms Police Powers Act (see MCL 4.381-4.382).

b) The Sergeant at Arms shall attend the Senate during its sessions and maintain order under the direction of the presiding officer. The Sergeant at Arms shall execute the commands of the presiding officer and of the Senate, and all processes issued by authority thereof.

c) The Sergeant at Arms shall have general charge, and maintain order, in the gallery, Chamber, and committee rooms of the Senate. The Sergeant at Arms shall see that all staff and visitors are seated.

1.120 EXECUTIVE SESSION

On a motion made and carried that the Senate go into executive session, the presiding officer shall direct all persons, except Senators, the Secretary of the Senate, and personnel as authorized by the Senate, to withdraw. The vote of a majority of the Senators voting shall be required on a motion for executive session, except for executive sessions called under Rule 2.104. During an executive session, the doors shall remain closed and every Senator and officer shall keep confidential all proceedings and matters enjoined by order of the Senate (see Const. Art. 4, Sec. 20).

CHAPTER I - SECTION 2 MEMBER RESPONSIBILITIES

1.201 OATH OF OFFICE

The oath of office to Senators-elect shall be administered following the November general election up to and including the first day of regular session, or as soon thereafter as a Senator-elect may appear. The oath shall be administered by the Lieutenant Governor, a Justice of the Supreme Court, a Judge of the Court of Appeals, or the Secretary of the Senate (see Const. Art. 11, Sec.1).

1.202 CONTESTED ELECTIONS

a) A petition for a recount shall be filed not later than 48 hours following the completion of the canvass of the votes cast at an election. A copy of the petition shall be given by the contestant to the Secretary of the Senate (see MCL 168.879). Notice of receipt of the petitions shall be announced by the Secretary of the Senate and printed in the Journal.

b) Each contestant requesting a recount shall deposit with the Secretary of State, Bureau of Elections, the amount provided by law for each precinct in which he or she has requested a recount (see MCL 168.881).

c) Upon completion of a recount, the Board of State Canvassers shall forward a report of the results to the Secretary of the Senate and the report shall be announced by the Secretary of the Senate and printed in the Journal (see MCL 168.879).

d) In the case of two or more persons having equal and the highest number of votes for any office, as canvassed by the Board of State Canvassers, the Board of State Canvassers shall certify the result of the canvass to the Legislature and in joint convention the Legislature shall choose one of said persons to fill the office. When the determination of the Board of State Canvassers is contested, the Legislature in joint convention shall decide which person is elected (see MCL 168.846).

1.203 PROCEDURE FOR EXCLUSION

a) A Senator-elect shall not be given the oath of office or seated as a Senator if he or she has been convicted of subversion or has, within the preceding 20 years, been convicted of a felony involving breach of the public trust (see Const. Art. 4, Sec. 7) or has within the preceding 20 years, been convicted of a felony involving dishonesty, deceit, fraud, or a breach of public trust and that conviction was related to the person's official capacity while the person was holding any elective office or position of employment in local, state, or federal government (see Const. art. 11, Sec. 8). Upon finding by a majority vote of the Senators elected and serving that a Senator-elect has committed an offense within the provisions of this rule, he or she shall be declared to be unqualified for membership in the Senate and his or her office declared vacant.

b) Questions arising from challenges to the elections or returns of its members shall be decided by a vote of a majority of the Senators elected and serving (see Const. Art. 4, Sec. 16). In cases of contested elections or returns, notice setting forth the grounds of the contest shall be given by the contestant to the Secretary of the Senate not later than January 7 following the general election, or not later than 20 days following the special election.

c) The Senate, with concurrence of two-thirds of its members elected and serving, may expel a member. The reasons for such expulsion shall be printed in the Journal (see Const. Art. 4, Sec. 16).

1.204 EXCUSED ABSENCE

The Senate may excuse any Senator from attendance for any stated period, and the excused absence shall be printed in the Journal. The Senate may revoke an excuse at any time.

1.205 SENATORS DEEMED PRESENT UNLESS EXCUSED

a) A Senator who answers an attendance roll call or who enters after an attendance roll call and reports his or her presence to the Secretary of the Senate shall be considered present thereafter unless an excused absence is granted.

b) A Senator may be recognized prior to the invocation and the attendance roll call only for the purpose of presenting a motion to adjourn. Should such a motion to adjourn prevail, there shall be no official invocation and attendance roll call for that day.

1.206 COMPENSATION FOR SENATORS

The compensation of Senators is determined by the State Officers Compensation Commission, as provided by law. Senators shall not collect from the Senator's staff account any compensation, expense allowance, or mileage reimbursement.

1.207 FACILITIES FOR SENATORS

Each Senator shall be entitled to facilities, equipment, furnishings, and expenses that are necessary to fulfill the duties of office. The location of facilities and the sufficiency of equipment, furnishings, and expenses shall be determined through guidelines issued by the Senate Majority Leader.

1.208 EXPENSE REIMBURSEMENT

Expense reimbursement for travel, lodging, meals, registration fees, and related items shall be made in accordance with an established set of regulations as determined and published by the Senate Majority Leader. The regulations shall set forth the guidelines for amounts, methods of payment, and time of payment for such items. When, in the judgment of the Senate Majority Leader, the regulations need revision, the Senate Majority Leader may make the revision upon 15-day notice to all Senators. The regulations shall include the following:

a) Out-of-state expenses of a Senator, or Senate employee, shall not be paid by the Senate unless a written request has been approved by the parties specified in the regulations and by the Senate Majority Leader, and has been filed with the Secretary of the Senate prior to departure.

b) The request shall state the purpose for making the trip, the relevance of the trip to legislative matters, and an estimate of the cost.

c) A Senator, or Senate employee, shall file a written and signed post-travel report with the Secretary of the Senate not more than 20 calendar days after returning. These reports shall be retained by the Secretary of the Senate until no longer required by law. If a report is not filed within 20 calendar days after returning, expenses may not be reimbursed by the Senate. Senate funds received in advance of departure shall be returned in full if the report is not filed within 20 calendar days after returning. The report shall include a summary of the relevant legislative information, material pertinent thereto, and itemized expenditures.

d) An expenditure for travel by a Senator, or Senate employee, shall not be paid by the Senate unless that expenditure is itemized and receipted (except in cases in which receipts are not ordinarily provided).

e) Expenses for out-of-state travel by Senators shall be printed in the Journal on a quarterly basis.

f) A Senator, or an employee of a Senator, shall not incur out-of-state travel expenses after the Senator is defeated in a Senate primary or general election, or upon the failure of the Senator to file for election while serving the balance of his or her unexpired term, unless approved by the Senate Majority Leader.

1.209 MAILING

a) The mailing or printing at Senate expense of any personal or campaign material is prohibited.

b) A Senator, or committee of the Senate, shall not use state funds to mail 1,000 or more pieces of substantially similar material 30 days or less before a primary or general election, in which the Senator is a candidate. This rule does not apply if the mailing is a summary of a ballot proposal and is approved by the Senate Majority Leader.

c) The Senate shall not make payment for a mass mailing sent outside the district of the Senator making the mailing. In determining whether a violation of this rule has occurred, recognition shall be given to established mass mailing techniques.

d) The Senate Majority Leader shall develop and disseminate guidelines for printing and mass mailing.

e) The cost of pieces mailed by a Senator which were paid for by Senate funds shall be tabulated and recorded by the Secretary of the Senate.

**CHAPTER I - SECTION 3
LEGISLATIVE CONDUCT AND ETHICS****1.301 LEGISLATIVE CONDUCT**

Each Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and shall, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office.

1.302 ATTENDANCE AND VOTING

Every Senator is expected to vote on each roll call vote, unless absent or prohibited from voting by Rule 1.306. A Senator who misses a roll call vote may request that a vote intention be printed in the Senate Journal reflecting how he or she would have voted.

1.303 IMPROPER INFLUENCE

A Senator shall not accept anything that will influence his or her official act, decision, or vote.

1.304 CONFLICTING EMPLOYMENT

A Senator shall not allow any personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.305 UNDUE INFLUENCE

A Senator shall not use his or her influence in any matter that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.306 DISCLOSURE AND DISQUALIFICATION

A Senator having a personal, private, or professional interest in a bill, of which he or she has knowledge, shall not vote on the bill and shall disclose in writing his or her interest in the bill. A personal, private, or professional interest in a bill is an interest that would provide a benefit particular to a Senator or a benefit particular to any individual or entity to whom the Senator is financially or legally obligated or is personally related. The disclosure shall be filed with the Secretary of the Senate to be printed in the Journal immediately following the record of the vote on the bill. If a Senator votes on a bill that might appear at the time of the vote to provide a benefit particular to that Senator or a benefit particular to any individual or entity to whom the Senator is financially or legally obligated or is personally related, a Senator may submit a statement explaining his or her reasons for voting. The statement shall be printed in the Journal.

1.307 SEXUAL HARASSMENT

Sexual harassment of Senators and Senate employees is prohibited and will not be tolerated by the Senate. The Senate Majority Leader shall establish a Senate Majority Leader policy to implement this prohibition.

1.308 SENATE EMPLOYEES AND CONFLICTS

Senate employees shall be accountable to the intent of Chapter I - Section 3 where applicable.

1.309 IMPROPER USE OF STAFF AND FACILITIES

a) A Senator shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

b) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

c) Personal and business calls must be charged to the caller's residence telephone, personal credit card, special billing number or made from a cellular telephone or pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

d) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate's operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.

1.310 ADVISORY OPINIONS

All questions relating to the interpretation and enforcement of these rules concerning legislative conduct and ethics shall be referred to the Committee on Government Operations. A Senator who has a question regarding legislative conduct and ethics may submit a factual situation to the Committee on Government Operations with a request for an advisory opinion establishing the standard of public duty. The Committee shall respond to each inquiry. All opinions shall, after hearing, be numbered, dated, and printed in the Journal. No opinion shall identify the requesting Senator without his or her consent.

1.311 PENALTIES FOR VIOLATION

If a Senator is alleged to have violated the provisions of the rules regulating ethics and conduct, the Committee on Government Operations shall determine if the facts underlying the allegation are sufficient to merit a hearing. If a hearing is held, the Senator charged with a violation shall be given notice and granted the opportunity to appear at the hearing and be represented by counsel. The determination and any disciplinary action shall be made and taken only by a two-thirds vote of the Senators elected and serving on recommendation of the Committee on Government Operations. A Senator determined to have violated the provisions of the rules regulating ethics and conduct may be reprimanded, censured, or expelled. Any actions undertaken under this section shall be separate from any prosecutions or penalties otherwise provided by law.

**CHAPTER I - SECTION 4
SENATE EMPLOYEES****1.401 EMPLOYEES OF EACH SENATOR**

a) All Senators may appoint necessary staff in accordance with Senate rules and subject to policies established by the Senate Majority Leader. These employees shall be directly responsible to the Senator. A Senator shall not appoint any employee who is related within the first degree of consanguinity or direct affinity to any Senator elected or serving. A Senator shall not appoint any employee who is related within the second or third degree of consanguinity or direct affinity to any Senator elected or serving without permission of the Senate Majority Leader.

b) A person shall not begin employment nor receive any compensation until a Senator has provided the Secretary of the Senate with the necessary information about the employee.

c) A Senate employee shall not convert for personal, business and/or campaign use, unrelated to Senate business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

d) Personal business and incidental campaign calls, when charged to the state, are clearly contrary to the proper use of these facilities.

e) Personal and business calls must be charged to the caller's residence telephone, personal credit card, special billing number or made from a cellular telephone or pay station. Individuals making unreimbursed personal calls from state facilities shall be subject to appropriate sanctions.

f) In situations where it is not possible to utilize any of the methods outlined above to make a personal call, or when other incidental expenses are incurred, the Senate's operating procedure shall allow reimbursement to the State of Michigan for such calls and expenses.

1.402 COMMITTEE CLERKS

Clerks for standing committees (except for the Appropriations Committee) shall serve under the direction of the Senate Majority Leader. The person designated as committee clerk must perform all duties established by the State Constitution and Senate rules and must attend committee clerk training sessions provided by the Secretary of the Senate.

1.403 EMPLOYEE APPOINTMENT

The Senate Majority Leader shall appoint employees as may be necessary for the work of the Senate. The Senate Majority Leader shall appoint minority staff employees from a list submitted by the Senate Minority Leader.

1.404 EMPLOYEE COMPENSATION

a) Compensation for Senate employees shall be established by each Senator within the limits of the budget guidelines in accordance with Senate rules and subject to policies issued by the Senate Majority Leader.

b) The Senate general fund shall not provide more than two fringe benefit packages for the staff of each minority Senator or more than four fringe benefit packages for the staff of each majority Senator unless otherwise determined by the Senate Majority Leader.

1.405 EMPLOYEES AS CANDIDATES

Any Senate employee who files a nominating petition or pays a fee for ballot access or files an affidavit of candidacy for a full-time elective office shall be placed on an unpaid leave of absence.

1.406 TERMINATION OF EMPLOYMENT

The Senate Majority Leader shall have the right to terminate the services of any employee and the pay of the employee shall stop on the day of dismissal. This rule shall not apply to any employee elected by the Senate or those employees specifically provided for by other Senate rules.

CHAPTER II - SECTION 1 COMMITTEE ORGANIZATION

2.101 AUTHORIZATION FOR STANDING COMMITTEES

Permanent standing committees, when created by rule of the Senate, shall exist and function both during and between sessions (see MCL 4.221).

2.102 POWERS AND RESPONSIBILITIES OF COMMITTEES

a) Any Senator, while acting as a member of a committee, shall have authority to administer oaths to such persons as shall be examined before the committee of which he or she is a member (see MCL 4.85).

b) Any committee may, by resolution of the Senate, be authorized to administer oaths, subpoena witnesses, and examine the books and records of any persons, partnerships, or corporations involved in a matter properly before any committee (see MCL 4.101).

c) Any witness, or attorney representing a witness, may be punished for contempt by the Legislature (see MCL 4.82 and 4.101), under either of the following circumstances:

1) During a committee investigation and pursuant to a committee subpoena, he or she:

a) Refuses to be sworn or testify, or

b) Fails on demand to produce any papers, books, or documents in regards to any matter under investigation, or

c) Otherwise neglects or refuses to obey the committee subpoena.

2) He or she is guilty of deliberately interfering with the duties and powers of the Legislature while in attendance at a committee hearing.

d) Contempt of the Legislature shall be punishable as provided by law (see MCL 4.82 and 4.83).

2.103 STANDING COMMITTEES

The standing committees of the Senate shall be:

Agriculture (5 members)

Appropriations (16 members)

Banking and Financial Institutions (7 members)

Economic Development (7 members)

Education (5 members)
 Energy and Technology (9 members)
 Families, Seniors and Human Services (4 members)
 Finance (7 members)
 Government Operations (5 members)
 Health Policy (8 members)
 Insurance (7 members)
 Judiciary (4 members)
 Local Government and Elections (4 members)
 Natural Resources, Environment and Great Lakes (7 members)
 Outdoor Recreation and Tourism (7 members)
 Redistricting (9 members)
 Reforms, Restructuring and Reinventing (7 members)
 Regulatory Reform (7 members)
 Transportation (6 members)
 Veterans, Military Affairs and Homeland Security (5 members)
 Statutory standing committees:
 Administrative Rules (5 members) (see MCL 24.235)
 Legislative Council (6 members and 3 alternates) (see MCL 4.1103)
 Legislative Retirement Board of Trustees (2 members) (see MCL 38.1026)
 Michigan Capitol Committee (4 members) (see MCL 4.1701)

2.104 COMMITTEE ON GOVERNMENT OPERATIONS

a) All appointments to office submitted by the Governor, and any other executive business, shall be referred to the Committee on Government Operations. No appointment shall be voted upon until it has been printed in the Journal.

1) Any appointment not disapproved within 60 session days after receipt shall stand confirmed (see Const. Art. 5, Sec. 6).

2) On all appointments to office reported favorably, the question shall be on advising and consenting to the appointment. On all appointments reported unfavorably or without recommendation, the question shall be on the disapproval of the appointment.

3) The vote of a majority of the Senators elected and serving by record roll call vote shall be required to approve or disapprove any appointment to office submitted by the Governor. Any appointments considered by the Senate shall be in open session, unless a majority of the Senators elected and serving shall vote in favor of an executive session (see Const. Art. 4, Sec. 19).

b) If an appointment is made at a time when the 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session. The Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

c) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations on a gubernatorial appointment or an executive order. The Senate standing committee shall adopt by committee vote a recommendation to the Committee on Government Operations.

d) Executive orders issued by the Governor, except those dealing with matters of appropriations or expenditure reductions, shall be referred to the Committee on Government Operations. Any executive order dealing with matters of executive reorganization may be disapproved by a resolution concurred in by a majority of the members elected to and serving in each House within 60 calendar days after receipt at a regular session, or a full regular session if of shorter duration. Unless disapproved within that time, the executive order shall become effective at a date thereafter to be designated by the Governor (see Const. Art. 5, Sec. 2).

e) Executive orders dealing with matters of appropriations or expenditure reductions shall be referred to the Committee on Appropriations (see MCL 18.1391).

f) The Committee on Government Operations shall receive for review all reports presented by the legislative auditor general.

g) Effective upon written notification to the Secretary of the Senate, the chairperson of the Committee on Government Operations may request a Senate standing committee to hold hearings and make written recommendations to the Committee on Government Operations on an auditor general report. The Senate standing committee shall adopt by a committee vote a recommendation to the Committee on Government Operations.

2.105 COMMITTEE CHAIRPERSONS AND TEMPORARY MEMBERS

a) The first named member of any committee shall be the chairperson, the second named member shall be the majority vice chairperson, and the remaining members of the committee shall rank in the order in which they are named. The first

named member of the minority party shall be the minority vice chairperson. In the temporary absence of the chairperson and majority vice chairperson, the highest ranking member in attendance shall act as chairperson. When all members of a subcommittee are also members of the standing committee, the committee chairperson shall appoint the subcommittee members.

b) In the apparent prolonged absence of a member of a committee, the Senate Majority Leader shall fill the vacancy by appointing a committee member who shall serve until the absent Senator returns. A temporary committee member shall not be appointed chairperson of the committee by the Senate Majority Leader.

2.106 CALLING OF A COMMITTEE

It shall be the duty of any committee to meet at the call of the chairperson, or on the written request of a majority of the members of the committee. The call or request must contain the date, time, and place of the meeting. No committee of any status shall sit during a session of the Senate, except during recess, unless leave is granted by the Senate. No committee shall use the Senate Chamber for a public hearing during any regular or special session of the Legislature.

2.107 NOTICE OF MEETINGS AND PUBLIC HEARINGS

a) A committee may hold a meeting or public hearing on any bill or resolution referred to the committee and on any issue relevant to the subject matter of the committee. Notice of the meeting or hearing, its subject, date, time, and place, shall be given in writing to the Secretary of the Senate who shall print it in the Journal and on the Senate calendar and post it where appropriate (see Const. Art. 4, Sec. 17). Oral notice of the meeting or public hearing may be given to the Senate during a session by the chairperson, or a member, of the committee holding the meeting or public hearing.

b) Notice of all committee meetings and public hearings shall comply with the Michigan Open Meetings Act (see MCL 15.261-15.275).

2.108 COMMITTEE STAFFING

In addition to the allocation for staff as provided in Rule 1.117(e), the committee chairperson may appoint additional committee personnel as authorized by the Senate Majority Leader. The Senate Majority Leader may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.109 COMMITTEE EXPENSES

No committee may receive reimbursement for expenses unless authorized by the Senate Majority Leader. A report of committee expenses, prepared by the chairperson and the Secretary of the Senate from the documents on file in the Secretary of the Senate's office and approved by the chairperson, shall be filed quarterly with the Secretary of the Senate. The report shall include the date, payee, amount, and purpose of the expenditure. The Secretary of the Senate shall print in the Journal that the expense report is on file and open for public inspection.

CHAPTER II - SECTION 2 COMMITTEE PROCEDURE

2.201 COMMITTEE QUORUM

A quorum of a committee is a majority of the committee. The affirmative vote of a majority of the committee members serving is required to adopt an amendment or substitute to a bill or resolution and to report any matter to the Senate. A member must be present at the time a roll call is taken for his or her vote to count toward the required majority concurrence.

2.202 COMMITTEE RECORDS

a) Each committee clerk shall keep a record of the assigned standing committee proceedings, including the date and time of each meeting, the committee members present and absent, and all action on bills and resolutions in the committee with the names and votes of members (see Const. Art. 4, Sec. 17). A member of the committee wishing to explain his or her vote may file a written explanation with the clerk of the committee within two legislative days after the vote is taken, which explanation shall be attached to the minutes. All minutes shall be available for public inspection during reasonable business hours. The committee record of its proceedings shall be transmitted biennially to the Secretary of the Senate within 30 days of the final adjournment of the Legislature. The Secretary of the Senate shall be responsible for the storage of the committee minutes and records of its proceedings, which shall be available for public inspection upon request.

b) The committee clerk of each committee shall keep the committee files, recordings, tapes, records, memoranda, or written documents in storage cabinets which are separate from his or her other records. The committee clerk shall provide the Secretary of the Senate with the identification numbers of the storage cabinets containing the committee records. The Secretary of the Senate shall tag the designated storage cabinets and maintain a record of this information.

2.203 COMMITTEE REPORTS

a) All committees shall file a report of their activities following each meeting. All reports shall be submitted on a form prescribed and furnished by the Secretary of the Senate. The reports shall include the date, time, and place of the committee meeting, the members in attendance, the vote of each committee member on any bill, resolution, or other business, and the committee's recommendation on immediate effect for any bill and shall be submitted to the Secretary of the Senate. The committee recommendation for immediate effect shall be considered on House bills at the time of Senate passage and on Senate bills upon their return from the House unless the Senate has previously given the bill immediate effect. All

committees shall submit an attendance report to the Secretary of the Senate within two Senate legislative days of the committee meeting. The Secretary of the Senate shall cause all committee reports and attendance reports to be printed in the Journal.

b) Except for a committee report recommending a substitute, any bill, resolution, or other business reported out of any committee shall be filed with the Secretary of the Senate as soon as possible and not later than 4:00 p.m. on the next calendar day (excluding weekends and holidays). A committee report recommending a substitute shall be filed not later than 4:00 p.m. on the second calendar day (excluding weekends and holidays). The Secretary of the Senate shall have the authority to retrieve any report not filed by these deadlines.

c) If a bill, joint resolution or other business is reported back to the Senate with the recommendation that it be referred to a second committee, the reported bill, joint resolution or other business, and any amendments, shall be referred to that committee in accordance with Rule 3.106.

d) All business not reported by a committee shall be returned to the Secretary of the Senate at the conclusion of each biennium.

2.204 ITEMS REPORTED WITHOUT RECOMMENDATION

All items reported without recommendation, with or without amendments, by any committee shall lie on the table unless otherwise ordered by the Senate. To take from the table any item placed on the table in this manner shall require the vote of a majority of the Senators elected and serving.

2.205 MANUAL OF COMMITTEE PROCEDURE

The rules of parliamentary law and practice in the most recent edition of Mason's "Manual of Legislative Procedure" shall govern committee procedure in all cases except when they are inconsistent with the standing rules and published precedents of the Senate and its committees.

2.206 COMMITTEE TELEVISIONING AND CONDUCT

a) Senate committee meetings may be taped or televised live through the equipment operated by the Secretary of the Senate staff.

b) No person shall engage in any conduct during a Senate committee meeting which undermines the decorum of the meeting. All individual electronic devices during a committee meeting shall be turned off or left on non-audible alert. Failure to follow a warning issued by the chairperson may result in the device(s) being confiscated upon direction of the committee chairperson for the remainder of the meeting.

CHAPTER III - SECTION 1 ORDER OF BUSINESS

3.101 TIME OF SESSION

The Senate shall convene at 10:00 a.m. Tuesday through Thursday except on state holidays, unless otherwise ordered by the Senate.

3.102 ORDER OF BUSINESS

The order of business of the Senate shall be as follows:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Attendance Roll Call
5. Motions and Communications
6. Messages from the Governor
7. Messages from the House
8. Conference Reports
9. Third Reading of Bills
10. General Orders
11. Resolutions
12. Introduction and Referral of Bills
13. Statements
14. Adjournment

3.103 CHANGE OF ORDER OF BUSINESS

The Senate may change, bypass, or return to any order of business at any time by the consent of a majority of those voting.

3.104 QUORUM OF THE SENATE

- a) A majority of Senators elected and serving shall constitute a quorum (see Const. Art. 4, Sec. 14).
- b) Routine business on which no vote of the Senate is required may be disposed of on any day, with or without a quorum present, and proper entries shall be printed in the Journal.
- c) In the absence of a quorum, a motion is in order to order a Call of the Senate, recess or adjourn.

3.105 COMMUNICATIONS TO THE SENATE

The Secretary of the Senate shall compile official communications received by the Senate and shall make them available to all Senators. The presiding officer shall refer all communications which are informational only, to the Secretary of the Senate in one order for their printing in the Journal.

3.106 COMMITTEE REPORTS ON THE CALENDAR

a) All committee reports in the possession of the Secretary of the Senate shall be placed on the Senate calendar under the heading of Committee Reports. The Senate calendar shall be closed for printing at 4:00 p.m. on Tuesday, Wednesday and Friday. If a Senate committee is scheduled to meet on a Friday, Saturday or Sunday, the Senate calendar for a Tuesday session shall be closed for printing at 9:30 a.m. on Monday. If there is a Friday session, the calendar shall be closed at 4:00 p.m. on Thursday. If Monday is a state holiday, the Senate calendar for Tuesday shall be closed for printing on Friday at 12:00 noon.

b) A Senator may object to a committee report on the basis of its sufficiency or proper authorization. The presiding officer shall place the objection before the Senate for its decision.

c) All committee reports shall be laid over one day. After one session day a committee report shall be considered accepted and the item shall be referred as appropriate.

3.107 RESOLUTION CONSENT CALENDAR

a) The Senate Majority Floor Leader and the Senate Minority Floor Leader or members who are their designees shall jointly compile a list to be known as the resolution consent calendar. It shall consist of Senate resolutions, Senate concurrent resolutions, and House concurrent resolutions which do not require committee referral and consideration, and the adoption of which may be accomplished by a majority of those voting. Resolutions which are subject to the voting requirements of Senate Rule 3.501, or governed by a voting requirement in statute shall not be placed on the resolution consent calendar.

b) Resolutions on the consent calendar shall be disposed of in a single vote. Before stating the question of adoption of the consent calendar, the presiding officer shall ask if there are objections. The objection of any Senator to the placement of one or more items on the resolution consent calendar shall result in the removal of the stated item or items from that calendar.

**CHAPTER III - SECTION 2
INTRODUCTION OF BILLS****3.201 FIVE DAYS' POSSESSION**

No bill shall be passed or become law at any regular session of the Legislature until it has been printed or reproduced and in possession of the Senate for at least five days (see Const. Art. 4, Sec. 26).

3.202 BILLS AND RESOLUTIONS AMENDED BY THE HOUSE

All bills, joint resolutions and concurrent resolutions returned by the House with amendments shall be laid over one day. Consideration of bills and joint resolutions shall be resumed the following day under the same order of business. Consideration of resolutions shall be resumed the following day under the order of Resolutions.

3.203 REFERRAL OF BILLS AND RESOLUTIONS

a) The Senate Majority Leader shall refer all bills and joint resolutions to a standing committee no later than one Senate legislative day after being submitted to the Secretary of the Senate. The presiding officer shall announce the reference of all bills and joint resolutions.

b) A bill introduced pursuant to the timely filing of a notice of objection by the Joint Committee on Administrative Rules to a proposed administrative rule shall be read twice and placed on the Senate calendar under the order of business of General Orders (see MCL 24.245a(3)).

c) The Senate Majority Leader may change the original referral of a bill or resolution by oral notice to the Senate or written communication submitted to the Secretary of the Senate before the end of session on the next Senate legislative day following the day of the original referral. Notices of the written communication shall be announced by the Secretary of the Senate during session and both oral and written notifications shall be printed in the Journal.

d) It shall be in order at any time before the final passage of any bill or the adoption of any resolution to move its commitment or recommitment.

e) The vote of a majority of the Senators elected and serving shall be required to discharge a committee from further consideration of any item referred to that committee.

3.204 RESOLUTIONS

a) All resolutions shall be accompanied by nine true copies. Resolutions which are not subject to provisions in other Senate rules shall be read once by title to the Senate, and referred to the Committee on Government Operations. Once submitted to the Secretary of the Senate, resolutions become the property of the Senate and shall remain in the possession of the Secretary of the Senate. Concurrent resolutions shall be transmitted to the House on adoption.

b) Once a resolution is submitted to the Secretary of the Senate, any Senator and the President of the Senate wishing to co-sponsor it shall complete a form provided by the Secretary of the Senate. A member must be present and specifically request to be named as a co-sponsor of a resolution. After adoption of a Senate resolution, the presiding officer may open the voting board to allow Senators to add their names as co-sponsors.

c) After a Senate concurrent resolution has been adopted by both Houses and is returned to the Senate, the Secretary of the Senate is authorized to order the printing of the concurrent resolution unless amended by the House or otherwise directed by the Senate.

3.205 PRINTING

All bills and joint resolutions shall be printed or reproduced after introduction unless otherwise ordered by the Senate. No bill or joint resolution shall be reported from a standing committee until it has been printed or reproduced.

3.206 THE BILL TITLE

The title of a bill shall include:

- a) The object of the bill, and
- b) A reference to the section(s), act, and compilation numbers when amending any act which has been compiled.

3.207 THREE SEPARATE READINGS

Every bill and joint resolution shall receive three separate readings prior to its being passed or adopted. The presiding officer shall announce whether it is the first, second, or third reading. The first and second readings may be by title only. The third reading of a bill or joint resolution shall be in full unless otherwise ordered unanimously by the Senate. The third reading of a bill or joint resolution shall be on a day subsequent to that on which it is read a second time or is reported by the Committee of the Whole (see Const. Art. 4, Sec. 26).

3.208 INITIATIVE PETITIONS

a) Initiative petitions received by the Secretary of the Senate from the Secretary of State shall be stamped with the date and time measured in hours and minutes. The Secretary of the Senate shall deliver the initiative petition to the Senate Majority Leader to be available for referral to committee on the next Senate legislative day (see Const. Art. 2, Sec. 9).

b) Each initiative petition, when introduced, shall be read a first and second time by title and referred to committee. When reported out of committee, each initiative petition shall be placed on the order of Third Reading of Bills.

c) Any law proposed by initiative petition shall be either enacted or rejected by the Legislature without change or amendment within 40 days from the time such petition is received in the office of the Secretary of the Senate (see Const. Art. 2, Sec. 9).

d) If the Senate rejects an initiative petition, the Senate may propose a different measure on the same subject by a yeas and nays vote on separate roll calls. If the different measure is passed by both Houses of the Legislature, both measures shall be submitted to the electors for approval or rejection at the next general election (see Const. Art. 2, Sec. 9).

CHAPTER III - SECTION 3 MOTIONS

3.301 RECOGNITION

The presiding officer shall recognize Senators to speak in the order in which they press their "request to speak" button, except when a Senator seeks recognition to introduce guests or to raise a point of order. A Senator, when recognized, shall address the presiding officer, standing at the microphone nearest to his or her desk.

3.302 PRECEDENCE OF MOTIONS

The following motions shall take precedence in the order listed:

1. To fix the time to which to adjourn
2. To adjourn
3. To take a recess
4. To lay on the table
5. For the previous question
6. To postpone to a day certain
7. To commit or recommit
8. To amend
9. To postpone indefinitely

3.303 MOTION IN WRITING

No motion shall be debated until stated by the presiding officer or Chair. Any motion shall be reduced to writing on demand of the presiding officer, Chair or any Senator. The written motion shall be presented to the Secretary of the Senate and read before it is debated.

3.304 MOTION WITHDRAWAL

Any motion may be withdrawn by the maker of the motion before it is amended or adopted.

3.305 NONDEBATABLE MOTIONS

a) The motions to adjourn, to recess, to reconsider, to lay on the table, for the previous question, to suspend the rules, and all questions relating to the priority of business shall be decided without debate.

b) A nondebatable motion is not in order if the Senator, making the motion, speaks immediately before offering the motion, except a member may explain an amendment and then move to withdraw it from consideration.

3.306 CONSIDERATION FOLLOWING A RECESS

When a recess is taken during the pendency of any question, the consideration of the question shall be resumed on the reassembling of the Senate.

3.307 MOTION TO LAY ON THE TABLE

A motion to lay on the table shall carry with it all pending subsidiary questions except in case of laying an appeal or a motion to reconsider on the table. A motion taken from the table shall be divested of all subsidiary motions except motions to amend. The vote of a majority of the Senators elected and serving shall be required for a motion to remove any item from the table. Items laid on the table must first be removed from the table before they are eligible for further consideration by the Senate.

3.308 MOVE THE PREVIOUS QUESTION

a) Any Senator may move the previous question. The previous question shall be ordered by a majority of the Senators voting. The motion for the previous question may be limited by the mover to one or more of the questions preceding the main question. The effect of ordering the previous question shall be to close debate instantly, bringing the Senate to an immediate vote on the pending question or questions in their regular order. If the previous question is ordered on the third reading of a bill or joint resolution, only amendments to the bill or joint resolution that have been filed with the Secretary of the Senate prior to the motion calling for the previous question shall be considered, but the amendments shall not be debated. The yeas and nays may be demanded on any vote taken while the previous question is in effect.

b) A motion to reconsider is in order under operation of the previous question before voting is completed on all pending items affected by the previous question.

c) A motion for a Call of the Senate shall not be in order after the previous question has been ordered. No Senator shall dissent orally by making a statement of protest while the previous question is in effect. The previous question having been ordered, any question of order or appeal from the decision of the presiding officer shall be decided without debate.

3.309 MOTION TO DIVIDE

Any Senator may call for a division of the question. If supported by a majority of the Senators voting, the question shall be divided providing it contains propositions sufficiently distinct in substance that, if one is taken away, a substantive proposition remains for the decision of the Senate.

3.310 MOTION TO STRIKE OUT AND INSERT

A motion to amend by striking out and inserting other words shall be indivisible. However, the words proposed to be struck out or inserted may be amended.

3.311 MOTION TO RECONSIDER

a) No motion for the reconsideration of any vote shall be in order unless:

- 1) The subject matter on which the vote was taken is in the possession of the Senate, and
- 2) It is made on the same day the vote is taken or within the next two Senate legislative days.

b) The same question shall not be reconsidered more than once.

c) The vote of a majority of the Senators elected and serving shall be required to reconsider the vote by which any bill or joint resolution was passed or adopted or the vote by which an amendment or substitute (but not an amendment to an amendment or a substitute) was adopted on Third Reading by the Senate.

d) A motion to reconsider may be laid on the table. The tabling of a motion to reconsider the vote by which any bill or joint resolution failed to pass or be adopted by the Senate shall require the vote of a majority of the Senators elected and serving and shall postpone indefinitely the consideration of the bill or joint resolution.

e) Tabling of a motion to reconsider shall not carry with it the original question but shall be a refusal to reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

3.312 INDEFINITE POSTPONEMENT

To postpone indefinitely further consideration of any bill, resolution, or other matter shall require the vote of a majority of the Senators elected and serving, and the vote on such a motion shall not be reconsidered.

3.313 MOTION FOR CALL OF THE SENATE

A Call of the Senate during session shall be ordered by a majority of the Senators voting whether a quorum or not. After a Call of the Senate is ordered, the doors shall be closed and the Senators shall not be permitted to leave the Senate floor without permission of the Senate. The roll of the Senate shall be taken by the Secretary of the Senate and the absentees noted. The Sergeant at Arms, or persons duly empowered by a majority of the Senators voting, may be dispatched and may arrest any or all of the Senators absent without leave.

**CHAPTER III - SECTION 4
AMENDMENTS****3.401 TWO READINGS BEFORE AMENDMENT**

No bill or joint resolution shall be amended until it has been read twice.

3.402 AMENDMENTS ON THIRD READING

a) The vote of a majority of the Senators elected and serving shall be required to adopt any amendment on Third Reading.

b) If a series of amendments is offered to a bill or joint resolution and it becomes obvious the amendments are being used as a basis of obstruction, a motion may be made that the amendments be declared obstructive and the motion shall not be debatable. If the motion prevails, the amendments shall be read en bloc and a single vote shall be taken immediately on all of the amendments. In this case, no division of the question shall be allowed.

3.403 PRINTING OF AMENDMENTS IN THE JOURNAL

a) No bill or joint resolution which has been reported with amendment or amendments by any committee shall be considered in Committee of the Whole until the amendment or amendments have been printed in the Journal. No bill or joint resolution amended in Committee of the Whole shall be considered on Third Reading of Bills until all amendments made in Committee of the Whole have been printed in the Journal.

b) All amendments shall be submitted in writing and with seven (7) copies and all substitutes shall be submitted with ten (10) copies.

**CHAPTER III - SECTION 5
VOTING PROCEDURE****3.501 ACTIONS REQUIRING AN EXTRAORDINARY MAJORITY**

Action by the Senate on the following matters shall require a vote of two-thirds of the Senators elected and serving except as otherwise noted:

- a) Amendment or Repeal of Initiated Law, three-fourths of the Senators elected and serving (Const. Art. 2, Sec. 9)
- b) Expulsion of Member (Const. Art. 4, Sec. 16)
- c) Immediate Effect (Const. Art. 4, Sec. 27)
- d) Local or Special Act (Const. Art. 4, Sec. 29)
- e) Private or Local Purpose Appropriation (Const. Art. 4, Sec. 30)
- f) Overriding Veto (Const. Art. 4, Sec. 33)
- g) Bank and Trust Company Law (Const. Art. 4, Sec. 43)
- h) Courts of Limited Jurisdiction (Const. Art. 6, Sec. 1)
- i) Removal of Judge (Const. Art. 6, Sec. 25)
- j) State Borrowing (Const. Art. 9, Sec. 15)
- k) State Land Reserve Designation (Const. Art. 10, Sec. 5)
- l) Rejection or Reduction of Civil Service Pay Increases (Const. Art. 11, Sec. 5)
- m) Amendments to Michigan Constitution (Const. Art. 12, Sec. 1)
- n) Mackinac Bridge Bonds Refunding (Const. Schedule, Sec. 14)
- o) Amendments to increase the February 1, 1994 statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes, three-fourths of the Senators elected and serving (Const. Art. 9, Sec. 3)

3.502 MAJORITY VOTE ON QUESTIONS SHORT OF THE FINAL QUESTION

When a bill or joint resolution requires, pursuant to the Constitution, the concurrence of more than a majority of the Senators elected and serving, the concurrence of such majority shall not be requisite to decide any question for amendment or relating to the merits, being short of the final question, except on the question of the adoption of a conference report, concurring in House amendments, or receding from Senate amendments to any such bill or joint resolution returned from the House to the Senate for final action.

3.503 FINAL PASSAGE BY REQUIRED VOTE

a) The vote on the final passage of any bill or the adoption of any joint resolution, including a joint resolution ratifying a proposed amendment to the federal Constitution, shall be taken by a record roll call vote, which shall be printed in the Journal (see Const. Art. 4, Sec. 26).

b) When any bill or joint resolution receives the constitutionally required assent, that fact shall be certified on the bill or joint resolution by the Secretary of the Senate.

c) When a bill is given immediate effect by a two-thirds vote of the Senators elected and serving, that action remains in effect as the bill proceeds through the legislative process, unless the vote for immediate effect is reconsidered and defeated.

3.504 DEMAND FOR RECORDED VOTE

The record of the votes and names of the Senators voting on any question shall be printed in the Journal at the request of one-fifth of the Senators present (see Const. Art. 4, Sec. 18), except during the Committee of the Whole.

3.505 VOTING

a) After a question is stated by the presiding officer or Chair, no motion shall be in order and no Senator shall be entitled to speak until the roll call is finished and the result is declared.

b) The electronic voting system shall be used, if operational, to determine the question before the body when the vote is taken by roll call or by division, and shall display the votes of each Senator and the running total. At the direction of the presiding officer, the Secretary of the Senate shall immediately activate the electronic voting system for one minute for a roll call vote, after which the vote shall be closed and no further votes shall be entered in the record. If all Senators present have voted before one minute has elapsed, the presiding officer may ask Senators if there is objection to closing the vote. If no Senator objects, the presiding officer shall instruct the Secretary of the Senate to close the board immediately and record the vote.

c) The presiding officer or Chair may close a division vote at his or her discretion when it appears that all members present have had a reasonable opportunity to vote.

d) If the electronic voting system is not operational, the presiding officer or Chair shall direct the Secretary of the Senate to conduct a roll call or a division vote orally, and to announce the results and record the roll call.

e) A Senator shall not vote for another Senator. A person not a Senator shall not vote for any Senator. In addition to penalties prescribed by law, any Senator may be punished as the Senate may determine for voting for another Senator. If a person not a Senator votes or attempts to vote, he or she, in addition to penalties prescribed by law, shall be barred from the Senate floor for the remainder of the day's session and may receive further punishment as the Senate Majority Leader deems proper.

3.506 A SENATOR'S RIGHT TO DISSENT

a) A Senator may dissent from or protest against any act, proceeding, or resolution which he or she believes is injurious to any person or the public, and have the reason for his or her dissent printed in the Journal (see Const. Art. 4, Sec. 18).

b) A Senator may dissent orally by making a statement of protest, unless the previous question is in effect, which shall not be limited in length, or by moving that a statement made personally during session on any order of business other than during the Committee of the Whole be his or her protest. A Senator may also dissent by concurring with another Senator's protest or statement previously moved to be printed in the Journal during that day's session. Dissent statements not made during the debate preceding or immediately following the vote from which a Senator is dissenting shall be made under the order of business of Statements.

c) A Senator may dissent in writing not to exceed 1,000 words if:

- 1) He or she gives oral notice during session of an intent to file a written protest, and
- 2) On that day or prior to the end of session on the next Senate legislative day, a signed copy of the written protest is placed on each Senator's desk and filed with the Secretary of the Senate, and
- 3) No objections are raised and sustained by the end of session on the first Senate legislative day following the day oral notice was given.

d) All protests submitted in any of the above manners shall be printed in the Journal, except the Senate may refuse to print statements or material containing insulting and contemptuous matter under the guise of a protest.

e) No statement of any Senator shall be printed in the Journal unless moved by that Senator.

3.507 ANNOUNCEMENTS AND STATEMENTS

a) Announcements may be made during any order of business. Announcements are remarks concerning the session schedule, committee meetings, introduction of guests, congratulations, condolences or illness, requests to co-sponsor bills and resolutions, requests to be removed as a sponsor or co-sponsor of bills and resolutions, past vote intentions, or intentions of introducing legislation or resolutions. Announcements also include memorial remarks concerning the passing of individuals and may be made during any order of business except General Orders.

b) Statements on topics, issues or items not properly before the Senate shall be made during the order of business of Statements. Dissent statements may be made under the order of business of Statements.

c) A Senator is limited to one statement each day under the order of business of Statements, except for dissent statements which are unlimited in number.

d) Each statement shall be limited to five minutes orally or, if submitted in writing, shall be no greater than 1,000 words, except an oral dissent statement made on the order of Statements shall not be limited in length.

e) With the leave of the Senate, the President of the Senate may request that a statement made by the President be printed in the Journal.

CHAPTER III - SECTION 6 APPROPRIATION BILLS

3.601 GENERAL APPROPRIATION BILLS

The general appropriation bills for the succeeding fiscal year covering items set forth in the budget shall be passed or defeated in the Senate before it passes any appropriation bill for items not in the budget, except bills supplementing appropriations for the current fiscal year's operation (see Const. Art. 4, Sec. 31).

3.602 BILLS REQUIRING APPROPRIATIONS

Any bill containing an appropriation to carry out its purpose shall be considered an appropriation bill (see Const. Art. 4, Sec. 31). Appropriation bills, when reported back to the Senate favorably by a committee other than the Committee on Appropriations, shall, together with amendments proposed by that committee, be referred to the Committee on Appropriations for consideration.

3.603 ESTIMATED REVENUE

One of the general appropriation bills as passed by the Senate shall contain an itemized statement of estimated revenue by a major source in each operating fund for the ensuing fiscal year, the total of which shall not be less than the total of all appropriations made from each fund in the general appropriation bills as passed.

CHAPTER III - SECTION 7 COMMITTEE OF THE WHOLE

3.701 FAVORABLE REPORTS

All bills and joint resolutions reported back to the Senate favorably shall be referred to the Committee of the Whole with amendments, if any, proposed by the committee, which amendments shall be considered first by the Committee of

the Whole. Any bill or joint resolution may, after having been reported favorably to the Senate by a committee, be referred to a second committee. If the second committee reports the bill or joint resolution back to the Senate, the report shall include amendments, if any, that were recommended by the first committee. The reported bill or joint resolution, and any amendments, shall be referred to the Committee of the Whole.

3.702 BUSINESS IN ORDER

When the Senate resolves itself into the Committee of the Whole, General Orders shall be the only matter of business which shall be in order until the Committee rises.

3.703 BILLS AND JOINT RESOLUTIONS CONSTITUTING GENERAL ORDERS

a) Bills and joint resolutions referred to the Committee of the Whole shall constitute General Orders and shall be considered in the Committee of the Whole on a day subsequent to such referral in the order of their reference, unless the Senate or the Committee of the Whole otherwise determines.

b) No bill or joint resolution shall bypass consideration by the Committee of the Whole.

3.704 CHAIRPERSON OF THE COMMITTEE OF THE WHOLE

The presiding officer shall, when the Senate resolves itself into the Committee of the Whole, designate a Senator as chairperson of the Committee, unless otherwise ordered by the Senate. Senators shall be designated alphabetically. The Majority and Minority Floor Leaders shall submit to the Secretary of the Senate names of designees for members of their respective caucuses when they are unable to serve.

3.705 RULES IN THE COMMITTEE OF THE WHOLE

a) The rules of the Senate shall be observed in the Committee of the Whole so far as may be applicable, except limiting debate, ordering the previous question, suspension of rules, or taking the yeas and nays. However, no speech shall exceed five minutes. A motion that the Committee rise shall always be in order and decided without debate. Motions in the Committee of the Whole recommending action by the Senate shall take precedence in the same order as identical motions made during a session of the Senate. Motions to recess or reconsider are in order in the Committee of the Whole.

b) No statement made during the Committee of the Whole shall be printed in the Journal.

c) In the event the Senate is in session in the Committee of the Whole at 11:55 p.m., it shall be the duty of the chairperson to declare the Committee of the Whole to have risen. The Committee of the Whole shall automatically rise and the presiding officer of the Senate shall resume the chair.

3.706 BILLS ORDERED TO THIRD READING

All bills and joint resolutions recommended for passage or adoption by the Committee of the Whole shall be placed on Third Reading of Bills by the Secretary of the Senate, and shall be taken up in the same order as they were advanced to the order of Third Reading of Bills unless otherwise ordered by the Senate.

CHAPTER III - SECTION 8 PARLIAMENTARY PROCEDURE

3.801 AUTHORITY AND PRECEDENCE OF SENATE RULES

a) The principal sources of authority for Senate rules are, in the order of precedence, as follows:

- 1) Constitutional Rules
- 2) Fundamental Legal Principles
- 3) Statutory Rules
- 4) Adopted Rules
- 5) Adopted Parliamentary Authority
- 6) Parliamentary Law
- 7) Customs and Usages
- 8) Judicial Decisions

Judicial decisions have the lowest precedence of the sources cited except to the extent they are interpretations of rules from one of the other sources. In those instances, they take the same precedence as the source which is interpreted.

b) Rules from the source with the higher precedence prevails when there are conflicts between rules from different sources.

3.802 MANUAL OF LEGISLATIVE PROCEDURE

The rules of parliamentary practice in the most recent edition of Mason's "Manual of Legislative Procedure" shall govern all cases except when they are inconsistent with the Standing Rules and precedents of the Senate.

3.803 RULES OF A NEWLY CONVENED SENATE

The Senate rules which are in effect when the Senate adjourns sine die in an even numbered year shall be the temporary rules of the Senate when it convenes at twelve o'clock noon on the second Wednesday in January of the following odd numbered year and shall remain in effect until other temporary or permanent rules are adopted (see MCL 4.42).

3.804 AMENDMENT OR REPEAL OF SENATE RULES

The repeal or amendment of any rule shall be accomplished only by resolution. All proposed amendments or repeals of Senate rules shall be referred to the Committee on Government Operations for consideration. The adoption of a proposed resolution for the repeal or amendment of any rule shall require a majority of the Senators elected and serving.

3.805 SUSPENSION OF RULES

The suspension of any Senate rule or adopted parliamentary authority shall require a majority of the Senators elected and serving.

**CHAPTER III - SECTION 9
PRIVILEGE AND CONDUCT ON THE FLOOR****3.901 MEMBERS OF THE MEDIA**

Members of the media shall register with the Secretary of the Senate. The following provisions shall govern the registration process:

- 1) A member of the media shall be defined as a person employed by or working as:
 - a) A newspaper (as defined by U.S. postal regulations);
 - b) A broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;
 - c) A cable television system with a franchise granted by a Michigan unit of government, or a network serving one or more franchised cable systems;
 - d) A wire service; or
 - e) An independent contractor on assignment to report state government news for an organization described above.
- 2) A visiting member of the media shall register on a daily basis at least 30 minutes before the start of session with the Secretary of the Senate.
- 3) The Secretary of the Senate may, under special circumstances, register representatives of the media not defined above if it is determined to be in the public interest.
- 4) Technicians for broadcast/cable stations shall also be registered when accompanying members of the media and shall be subject to the same rules.
- 5) The Secretary of the Senate may revoke the registration of any member of the media for cause. Cause shall include, but not be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Senate proceedings, or refusing to comply with Senate rules or the directives of the presiding officer, Senate Majority Leader, or Secretary of the Senate. A decision to revoke registration may be appealed to the Committee on Government Operations.
- 6) Members of the media may talk with a Senator in the front entry or the hallway behind the Senate rostrum. Members of the media, notwithstanding Senate Rule 3.902, may leave the media's designated area and talk with Senators in the Chamber immediately following adjournment.
- 7) Members of the media shall enter from the north main door or the two south doors on either side of the rostrum and shall proceed directly to the areas designated for the media. If a member of the media enters through the north main door, he or she shall proceed directly to the areas designated for the media using the east or west side aisles only. Members of the media shall not enter the cloak room or the restrooms of the Senate Chamber.
- 8) Members of the media may film, videotape, or photograph the Senate session from the media's designated area. During the first 20 minutes after the attendance roll call, with permission from the Senate, members of the media shall be allowed to film, videotape, or photograph from along the full length of the east and west side aisles.
- 9) A member of the media, including a broadcast technician, shall be entitled to record Senate session as long as it does not disrupt the proceedings of the Senate. "Record" shall mean videotaping, photographing, filming, taping, or electronically transmitting Senate proceedings or activities on the Senate floor when the Senate is in session.

3.902 FLOOR PRIVILEGE AND CONDUCT

A) A session of the Senate shall be defined, for the purposes of this rule, as any period of time when the Senate is in session, any recess, and any 15-minute period before the Senate convenes and five minutes after it adjourns. The Senate floor is defined as the Senate Chamber and adjoining Rooms S212, S204 (E. Lakin Brown Room), S204A, S201 and S207. Access to the Senate floor shall be restricted as outlined below during any session of the Senate, except that members of the public are permitted in Room S204 when a scheduled press conference is held there during session.

- 1) No person, other than the following, shall be admitted to the Senate floor:
 - a) Senators or Representatives
 - b) The President of the Senate
 - c) The Governor
 - d) Senators or Representatives in Congress
 - e) Former Michigan Legislators
 - f) The Secretary of the Senate and his or her support staff
 - g) Legislative staff as authorized in guidelines issued by the Senate Majority Leader
 - h) One representative of the Governor
 - i) Members of the immediate family of a Senator or the President of the Senate
 - j) Registered members of the media pursuant to Rule 3.901
 - k) A guest who has been invited by a Senator to offer the invocation, and an immediate family member of that guest.

2) No registered lobbyist or lobbyist agent, including former Legislators, shall be allowed on the Senate floor. They shall not be allowed in the hallway behind the Senate rostrum, unless en route to or from the Lieutenant Governor's Office (S215) or the Elijah Myers Room (S208).

3) A former Legislator shall not lobby on the Senate floor, except if they are admitted under Senate Rule 3.902 A) 1) g) or h).

B) No person shall engage in any conduct on the Senate floor during any session of the Senate which undermines the decorum of the Senate. All persons who are admitted to the Senate floor shall observe the following guidelines:

1) No Senator shall speak until recognized by the presiding officer, unless the Senator rises to make a point of order.

2) Except as otherwise outlined in other Senate rules, no Senator shall speak on any matter not properly before the Senate.

3) No Senator shall speak more than twice in any one debate on the same day, without leave of the Senate, except the Senator who sponsored the matter under consideration, the Senator who sponsored the bill or resolution if an amendment is under consideration, the chairperson of the committee which reported it and the chairperson of the subcommittee which considered the matter. Each speech shall not exceed five minutes or, if submitted in writing, not exceed 1,000 words, except there is no limit on the length of a speech on Third Reading of Bills, memorial announcements, or an oral dissent statement.

4) No Senator shall speak impertinently or submit in writing impertinent statements, attack the motives of any Senator who proposes or advocates a particular position, use indecent language or other disorderly words, or refer to another Senator by name in a disparaging way.

5) No Senator shall use a display, exhibit, or prop on the Senate floor during discussions, debate, statements, or the announcement of the introduction of a bill or resolution.

6) No person other than a Senator, the President of the Senate, or the Secretary and Assistant Secretary of the Senate shall pass through the well of the Senate Chamber which is immediately in front of the Senate rostrum.

7) No person shall pass between the presiding officer and a Senator who is speaking.

8) No person other than a Senator, the President of the Senate, or the Secretary of the Senate shall use the center aisle of the Chamber.

9) No person other than a Senator shall sit in a Senator's chair.

10) No staff shall be allowed on the Senate floor unless they wait in the majority or minority lounge or the lounge at the rear of the Chamber until they are needed by a Senator and shall then be seated at a Senator's desk.

11) No member of the media shall be allowed on the Senate floor unless he or she is in the media's designated area, except as otherwise provided in Rule 3.901.

12) No smoking shall be permitted on the Senate floor.

13) All individual electronic devices shall be turned off or on non-audible alert during Senate session. Failure to follow a warning issued by the presiding officer or Chair may result in the device(s) being confiscated for the duration of the session upon direction of the presiding officer or Chair.

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

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

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

Senators Brandenburg, Caswell, Hansen, Jones and Proos were named co-sponsors of the resolution.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 1.

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

Resolved by the Senate (the House of Representatives concurring), That each house hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each house shall determine at any time during the 2011 and 2012 regular sessions.

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

Senator Meekhof moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Caswell, Hansen, Jones and Proos were named co-sponsors of the concurrent resolution.

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 2.

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

Resolved by the Senate (the House of Representatives concurring), That the following be and are hereby adopted as the Joint Convention Rules of the Senate and House of Representatives:

**JOINT CONVENTION RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES**

Held in Hall of House.

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the two houses shall meet in joint convention, a concurrent resolution shall be introduced in one house setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other house for concurrence.

Secretaries-Journals.

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be the secretaries of the joint convention. The proceedings of the joint convention shall be published with the Journals of the House, and the final result, as announced by the President on the return of the Senate to its chamber, shall be entered on the Journals of the Senate.

Rules of House to Govern.

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint convention.

President pro tempore of Convention.

Rule 4. Whenever the Speaker of the House presides, he or she shall be entitled to vote on all occasions, and in case of a tie, the question shall be declared lost.

Power to Compel Attendance.

Rule 5. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed in the rules of the house to which such members respectively belong, and for that purpose the Sergeant at Arms of each house shall attend.

May Adjourn from Time to Time.

Rule 6. Joint conventions may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the joint convention, at the time fixed by law or resolution, or to which the joint convention may have adjourned.

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

Senator Meekhof moved that the rule be suspended.

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

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

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

Senator Meekhof offered the following concurrent resolution:

Senate Concurrent Resolution No. 3.

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

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives meet in joint convention in the Hall of the House of Representatives, Wednesday, January 19, 2011, at 6:30 p.m. to receive the message of Governor Rick Snyder.

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

Senator Meekhof moved that the rule be suspended.

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

The concurrent resolution was adopted.

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

By unanimous consent the Senate returned to the order of

Motions and Communications

President Pro Tempore

The President, Lieutenant Governor Calley, announced that the next order of business was the election of the President pro tempore of the Senate.

Senator Richardville nominated Senator Schuitmaker as President pro tempore of the Senate.

Senator Hildenbrand seconded the nomination.

The question being on the election of Senator Schuitmaker as President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 1

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The President pro tempore, Senator Schuitmaker, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Calley, and entered upon the discharge of her respective duties.

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

The motion prevailed.

Senator Richardville's statement is as follows:

I rise to nominate Tonya Schuitmaker for the position of President pro tempore of the Michigan Senate. Tonya is a lifelong resident of Van Buren County and grew up in a family deeply committed to their community and also involved in local politics. Prior to serving in the House of Representatives, she spent several years in private practice as an attorney. She and her husband Steve have two children and make their home in Mattawan.

Many of us have had the pleasure of working with Tonya during her tenure in the House. She is not only well-respected on both sides of the aisle, but she is consistently known for her hard work, her integrity, and her contagious smile and warm sense of humor.

Additionally, since I was the President pro tempore for the last four years, I know firsthand the type of person this job requires, and Tonya Schuitmaker will be excellent for this role.

So, Mr. President, it is my distinct honor and great privilege to nominate Tonya Schuitmaker as President pro tempore of the Michigan Senate.

Senator Hildenbrand's statement is as follows:

I am honored to second the nomination of Senator Tonya Schuitmaker for the position of President pro tempore of the Michigan Senate. Senator Schuitmaker has with great loyalty and passion represented the residents of the Greater Kalamazoo Area in the State House, and now she will serve them very well here in the Michigan Senate. She will bring great leadership to this position and serve this chamber very well as President pro tempore.

Assistant President Pro Tempore

The President, Lieutenant Governor Calley, announced that the next order of business was the election of the Assistant President pro tempore of the Senate.

Senator Booher nominated Senator Hansen as Assistant President pro tempore of the Senate.

Senator Casperson seconded the nomination.

The question being on the election of Senator Hansen as Assistant President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 2

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Assistant President pro tempore, Senator Hansen, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Calley, and entered upon the discharge of his respective duties.

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

The motion prevailed.

Senator Booher's statement is as follows:

I am honored to nominate my friend and colleague Geoff Hansen to the position of Assistant President pro tempore. He and I have become good friends over the last six years, four of which we sat side by side on the House floor.

It is without a doubt in my mind that he will serve this institution with honor and integrity in this role, and that is the precise reason I am so happy to make this nomination today.

Senator Casperson's statement is as follows:

I rise this morning in support of the motion offered by my good friend from the 35th District to place the name of Senator Geoff Hansen before this distinguished body for consideration as Assistant President pro tempore and hereby second the nomination.

While I have some concerns about Senator Hansen's professional football allegiance, he is a dedicated and thoughtful public servant, a man of principle and integrity. He will work tirelessly on behalf of this institution and this great state, faithfully placing our needs as his priority.

Associate President Pro Tempore

The President, Lieutenant Governor Calley, announced that the next order of business was the election of the Associate President pro tempore of the Senate.

Senator Whitmer nominated Senator Gleason as Associate President pro tempore of the Senate.

Senator Hunter seconded the nomination.

The question being on the election of Senator Gleason as Associate President pro tempore of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 3

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Associate President pro tempore, Senator Gleason, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Calley, and entered upon the discharge of his respective duties.

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

The motion prevailed.

Senator Whitmer's statement is as follows:

It is my honor to nominate my friend and colleague Senator John Gleason as Associate President pro tempore for the Senate. Senator Gleason has served with distinction for the past four years and is well-versed in the rules of this chamber. He is here today with his wife Karen, son Eamon, and daughter Clancy.

I have full faith that he will uphold the position with distinction, professionalism, and his renown good humor. I ask for your support.

Senator Hunter's statement is as follows:

It is my honor and privilege to second the nomination of my friend and colleague from Genesee County, Senator John Gleason, for the position of Associate President pro tempore. He is respected for his skills as a legislator by both sides of the aisle, both sides of the Rotunda, and throughout the Capitol community. Therefore, colleagues, I ask for your support.

Secretary of the Senate

The President, Lieutenant Governor Calley, announced that the next order of business was the election of the Secretary of the Senate.

Senator Richardville nominated Carol Morey Viveni as Secretary of the Senate.

Senator Whitmer seconded the nomination.

The question being on the election of Carol Morey Viveni as Secretary of the Senate,

The election was approved, a majority of the members serving voting therefor, as follows:

Roll Call No. 4

Yeas—38

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

Nays—0

Excused—0

Not Voting—0

In The Chair: President

Oath of Office

The Secretary of the Senate, Carol Morey Viveni, took and subscribed to the Constitutional Oath of Office, which was administered by the President, Lieutenant Governor Calley, and entered upon the discharge of her respective duties.

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

The motion prevailed.

Senator Richardville's statement is as follows:

It is my great honor to nominate Carol Viveni for the position of Secretary of the Senate. Carol Viveni began her public service career in 1971 as an aide in the State House, working for a young State Representative named John Engler. She went on to work in various roles in state government and as an attorney.

Carol Viveni has served as the Secretary of the Senate since 1995. Her parliamentary expertise, her deep understanding of the Senate rules, and her institutional memory will continue to serve this body well.

I'd also like to take a moment, Mr. President, to acknowledge and thank Carol's staff for the tremendous work that they've done helping to move 38 Senators and our staffs into place in just a few short weeks. They gave up personal time and holidays to perform behind-the-scenes work by cleaning, painting, processing payroll, benefits, moving furniture, boxes, new computers, on and on. Actually, there are too many jobs to name.

Therefore, as the fifth Senate Majority Leader in a row to do so, it is an honor to nominate Carol Viveni to continue her great service as the Secretary of the Michigan Senate.

Senator Whitmer's statement is as follows:

I, along with my Democratic colleagues, enthusiastically second the nomination of one of my favorite constituents, Carol Viventi, as Secretary of the Senate. Throughout the past four years—well, actually, five years—I've seen Ms. Viventi's even-handed approach in this chamber. Her remarkable tenure as Secretary of the Senate has helped guide us through, certainly, tough times here. Her institutional knowledge that she holds on the Capitol and Senate procedure has been an invaluable resource for every one of us in this chamber. Without doubt, it is the dedication of Carol and her staff and team that really helps this body move smoothly and efficiently.

Mr. President, I proudly second the nomination of Carol Morey Viventi as Secretary of the Senate.

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

January 12, 2011

I have the honor and pleasure of informing the membership that Adam Reames will continue his excellent service to the Michigan Senate as the Assistant Secretary of the Senate.

Adam has served as Assistant Secretary of the Senate since June 19, 2009. I am honored to continue working with him and proud of his accomplishments.

Sincerely,
Carol Morey Viventi, J.D.
Secretary of the Senate

The communication was referred to the Secretary for record.

Certified List of Representatives

The following communication was received and read:
Department of State

November 29, 2010

Enclosed please find a certified listing of the candidates elected to the office of State Representative at the November 2, 2010 general election. A copy of the official returns certified for the election is also provided for your reference.

Please do not hesitate to contact this office if we can be of any further assistance.

Sincerely,
Christopher M. Thomas
Director of Elections

United States of America

THE STATE OF MICHIGAN

DEPARTMENT OF STATE

I, Terri Lynn Land, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that the persons named on the attached listing were duly elected at the November 2, 2010 General Election to the Office of State Representative for a term commencing on January 1, 2011 and ending on January 1, 2013, as shown by the official returns certified for the election and placed on file in this office.

[SEAL]

In witness whereof, I have hereto attached my signature and the Great Seal of the State of Michigan, at Lansing, on November 19, 2010.

Terri Lynn Land
Secretary of State

Members-Elect of the House of Representatives

District	Party	Name	Address
1	Dem	Timothy Bledsoe	936 Lincoln Road, Grosse Pointe 48230
2	Dem	Lisa L. Howze	2550 West Grand Boulevard, Ste. 101, Detroit 48208
3	Dem	Alberta Tinsley Talabi	2229 Pennsylvania Street, Detroit 48214

4	Dem	Maureen L. Stapleton	1300 East Lafayette Street, #1207, Detroit 48207
5	Dem	John Olumba	18410 Wexford Street, Detroit 48234
6	Dem	Fred Durhal, Jr.	5085 Underwood Street, Detroit 48204
7	Dem	Jimmy Womack	2310 West McNichols Road, Detroit 48221
8	Dem	Thomas F. Stallworth III	18684 Whitcomb Street, Detroit 48235
9	Dem	Shanelle Jackson	9730 West Outer Drive, #102, Detroit 48223
10	Dem	Harvey Santana	5700 Brace Street, Detroit 48228
11	Dem	David E. Nathan	18701 Grand River Avenue, Detroit 48223
12	Dem	Rashida Tlaib	P.O. Box 9380, Detroit 48209
13	Dem	Andrew J. Kandrevas	14220 Reeck Road, Southgate 48195
14	Dem	Paul Clemente	2235 Fort Park Boulevard, Lincoln Park 48146
15	Dem	George T. Darany	17835 Oakwood Boulevard, Dearborn 48124
16	Dem	Bob Constan	5527 Heather Lane, Dearborn Heights 48125
17	Dem	Phil Cavanagh	12126 Centralia, Redford Township 48239
18	Dem	Richard LeBlanc	36267 Canyon Drive, Westland 48186
19	Rep	John J. Walsh	35041 Pembroke Avenue, Livonia 48152
20	Rep	Kurt Heise	9054 Muirland Drive, Plymouth 48170
21	Dem	Dian Slavens	6000 Hidden Court, Canton 48187
22	Dem	Douglas A. Geiss	25680 Greenlawn Court, Taylor 48180
23	Rep	Pat Somerville	P.O. Box 681, New Boston 48164
24	Rep	Anthony G. Forlini	39273 Chart Street, Harrison Township 48045
25	Dem	Jon M. Switalski	31705 Forest Lane, Warren 48093
26	Dem	Jim Townsend	P.O. Box 213, Royal Oak 48068
27	Dem	Ellen Cogen Lipton	P.O. Box 7026, Huntington Woods 48070
28	Dem	Lesia Liss	27472 Haverhill Drive, Warren 48092
29	Dem	Tim Melton	4169 Arcadia Drive, Auburn Hills 48326
30	Rep	Jeff Farrington	8830 Summers Court, Utica 48317
31	Dem	Marilyn Lane	16558 Woodlane, Fraser 48026
32	Rep	Andrea LaFontaine	37565 Hebel Road, Richmond 48062
33	Rep	Ken Goike	22440 32 Mile Road, Ray Township 48096
34	Dem	Woodrow Stanley	2211 Brownell Boulevard, Flint 48054
35	Dem	Rudy Hobbs	28684 Blackstone Drive, Lathrup Village 48076
36	Rep	Pete Lund	6881 Muirfield Drive, Shelby Township 48316
37	Dem	Vicki Barnett	29271 Glencastle Court, Farmington Hills 48336
38	Rep	Hugh D. Crawford	46275 West 11 Mile Road, Novi 48374
39	Dem	Lisa Brown	P.O. Box 251532, West Bloomfield 48325
40	Rep	Chuck Moss	1184 Dorchester Road, Birmingham 48009
41	Rep	Marty Knollenberg	5064 Christy Court, Troy 48098
42	Dem	Harold L. Haugh	19464 Candlelight Street, Roseville 48066
43	Rep	Gail Haines	2384 Lake Angelus Lane, Lake Angelus 48326
44	Rep	Eileen Kowall	2333 Cumberland Drive, White Lake 48383
45	Rep	Tom McMillin	1261 Oakwood Court, Rochester Hills 48307
46	Rep	Bradford C. Jacobsen	P.O. Box 250, Oxford 48371
47	Rep	Cindy Denby	9787 Amanda Drive, Fowlerville 48836
48	Dem	Richard E. Hammel	6343 W. Clovis Avenue, Flushing 48433
49	Dem	Jim Ananich	932 Maxine Street, Flint 48503
50	Dem	Charles Smiley	2253 McLaren Street, Burton 48529
51	Rep	Paul Scott	8412 Cranbrook Lane, Grand Blanc 48439
52	Rep	Mark Ouimet	3502 River Pines Drive, Ann Arbor 48103
53	Dem	Jeff Irwin	2542 Bellwood Avenue, Ann Arbor 48104
54	Dem	David E. Rutledge	8585 Durham Court, Ypsilanti 48198
55	Rep	Rick Olson	525 Judd Road, Saline 48176
56	Rep	Dale W. Zorn	P.O. Box 2, Ida 48140
57	Rep	Nancy E. Jenkins	9417 West Carleton Road, Clayton 49235
58	Rep	Kenneth L. Kurtz	233 West Pearl Street, Coldwater 49036
59	Rep	Matt Lori	14941 Roberts Shores Drive, Constantine 49042
60	Dem	Sean McCann	3025 Morgan Street, Kalamazoo 49001
61	Rep	Margaret E. O'Brien	1625 Bellaire Avenue, Portage 49024
62	Dem	Kate Segal	108 Pinehurst Lane, Battle Creek 49015
63	Rep	James Bolger	P.O. Box 638, Marshall 49068
64	Rep	Earl Poleski	5354 Reynolds Road, Jackson 49201

65	Rep	Mike Shirkey	11757 Sutfin Road, Clark Lake 49234
66	Rep	Bill Rogers	4878 Pine Eagles Court, Brighton 48116
67	Dem	Barb Byrum	P.O. Box 27344, Lansing 48909
68	Dem	Joan Bauer	3105 South MLK Boulevard, PMB 226, Lansing 48910
69	Dem	Mark S. Meadows	P.O. Box 4041, East Lansing 48826
70	Rep	Rick Outman	6481 Miles Road, Six Lakes 48886
71	Rep	Deb Shaughnessy	956 Chads Way, Charlotte 48813
72	Rep	Ken Yonker	8300 Patterson Avenue, S.E., Caledonia 49316
73	Rep	Peter MacGregor	8209 Vista Royal Lane, N.E., Rockford 49341
74	Rep	David Agema	P.O. Box 855, Jenison 49429
75	Dem	Brandon Dillon	1213 Lewison Avenue, N.E., Grand Rapids 49505
76	Dem	Roy Schmidt	1127 Van Ess Avenue, N.W., Grand Rapids 49504
77	Rep	Thomas B. Hooker	1739 108th Street, Byron Center 49315
78	Rep	Sharon Tyler	P.O. Box 964, Niles 49120
79	Rep	Al Pscholka	5810 Longhorn Trail, Stevensville 49127
80	Rep	Aric Nesbitt	P.O. Box 400, Lawton 49065
81	Rep	Jud Gilbert	P.O. Box 10201, Lansing 48901
82	Rep	Kevin Daley	3387 Daley Road, Lum 48412
83	Rep	Paul Muxlow	4473 Parkside Drive, Box 70, Brown City 48416
84	Rep	Kurt E. Damrow	1031 Port Austin Road, Austin 48467
85	Rep	Ben Glardon	P.O. Box 1746, Owosso 48867
86	Rep	Lisa Posthumus Lyons	12020 100th Street, Alto 49302
87	Rep	Mike Callton	P.O. Box 676, Nashville 49073
88	Rep	Bob Genetski	P.O. Box 475, Saugatuck 49453
89	Rep	Amanda Price	3975 Lakeridge Drive, Holland 49424
90	Rep	Joe Haveman	P.O. Box 457, Zeeland 49464
91	Rep	Holly Hughes	8801 Lehman Road, Montague 49437
92	Dem	Marcia Hovey-Wright	452 West Webster Avenue, Muskegon 49440
93	Rep	Paul E. Opsommer	315 East Main Street, DeWitt 48820
94	Rep	Ken Horn	1 Sunburst Court, Frankenmuth 48734
95	Dem	Stacy Erwin Oakes	3309 Carter Street, Saginaw 48601
96	Dem	Charles M. Brunner	208 Murphy Street, Bay City 48706
97	Rep	Joel Johnson	P.O. Box 280, Clare 48617
98	Rep	Jim Stamas	P.O. Box 592, Midland 48640
99	Rep	Kevin Cotter	2767 Eland Court, Mt. Pleasant 48858
100	Rep	Jon Bumstead	2186 East 72nd Street, Newaygo 49337
101	Rep	Ray A. Franz	P.O. Box 25, Onkama 49675
102	Rep	Philip N. Potvin	P.O. Box 609, Cadillac 49601
103	Rep	Bruce R. Rendon	P.O. Box 809, Lake City 49651
104	Rep	Wayne A. Schmidt	623 Washington Street, Traverse City 49686
105	Rep	Greg MacMaster	5966 Beaver Creek Trail, Kewadin 49648
106	Rep	Peter Pettalia	11617 Bell Bay Road, Presque Isle 49777
107	Rep	Frank Foster	P.O. Box 452, Pellston 49769
108	Rep	Ed McBroom	N873 Thaler Drive, Vulcan 49892
109	Dem	Steven W. Lindberg	P.O. Box 322, Marquette 49855
110	Rep	Matt E. Huuki	13895 Rova Road, Atlantic Mine 49905

The following communications were received and read:

Office of the Auditor General

December 29, 2010

Enclosed is a copy of the following audit report:

Financial audit of the State Building Authority, a blended component unit of the State of Michigan, for the period October 1, 2009 through September 30, 2010.

December 29, 2010

Enclosed is a copy of the following audit report:

Financial audit of the Mackinac Bridge Authority, a discretely presented component unit of the State of Michigan, for the period October 1, 2009 through September 30, 2010.

December 29, 2010

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Education Trust (MET) Plans B and C, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2010 and September 30, 2009.

December 29, 2010

Enclosed is a copy of the following audit report:

Financial audit of the Michigan Education Trust (MET) Plan D, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2010 and September 30, 2009.

January 7, 2011

Enclosed is a copy of the following audit report:

Performance audit of Family Housing Programs, Michigan State Housing Development Authority, Department of Treasury.

Auditor General

The audit reports were referred to the Committee on Government Operations.

The following communication was received and read:

Office of the Senate Majority Leader

January 11, 2011

Pursuant to Senate Rule 1.104, I hereby submit the following Republican Caucus leadership positions:

Majority Leader: Senator Randy Richardville

Assistant Majority Leader: Senator Dave Hildenbrand

Majority Floor Leader: Senator Arlan Meekhof

Assistant Majority Floor Leader: Senator Phil Pavlov

Majority Caucus Chair: Senator Rick Jones

Assistant Majority Caucus Chairman: Senator Patrick Colbeck

Majority Caucus Whip: Senator Jack Brandenburg

Assistant Majority Caucus Whip: Senator Darwin Booher

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

Sincerely,

Randy Richardville

Senate Majority Leader

The communication was referred to the Secretary for record.

The following communication was received and read:

Office of the Senate Minority Leader

January 10, 2011

Per your request, the following is Senate Members and their Democratic leadership positions, as elected by the Democratic Caucus:

Position

Democratic Leader

Democratic Floor Leader

Associate President pro tempore

Assistant Democratic Leader

Assistant Democratic Floor Leader

Democratic Caucus Chair

Assistant Democratic Caucus Chair

Democratic Caucus Whip

Assistant Democratic Caucus Whip

Please feel free to call me with any questions.

Member

Gretchen Whitmer

Tupac Hunter

John Gleason

Steve Bieda

Hoon-Yung Hopgood

Morris Hood III

Coleman Young II

Vincent Gregory

Virgil K. Smith

Sincerely,

Gretchen Whitmer

Senate Democratic Leader

The communication was referred to the Secretary for record.

The Secretary announced that the Majority Leader has made the appointment of the following standing committees:
Agriculture – Senators Hune (C), Booher (VC), Emmons, Hansen and Gleason (MVC).

Appropriations – Senators Kahn (C), Moolenaar (VC), Jansen, Pappageorge, Booher, Caswell, Colbeck, Green, Proos, Schuitmaker, Walker, Anderson (MVC), Gregory, Hood, Hopgood and Johnson.

Banking and Financial Institutions – Senators Booher (C), Nofs (VC), Green, Marleau, Rocca, Hunter (MVC) and Smith.

Economic Development – Senators Kowall (C), Hildenbrand (VC), Nofs, Emmons, Hansen, Hunter (MVC) and Smith.

Education – Senators Pavlov (C), Emmons (VC), Colbeck, Hopgood (MVC) and Young.

Energy and Technology – Senators Nofs (C), Proos (VC), Jones, Marleau, Schuitmaker, Walker, Hopgood (MVC), Bieda and Young.

Families, Seniors and Human Services – Senators Emmons (C), Rocca (VC), Nofs and Gregory (MVC).

Finance – Senators Brandenburg (C), Jansen (VC), Pappageorge, Proos, Robertson, Bieda (MVC) and Warren.

Government Operations – Senators Richardville (C), Hildenbrand (VC), Meekhof, Whitmer (MVC) and Hunter.

Health Policy – Senators Marleau (C), Robertson (VC), Emmons, Hune, Jones, Schuitmaker, Warren (MVC) and Gleason.

Insurance – Senators Hune (C), Marleau (VC), Brandenburg, Hansen, Robertson, Smith (MVC) and Bieda.

Judiciary – Senators Jones (C), Schuitmaker (VC), Rocca and Bieda (MVC).

Local Government and Elections – Senators Robertson (C), Hansen (VC), Brandenburg and Young (MVC).

Natural Resources, Environment and Great Lakes – Senators Casperson (C), Pavlov (VC), Green, Kowall, Meekhof, Warren (MVC) and Hood.

Outdoor Recreation and Tourism – Senators Hansen (C), Hildenbrand (VC), Brandenburg, Casperson, Moolenaar, Gleason (MVC) and Young.

Redistricting – Senators Hune (C), Jones (VC), Hildenbrand, Marleau, Moolenaar, Proos, Bieda (MVC), Johnson and Smith.

Reforms, Restructuring and Reinventing – Senators Jansen (C), Colbeck (VC), Casperson, Kowall, Robertson, Young (MVC) and Warren.

Regulatory Reform – Senators Rocca (C), Jones (VC), Hune, Meekhof, Pavlov, Johnson (MVC) and Warren.

Transportation – Senators Casperson (C), Kowall (VC), Brandenburg, Pavlov, Gleason (MVC) and Hood.

Veterans, Military Affairs and Homeland Security – Senators Moolenaar (C), Pappageorge (VC), Emmons, Gregory (MVC) and Smith.

The standing committee appointments were approved, a majority of the members serving voting therefor.

Messages from the Governor

The following message from the Governor was received on January 4, 2011, and read:

EXECUTIVE ORDER No. 2011-1

Executive Reorganization

Department of Natural Resources and Environment

Creating the Department of Natural Resources and Department of Environmental Quality

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

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department of state government shall be under the supervision of the Governor, unless otherwise provided in the Constitution; and

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

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government by dividing the functions of the Department of Natural Resources and Environment between two newly created departments;

NOW THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Civil Service Commission" means the commission required under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Department of Environmental Quality" means the principal department of state government created under Section IV of this Order.

C. "Department of Technology Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121, as amended by Executive Order 2001-3 and Executive Order 2009-55.

D. "Department of Natural Resources" means the principal department of state government created under Section III of this Order.

E. "Department of Natural Resources and Environment" or "Department" means the principal department of state government created under Section II of Executive Order 2009-45.

F. "Department of Treasury" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

G. "Environmental Science Review Boards" means the boards provided for under Section II.C. of Executive Order 2009-45.

H. "Natural Resources Commission" means the commission provided for under Section II.B. of Executive Order 2009-45.

I. "State Budget Director" means the individual appointed by the Governor pursuant to Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

J. "Type I transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

K. "Type II transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

L. "Type III transfer" means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

II. ABOLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

A. The Department of Natural Resources and Environment created by Section II of Executive Order 2009-45 is abolished.

B. The powers, duties, functions, responsibilities, personnel, equipment, and unexpended appropriations of the Department of Natural Resources and Environment are transferred as provided in this Order.

III. CREATION OF THE DEPARTMENT OF NATURAL RESOURCES

A. Establishment of the Department of Natural Resources as a Principal Department in the Executive Branch

1. The Department of Natural Resources is created as a principal department in the executive branch. The Department shall protect, conserve and manage the natural resources of this state.

2. The Director of the Department of Natural Resources shall be the head of the Department.

B. Natural Resources Commission

1. The Natural Resources Commission is transferred by Type II transfer from the Department of Natural Resources and Environment to the Department of Natural Resources. This paragraph does not affect the continued service or terms of office of the current members of the Natural Resources Commission.

2. The Governor shall designate a member of the Natural Resources Commission to serve as its Chairperson at the pleasure of the Governor. The Commission may select a member of the Commission to serve as Vice-Chairperson of the Commission.

3. The Natural Resources Commission shall have and continue to exercise the authority, powers, duties, functions, and responsibilities previously vested in it under all of the following:

a. Part 435 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.43501 to 324.43561.

b. Section 40111a of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40111a.

c. Section 40113a of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40113a.

4. The Natural Resources Commission shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

5. The Natural Resources Commission shall advise the Director of the Department of Natural Resources on matters related to natural resources and conservation and may perform additional duties as provided by this Order, other law, or as requested by the Governor.

6. Members of the Natural Resources Commission shall serve without compensation. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology Management and Budget, subject to available funding.

C. Director of the Department of Natural Resources

1. The Director of the Department of Natural Resources shall be appointed by the Governor and shall serve at the pleasure of the Governor.

2. The Director of the Department of Natural Resources shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Natural Resources shall supervise the staff of the Department and shall be responsible for its day-to-day operations.

3. The Director of the Department of Natural Resources may promulgate rules as may be necessary to carry out functions vested in the Director under this Order or other law in accordance with the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

4. The Director of the Department of Natural Resources shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

5. The position of the Director of the Department of Natural Resources and Environment as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Natural Resources:

a. Ex officio member of the Michigan Historical Commission under Section 1 of the Michigan Historical Commission Act, 1913 PA 271, MCL 399.1.

b. Member of the Michigan Freedom Trail Commission under Section 3 of the Michigan Freedom Trail Commission Act, 1998 PA 409, MCL 399.83.

c. Ex officio member of the Michigan Public Safety Communications System Advisory Board created under Executive Order 2005-8.

d. Member and Chairperson of the Michigan Commission on the Commemoration of the Bicentennial of the War of 1812 created by Executive Order 2007-51.

e. Non-voting member of the Complete Streets Advisory Council, 2010 PA 135, MCL 247.660p(6)(q).

D. Transfers from the Department of Natural Resources and Environment to the Department of Natural Resources

1. Except as otherwise provided in this Order, all of the authority, powers, duties, functions, responsibilities, personnel, equipment, property, and unexpended appropriations of the Department of Natural Resources and Environment that were transferred to it from the former Department of Natural Resources by Executive Order 2009-45, are transferred by Type II transfer to the Department of Natural Resources, including, but not limited to, the authority, powers, duties, functions, and responsibilities under all of the following:

a. 1974 PA 359, MCL 3.901 to 3.910 (“Sleeping Bear Dunes National Lakeshore”).

b. The Executive Organization Act of 1965, 1965 PA 380, MCL 16.350 to 16.360.

c. The Property Rights Preservation Act, 1996 PA 101, MCL 24.421 to 24.425.

d. Section 4c of 1913 PA 172, MCL 32.224c (“Crawford County land”).

e. Section 48 of the State Employees’ Retirement Act, 1943 PA 240, MCL 38.48.

f. Section 8b of the Township and Village Public Improvement and Public Service Act, 1923 PA 116, MCL 41.418b.

g. Section 26 of The Home Rule Village Act, 1909 PA 278, MCL 78.26.

h. Section 10 of 1957 PA 185, MCL 123.740 (“county department and board of public works”).

i. 1990 PA 182, MCL 141.1301 to 141.1304 (“county redistribution of federal payments”).

j. Sections 7g and 7jj of The General Property Tax Act, 1893 PA 206, MCL 211.7g and MCL 211.7jj.

k. 1943 PA 92, MCL 211.371 to 211.375 (“withholding lands from sale”).

l. Section 18 of 1909 PA 283, MCL 224.18 (“public highways and private roads”).

m. Sections 3 and 4 of 1927 PA 341, MCL 247.43 and 247.44 (“discontinuation of highway bordering lake or stream”).

n. Section 4 of 1941 PA 359, MCL 247.64 (“noxious weeds”).

o. Sections 602a and 660 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.602a and 257.660.

p. Section 4 of the Michigan Aquaculture Development Act, 1996 PA 199, MCL 286.874.

q. 1976 PA 308, MCL 287.251 to 287.258 (“disposal of livestock”).

r. Section 14 of the Animal Industry Act, 1988 PA 466, MCL 287.714.

s. Privately Owned Cervidae Producers Marketing Act, 2000 PA 190, MCL 287.951 to 287.969.

t. 1986 PA 109, MCL 300.21 to 300.22 (“conservation officers”).

u. The Right to Forest Act, 2002 PA 676, MCL 320.2031 to 320.2036.

v. The Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106.

w. The Clean Michigan Initiative Act, 1998 PA 284, MCL 324.95101 to 324.95108.

x. 2008 PA 290, MCL 324.95151 to 324.95155 (“control of gray wolves”).

- y. 2008 PA 318, MCL 324.95161 to 324.95167 (“removal, capture, or lethal control of gray wolf”).
- z. The Michigan Civilian Conservation Corps Act, 1984 PA 22, MCL 409.301 to 409.314.
- aa. Sections 167a and 167c of The Michigan Penal Code, 1931 PA 328, MCL 750.167a and 750.167c.
- bb. Section 7 of the Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.477.
- cc. Executive Order 1973-2, MCL 299.11.
- dd. Executive Order 1973-12, MCL 125.241.
- ee. Executive Order 1988-4, MCL 299.12.
- ff. Executive Order 1991-31, MCL 299.13.
- gg. Executive Order 1995-7, MCL 324.99901.
- hh. Executive Order 2004-3, MCL 287.981.
- ii. Executive Order 2007-14, MCL 324.99910.
- jj. Executive Order 2009-14, MCL 324.99916.
- kk. Executive Order 2009-15, MCL 324.99917.

2. **Mackinac Island State Park Commission.** The Mackinac Island State Park Commission provided for under 1958 PA 201, MCL 318.201 to 318.208, transferred under Section 256 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.356, and created by Section 76503 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76503, transferred to the Department of Natural Resources under Executive Order 2009-36, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. This transfer includes, but is not limited to, the authority, powers, duties, functions, and responsibilities of the Commission under all of the following:

- a. Sections 76501 to 76509, 76701 to 76709, 76901 to 76903, 77101, 77301, 77302, 77701 to 77704, and 77901 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.76501 to 324.76509, 324.76701 to 324.76709, 324.76901 to 324.76903, 324.77101, 324.77301, 324.77302, 324.77701 to 324.77704, and 324.77901.
- b. Section 511 of the Michigan Liquor Control Code of 1998, 58 PA 1998, MCL 436.1511.

3. **Michigan Forest Finance Authority.** The Michigan Forest Finance Authority created under Section 50503 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50503, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. The position of the Director of the Department of Natural Resources and Environment or his or her designee from within that Department as a member of the Board of Directors of the Michigan Forest Finance Authority under Section 50504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50504, is transferred to the Director of the Department of Natural Resources or his or her designee from within that Department.

4. **Michigan Natural Resources Trust Fund Board.** The Michigan Natural Resources Trust Fund Board, created under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Natural Resources. The position of the Director of the Department of Natural Resources and Environment as a member of the Michigan Natural Resources Trust Fund Board under Section 1905 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.1905, is transferred to the Director of the Department of Natural Resources or his or her designee from within the Department, including, but not limited to, a member of the Natural Resources Commission.

IV. CREATION OF DEPARTMENT OF ENVIRONMENTAL QUALITY

A. Establishment of the Department of Environmental Quality as a Principal Department in the Executive Branch

1. The Department of Environmental Quality is created as a principal department in the executive branch. The Department shall protect the environment of this state.

2. The head of the Department of Environmental Quality shall be the director, who shall be appointed by the Governor with the advice and consent of the Senate, and shall serve at the pleasure of the Governor.

B. Director of the Department of Environmental Quality

1. The Director of the Department of Environmental Quality shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Environmental Quality shall supervise the staff of the Department and shall be responsible for its day-to-day operations.

2. The Director of the Department of Environmental Quality may promulgate rules as may be necessary to carry out functions vested in the Director under this Order or other law in accordance with the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

3. The Director of the Department of Environmental Quality shall utilize administrative law judges and hearing officers employed by the State Office of Administrative Hearings and Rules created by Executive Order 2005-1, MCL 445.2021, to conduct contested case hearings and to issue proposals for decisions as provided by law or rule.

4. The Director of the Department of Environmental Quality may from time to time create one or more environmental science review boards to advise the Department of Environmental Quality and the Governor on scientific issues affecting

the protection and management of Michigan's environment and natural resources, or affecting a program administered by the Department of Environmental Quality.

5. The position of the Director of the Department of Natural Resources and Environment as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Environmental Quality:

a. Member of the Michigan Supply Chain Management Development Commission created within the Department of Treasury under Section 3 of 2008 PA 398, MCL 125.1893. Nothing in this paragraph shall be construed to authorize the use of state funds for the operations of the Michigan Supply Chain Management Development Commission.

b. Member and Chairperson of the Brownfield Redevelopment Board created under Section 20104a of the Natural Resources and Protection Act, 1994 PA 451, MCL 324.20104a, as modified by Executive Order 2003-18, MCL 445.2011, and Executive Order 2006-13, MCL 125.1991.

c. Ex officio member of the State Plumbing Board created within the Department of Energy, Labor, and Economic Growth under Section 13 of the State Plumbing Act, 2002 PA 733, MCL 338.3523.

d. Member of the Michigan Homeland Protection Board created within the Department of State Police under Executive Order 2003-6.

e. Member of the Michigan Citizen-Community Emergency Response Coordinating Council created within the Department of State Police under Executive Order 2007-18.

f. Member of the Great Lakes Wind Council created within the Department of Energy, Labor, and Economic Growth under Executive Order 2009-1.

C. Transfers from the Department of Natural Resources and Environment to the Department of Environmental Quality

1. Except as otherwise provided in this Order, all of the authority, powers, duties, functions, responsibilities, personnel, equipment, and unexpended appropriations of the Department of Natural Resources and Environment that were transferred to it from the former Department of Environmental Quality by Executive Order 2009-45, are transferred by Type II transfer to the Department of Environmental Quality, including, but not limited to, the authority, powers, duties, functions, and responsibilities under all of the following:

- a. Sections 2b and 2d of 1855 PA 105, MCL 21.142b and 21.142d ("surplus funds in treasury").
- b. The Property Rights Preservation Act, 1996 PA 101, MCL 24.421 to 24.425.
- c. The Fire Prevention Code, 1941 PA 207, MCL 29.1 to 29.34.
- d. The Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.472 to 29.480.
- e. Section 8a of the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.508a.
- f. Sections 7, 9, and 10 of the Land Bank Fast Track Act, 2003 PA 258, MCL 124.757, 124.759, and 124.760.
- g. Section 10 of the Water Resource Improvement Tax Increment Finance Authority Act, 2008 PA 94, MCL 125.1780.
- h. The Mobile Home Commission Act, 1987 PA 96, MCL 125.2301 to 125.2349.
- i. The Brownfield Redevelopment Financing Act, 1996 PA 381, MCL 125.2651 to 125.2672.
- j. The Safe Drinking Water Financial Assistance Act, 2000 PA 147, MCL 141.1451 to 141.1455.
- k. Section 437 of the Michigan Business Tax Act, 2007 PA 436, MCL 208.1437.
- l. Sections 9, 24, 34c, 34d, 53, 78g, and 78m of The General Property Tax Act, 1893 PA 206, MCL 211.9, 211.24, 211.34c, 211.34d, 211.53, 211.78g, and 211.78m.
- m. Section 4 of 1951 PA 77, MCL 211.624 ("tax on low grade iron ore").
- n. Sections 5 to 8 of 1963 PA 68, MCL 207.275 to 207.278 ("iron ore tax").
- o. Section 811i of the Michigan Vehicle Code, 1949 PA 300, MCL 257.811i.
- p. Section 204 of the Aeronautics Code of the State of Michigan, 1945 PA 327, MCL 259.204.
- q. Section 423 of The Drain Code of 1956, 1956 PA 40, MCL 280.423.
- r. Section 3 of the Julian-Stille Value-Added Act, 2000 PA 322, MCL 285.303.
- s. Section 3 of 2008 PA 330, MCL 285.343 ("publication of information establishing alternative fuels facilities").
- t. Section 4 of the Michigan Right to Farm Act, 1981 PA 93, MCL 286.474.
- u. Section 14 of the Animal Industry Act, 1988 PA 466, MCL 287.714.
- v. Sections 3, 6, 7, and 14 of the Privately Owned Cervidae Producers Marketing Act, 2000 PA 190, MCL 287.953, 287.956, 287.957, and 287.964.
- w. Section 20 of the Grade A Milk Law of 2001, 2001 PA 266, MCL 288.490.
- x. Sections 2 and 4 of the Michigan Agricultural Processing Act, 1998 PA 381, MCL 289.822 and 289.824.
- y. Section 7107 of the Food Law of 2000, 2000 PA 92, MCL 289.7107.
- z. Sections 9j and 10d of the Motor Fuels Quality Act, 1984 PA 44, MCL 290.649j and 290.650d.
- aa. The Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106.
- bb. The Safe Drinking Water Act, 1976 PA 399, MCL 325.1001 to 325.1023.
- cc. Sections 9601, 12103, 12501 to 12563, 12701 to 12771, 13501 to 13536, 13716, 13801 to 13831, and 16631 of the Public Health Code, 1978 PA 368, MCL 333.9601, 333.12103, 333.12501 to 333.12563, 333.12701 to 333.12771, 333.13501 to 333.13536, 333.13716, 333.13801 to 333.13831, and 333.16631.

- dd. The Low-Level Radioactive Waste Authority Act, 1987 PA 204, MCL 333.26201 to 333.26226.
- ee. Section 3f of 1976 Initiated Law 1, MCL 445.573f (“beverage containers”).
- ff. Sections 27 and 77 of the Clean, Renewable, and Efficient Energy Act, 2008 PA 295, MCL 460.1027 and 460.1077.
- gg. Sections 71 and 71a of the Condominium Act, 1978 PA 59, MCL 559.171 and 559.171a.
- hh. Sections 105, 116 to 118, 194, and 254 of the Land Division Act, 1967 PA 288, MCL 560.105, 560.116 to 560.118, 560.194, and 560.254.
 - ii. Executive Order 1995-18, MCL 324.99903.
 - jj. Executive Order 1996-1, MCL 330.3101.
 - kk. Executive Order 1996-2, MCL 445.2001.
 - ll. Executive Order 1997-2, MCL 29.451.
- mm. Executive Order 1997-3, MCL 324.99904.
- nn. Executive Order 1998-2, MCL 29.461.
- oo. Executive Order 2007-6, MCL 324.99905.
- pp. Executive Order 2007-7, MCL 324.99906.
- qq. Executive Order 2007-8, MCL 324.99907.
- rr. Executive Order 2007-10, MCL 324.99908.
- ss. Executive Order 2007-13, MCL 324.99909.
- tt. Executive Order 2007-21, MCL 324.99911.
- uu. Executive Order 2007-29, MCL 324.99912.
- vv. Executive Order 2007-33, MCL 324.99913.
- ww. Executive Order 2007-34, MCL 324.99914.
- xx. Executive Order 2009-13, MCL 324.99915.
- yy. Executive Order 2009-17, MCL 333.26365.
- zz. Executive Order 2009-26, MCL 324.99918.
- aaa. Executive Order 2009-28, MCL 333.26367.
- bbb. Section 7 of the Hazardous Materials Transportation Act, 1998 PA 138, MCL 29.477.
- ccc. The Great Lakes Water Quality Bond Authorization Act, 2002 PA 396, MCL 324.95201 to 324.95208, to the extent that functions under or related to that act are currently performed by the Department of Natural Resources and Environment.

2. Office of the Great Lakes. The Office of the Great Lakes created under Section 32903 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.32903, subsequently transferred to the Department of Environmental Quality by Executive Order 1995-18, MCL 324.99903, and transferred by Type I transfer to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Environmental Quality. The Director of the Office of the Great Lakes shall continue to serve as a member of the Governor’s Cabinet.

3. Low-Level Radioactive Waste Authority. The Low-Level Radioactive Waste Authority, created within the Department of Management and Budget under Section 3 of the Low-Level Radioactive Waste Authority Act, 1987 PA 204, MCL 333.26203, transferred to the Department of Commerce under Executive Order 1991-23, MCL 333.26251, and to the Department of Environmental Quality under Executive Order 1996-2, MCL 445.2001, and transferred to the Department of Natural Resources and Environment by Executive Order 2009-45, is transferred by Type I transfer to the Department of Environmental Quality.

V. MISCELLANEOUS TRANSFERS

A. References to the Department of Natural Resources and Environment in the following public acts adopted since Executive Order 2009-45 became effective shall be to the Department of Natural Resources created by this Order:

1. 2010 PA 35
2. 2010 PA 46
3. 2010 PA 70

B. References to the Department of Natural Resources and Environment in the following public acts adopted since Executive Order 2009-45 became effective shall be to the Department of Environmental Quality created by this Order:

1. 2010 PA 229
2. 2010 PA 231
3. 2010 PA 232

VI. IMPLEMENTATION OF TRANSFERS TO THE DEPARTMENT OF NATURAL RESOURCES AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY

A. The Director of the Department of Natural Resources and Environment shall immediately initiate coordination with departments and agencies within the executive branch of state government to facilitate the transfers made under this Order. State departments and agencies shall actively cooperate with the Director of the Department of Natural Resources and Environment as the Director performs duties and functions relating to the implementation of this Order. Except as

otherwise provided in this Order, the Director of the Department of Natural Resources and Environment shall provide executive direction and supervision for the implementation of the transfers made by this Order.

B. The Director of the Department of Natural Resources shall administer the assigned functions transferred to that Department under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

C. The Director of the Department of Environmental Quality shall administer the assigned functions transferred to that Department under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

D. Any records, personnel, property, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available, or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Department of Natural Resources and the Department of Environmental Quality along with the transferred functions.

E. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this Order.

F. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

G. All rules, regulations, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

H. This Order shall not abate any criminal action commenced by this state prior to the effective date of this Order.

I. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Executive Order shall become effective on March 13, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 4th day of January in the year of our Lord, two thousand eleven.

Richard D. Snyder
Governor

By the Governor:
Ruth Johnson
Secretary of State

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

The following message from the Governor was received on January 11, 2011, and read:

EXECUTIVE ORDER
No. 2011-2

**Department of Agriculture
Department of Natural Resources and Environment
Department of Agriculture and Rural Development**

**Executive Reorganization
and
Amendment of Executive Order 2009-54**

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

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department of state government shall be under the supervision of the Governor, unless otherwise provided in the Constitution; and

WHEREAS, appropriate organization of the Department of Agriculture and the Commission of Agriculture will help assure the protection, promotion, and preservation of the food, agricultural, conservation, and economic interests of the People of the State of Michigan; and

WHEREAS, rural development is integral to the growth of Michigan's rural housing and infrastructure, the agricultural and food processing industries, and the overall economy of the state; and

WHEREAS, certain modifications in Executive Order 2009-54 are necessary; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government;

NOW THEREFORE, I, Richard D. Snyder, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. "Commission of Agriculture" means the commission created under Section 1 of 1921 PA 13, MCL 285.1, and continued under Section 179 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.279.

B. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

C. "Department of Natural Resources" means the principal department by that name created by Executive Order 2011-1.

D. "Natural Resources Commission" means the commission created under Section 1 of 1921 PA 17, MCL 299.1, continued under Section 254 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.354, transferred to the Department of Natural Resources under Executive Order 1991-22, MCL 299.13, continued under Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, renamed the Natural Resources Commission by Executive Order 2009-45, and transferred to the Department of Natural Resources by Executive Order 2011-1.

II. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT; and the COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT

A. The Department of Agriculture is renamed the Department of Agriculture and Rural Development; the Commission of Agriculture is renamed the Commission of Agriculture and Rural Development.

B. The Department of Agriculture and Rural Development and the Commission of Agriculture and Rural Development shall utilize their statutory powers and authority to further the goal of developing the rural areas of this state.

C. The following parts of Executive Order 2009-54 concerning the Commission of Agriculture and Rural Development are rescinded:

1. Section II(A)(2);
2. Section II(A)(5);
3. Section II(A)(17);
4. Section II(B)(7), II(B)(8), and II(B)(9); and
5. Section II(C)(15).

III. DEPARTMENT OF NATURAL RESOURCES AND NATURAL RESOURCES COMMISSION

A. The following parts of Executive Order 2009-54 concerning the Department of Natural Resources and the Natural Resources Commission are rescinded:

1. Section III(A)(2);
2. Section III(A)(4); and
3. Section III(B) (The Michigan Snowmobile and Trails Advisory Council having been established by 2010 PA 46.

This Executive Order shall become effective on March 13, 2011, consistent with Section 2 of Article V of the Michigan Constitution of 1963.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 7th day of January in the year of our Lord, two thousand eleven.

Richard D. Snyder
Governor

By the Governor:
Ruth Johnson
Secretary of State

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

Messages from the House

The following message was received and read:

January 12, 2011

By direction of the House of Representatives, I hereby notify you that a quorum of the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

Very respectfully,
Richard J. Brown, Clerk
House of Representatives

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator Richardville's statement is as follows:

I would like to take this moment to point out to you, the members of the Senate, the guests, and especially the media that so far this year on a bipartisan, cooperative basis, everything that has come out of the Senate has been done unanimously, with full support from the Democrat and Republican Caucuses. Congratulations to all of you for getting along so well so far.

I want to talk a little bit about the attitude and the atmosphere of the Michigan Senate. We are, by most accounts, called the upper chamber. As the upper chamber, we are charged with a great responsibility to uphold the decorum of this great institution. We need to be quick to listen and even slower to speak. We must work to respect the opinions of other people in this body, and shape our message with input from stakeholders at all levels.

Ultimately, the goal of this body is to do our work while conducting ourselves as statesmen and stateswomen. In my belief, there are three levels of elected official. The first of those is the politician. The politician is somebody who knows how to get elected. The second level is that of a public servant. The public servant understands that his or her charge is to serve and work for the people of the state of Michigan. The third level is that of a statesmen or stateswomen. Those people achieve that by being public servants for a long period of time, by taking on difficult challenges, and by maintaining the dignity and respect for one another in carrying out those responsibilities.

I would like to take this moment to acknowledge the role of the minority party. I want to thank the leader of the minority party for her willingness to come together with mutual respect for all opinions on this floor. In that spirit, I look forward to fostering the same relationship with the chamber across the hallway and also with our new Governor and our new Lieutenant Governor.

There is no doubt that Michigan faces significant challenges in front of us. The challenges that we face are very multifaceted, and our members will need to think and act on different issues in order to serve the state as a whole and also our individual constituencies. I believe our first six months of our four years here will set the tone for the rest of our tenure. We are going to have to suffer together in the short term with the knowledge that short-term sacrifices and sometimes pain that we and our constituents go through will help us to achieve the long-term success that the people of Michigan have sent us here to produce. I want to be clear about this. There are no quick fixes, and there are no easy answers. We will have to work together and collaborate. The people of Michigan have also been clear in saying they expect solutions. It will take hard work, and it will take time.

I am very happy to note that the members in this body are energized. They are eager to serve. They have been like a truck in neutral ready to climb a steep mountain. They are ready to take on the challenges that are here in front of the people of Michigan, and I believe they are also inspired in the face of term limits. In other words, I mentioned briefly before these folks have been charged with taking on tremendous challenges with a relatively small amount of experience. However, this body, this chamber is where statesmen and stateswomen happen. Each one of us has been sent here by our constituents with the great charge and confidence in our ability.

I would like to take a moment to acknowledge the legislative leaders, the Governor, and their families. All of you are here because you are deeply committed not only to the people who you are with, the family members who have been elected, but also love the great state of Michigan.

I thank all the members for their service, and I recognize the love and support of family and friends who make it possible for us to come here and to do our jobs.

Finally, I would like to thank the members of my caucus—united front—who came together and elected me to be their leader. I am humbled and realize that my public service is to you, as well as to the rest of the people of Michigan.

Michigan has seen some very difficult times in the past. We have survived wars, depressions, and tragedies. We have to maintain that perspective as we prepare to tackle the challenges of our four years here in the Senate. I have every confidence in the world that the God whom we invoked this morning to be part of our team will complete the work that He has begun with the selection of each member of the 96th Legislature, especially those in the Michigan Senate.

I look forward to working with all of you to solve the great challenges that we have in front of our state. I wish you GodsPEED today.

Senator Whitmer's statement is as follows:

Good afternoon. I would like to take this opportunity to thank my good friend and our leader here in the State Senate, Senator Randy Richardville. I would like to thank my Republican colleagues, and I also want to thank my family—the Democratic Caucus.

I'm humbled to serve my constituents, going on my eleventh year here as a legislator in this building and as a leader of this distinguished body. I also want to welcome all of the families here today. We could never get here without your love and support, including my shadow here. I'm not dragging her up here, by the way. She loves it. She was raised here at the Capitol.

A lot of New Year's resolutions have been made. Many have already been broken, but I will say this is a refreshing start to the new year and a new session. On behalf of the Democratic Caucus, we look forward to working with members on both sides of the aisle to move Michigan forward—all of Michigan. We are optimistic that a new order of business is under way here in the State Senate. We hope that every voice in this chamber is heard and is granted the respect that it deserves.

Last November, voters sought a change in their government. They called for a transparent, bipartisan government which is going to make sound decisions when dealing with issues which affect Michigan. We owe it to the people of our state to provide the best out of ourselves and out of our state government. We owe it to them to make Michigan a great place to live, to work, and most importantly, to raise our families.

There has been talk around the Capitol of innovation, outcomes-based budgeting, and shared sacrifice. In the spirit of bipartisanship, I attended the inauguration of Governor Snyder and Lieutenant Governor Calley on New Year's Day. I was heartened to hear Governor Snyder say, and I quote: "As part of the solution, we need to include everyone. Our solution has to address the issue, the challenge of keeping young people in this state. We must create more and better opportunities and jobs for the underemployed and the structurally unemployed. The reinvention of Michigan must not leave anyone behind."

I can tell you on behalf of the Senate Democrats that we are eager to roll up our sleeves and work with anyone committed to these overarching principles. On behalf of the people of our state, we will fight anyone who treats those principles as empty rhetoric.

The time for gimmicks, games, and one-time fixes is over. I was raised by a Milliken Republican and a Frank Kelley Democrat, two people who put the public interest above any special interests and always above their own personal interests. We must seek to find common ground to accomplish what's needed for the good of our state—not just today, but for 25 years down the road.

Senate Democrats will and continue to be focused on investments which will attract jobs and businesses to the state of Michigan. I know we all share those goals.

We should apply the same litmus test to every piece of legislation which comes before us. Will this really move Michigan forward? Is it a part of a comprehensive, long-term solution for the state? We know we have a tough road ahead. The residents of Michigan have voiced their call for checks and balances. They want cooperation between the two parties, the two chambers, and each branch of government.

Not one person is responsible for the woes which we face, nor should one person get credit for our successes. We must all work together and move all of our state forward. We are ready and eager to do just that. That's a resolution I hope we will all keep.

This job is not about any one of us. It's about our state and our people. I can guarantee you ten years from now no one is going to remember a floor speech which was given or any individual vote which was cast. They will judge us by whether or not the people of Michigan are truly better off in 2020 than they are today. And in that spirit, we are eager and excited to open this day of the new Senate session, and thank you for your time.

Scheduled Meetings

Appropriations - Thursday, January 13, 10:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Senator Meekhof moved that the Senate adjourn.
The motion prevailed, the time being 12:53 p.m.

In pursuance of the order previously made, the President, Lieutenant Governor Calley, declared the Senate adjourned until Thursday, January 13, 2011, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate

