

No. 52  
STATE OF MICHIGAN  
**Journal of the Senate**  
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Senate Chamber, Lansing, Wednesday, June 2, 2010.

10:00 a.m.

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

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

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

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

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

Senator Patricia L. Birkholz of the 24th District offered the following invocation:

Good morning, Lord. We thank You for this day. Even though some of us may not want rain, we thank You for the rain that You are delivering to us today, to our crops, and to our growing communities.

We ask for Your discernment as we, the Senate together with the House and the Governor, work on the final and challenging days before us with our budget. We ask that You give us the ability to use the judgment and the wisdom that You have given to each of us. We ask that You help us keep our state, our people, and our nation in front of us as we work through this difficult decision time.

Keep us ever mindful of Your wisdom and Your presence. We ask this in Thy name. Amen.

The President pro tempore, Senator Richardville, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senators Gleason, Van Woerkom, McManus, Thomas, Barcia, Sanborn, Brater, Hunter and Garcia entered the Senate Chamber.

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

The motion prevailed.

Senator Pappageorge's statement is as follows:

I, too, have a special tribute for a staff member who is leaving. It is a sad day. I have to say farewell to someone who will be moving on to new opportunities, Alanna Powell.

Alanna has worked diligently on my behalf for the past two and a half years and has been a great asset to our office, as well as the constituents of the 13th District. Alanna started as an unpaid intern but quickly became a valued member of the team. She has been working part-time while studying to be a teacher at Michigan State University—Go Green.

Alanna is a hardworking and dedicated staff member. She has a bright personality that brings a positive energy to the office. It has truly been an honor having her on our team. We are all sad to see her go. She has a bright future ahead of her, and I wish her all the best. There is a Special Tribute that has been prepared for you, Alanna. We are going to miss you.

Senator Jansen's statement is as follows:

Today, I am both happy and sad, and I have an opportunity to say thank you to Beckie Strong, who has been in my office for well over three and a half years. Before that, she worked for the Honorable Senator Laura Toy, and she has been a tremendous asset for my office.

But, you know, in life sometimes you get a better offer. She is going on to law school, and I think she is getting married this summer too. I forgot about that, sorry. Sorry, Matt. She has been a tremendous help in our office. I want to thank her for all of her hard work.

I have a tribute, and I am not going to read it fully, but I do want to read the last paragraph: "We are grateful for her outstanding efforts to the Michigan Senate. It is a pleasure to join with friends and colleagues today in extending our appreciation to Beckie as she returns to law school as a full-time student. This is the most appropriate time to thank her for her many accomplishments and the positive impact she has made on behalf of the lawmaker's staff and all who have worked with her. We offer our heartfelt praise to this exemplary employee."

So to Beckie, I want to say thank you, and I would like my colleagues to join me in saying thank you also.

Senator Thomas moved that Senator Clarke be excused from today's session.

The motion prevailed.

Senator Bishop's statement is as follows:

Since we have spent a good portion of the morning already saying good-bye to some of our staff who are moving on to bigger and better things, I figured I better get up and do the same. There are a lot of great people who have worked for the Senate over the years; a lot of very talented people who have worked for the Senate over the years; a lot of great friends who have worked for the Senate over the years. I have to say that person is standing next to me.

Michelle Lange has been an outstanding member of our staff. She has really been a fixture in the appropriations process. Both sides of the aisle know Michelle. She is part of every aspect of the process as chief liaison to all members and staff and the budget director. She really deals with just about everybody. If you have questions that are about appropriations, Michelle is the person to go to. In our office, we refer to her as budget girl or money girl. She will always be that person to me—over the years.

We have grown very fond of Michelle. I know many of you have dealt with her. She is a two-time graduate of Michigan State University, and I have never held that against her. In fact, we have continued her employment. She is a lawyer, passed the Michigan Bar, and is a very, very educated, very experienced, and very productive member of our staff. We are really very sad to see her go. She has a great opportunity, and that is what this is all about. We have our staffs on loan, and we are fortunate to have them for the time that they spend here.

Michelle is going to bigger and better things. She started in the Senate back in 1998, when she worked for Senator Gougeon. She then moved on to Senator Stamas and then on to Senator Sikkema. We picked her up on the way because of her talent and wanted to make sure that she continued in the Majority Leader's office—just a great asset and a great friend. I can't say enough about her.

I hope that you would help me in thanking her for her years of service and wishing her well in her future and her bright success in the future. Michelle, thank you very much for everything.

Senator Stamas' statement is as follows:

Colleagues, if I can just take a minute, I want to also congratulate Michelle Lange. I had the great honor of working with Michelle a number of years back. I was terribly remiss when Michelle went to work for the Senate Majority Leader. I did not provide her with a tribute, and this is about seven years too late, but she has been a wonderful friend, and she has done a tremendous job. Maybe I was always hoping that I could convince her to come back. Now seeing that that is not going to happen, I just also want to present her with a tribute and thank her for the great job that she has done for everyone here.

Senator Brown moved that Senator Cropsey be excused from today's session.

The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, June 1:  
**House Bill Nos. 6168 6169 6170 6197**

### Messages from the Governor

The following message from the Governor was received on June 1, 2010, and read:

#### EXECUTIVE ORDER No. 2010-5

#### Michigan Center for Innovation and Reinvention Board Department of Natural Resources and Environment

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

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible for the faithful execution of the laws;

WHEREAS, the Michigan Center for Innovation and Reinvention Board was created within the Department of Natural Resources and Environment by Executive Order 2009-36;

WHEREAS, it is necessary and desirable to extend the date until which members shall serve on the Michigan Center for Innovation and Reinvention Board, as well as to extend the date by which the Michigan Center for Innovation and Reinvention Board must complete its work;

NOW, THEREFORE, I, Jennifer M. Granholm, 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:

A. Members of the Michigan Center for Innovation and Reinvention Board shall serve until July 1, 2010, by which date the Michigan Center for Innovation and Reinvention Board shall complete its work and submit a final report to the Governor.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of June, in the year of our Lord, two thousand and ten.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

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

**Messages from the House**

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

**House Bill No. 4514**

The motion prevailed.

Senator Gilbert entered the Senate Chamber.

**Senate Bill No. 1097, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 11a (MCL 380.11a), as amended by 2006 PA 515.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Brown moved that the rule be suspended.

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

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

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

**Roll Call No. 278**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Clarke	Cropsey
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**Not Voting—0**

In The Chair: Richardville

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

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

The Senate agreed to the full title.

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

**Senate Bill No. 1154, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

The House of Representatives has passed the bill as substituted (H-1) and ordered that it be given immediate effect.

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

Senator Brown moved that the rule be suspended.

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

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

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

**Roll Call No. 279****Yeas—15**

Anderson	Cherry	Jacobs	Switalski
Barcia	Clark-Coleman	Olshove	Thomas
Basham	Gleason	Prusi	Whitmer
Brater	Hunter	Scott	

**Nays—21**

Allen	George	Kahn	Patterson
Birkholz	Gilbert	Kuipers	Richardville
Bishop	Hardiman	McManus	Sanborn
Brown	Jansen	Nofs	Stamas
Cassis	Jelinek	Pappageorge	Van Woerkom
Garcia			

**Excused—2**

Clarke	Cropsey
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**Not Voting—0**

In The Chair: Richardville

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Gleason as Chairperson.

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

**Senate Bill No. 978, entitled**

A bill to amend 2003 PA 260, entitled "Tax reverted clean title act," by amending sections 2 and 3 (MCL 211.1022 and 211.1023).

**Senate Bill No. 1016, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7ll.

**Senate Bill No. 1266, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7gg (MCL 211.7gg), as added by 2003 PA 261.

**Senate Bill No. 1251, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2009 PA 209.

**House Bill No. 6135, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 33b (MCL 791.233b), as amended by 1994 PA 217.

**House Bill No. 6136, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 574.

**House Bill No. 6137, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 171 (MCL 750.171).  
The bills were placed on the order of Third Reading of Bills.

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

**Senate Bill No. 979, entitled**

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending sections 3, 4, and 23 (MCL 124.753, 124.754, and 124.773).

Substitute (S-1).

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

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

**Senate Bill No. 1015, entitled**

A bill to amend 2003 PA 258, entitled "Land bank fast track act," by amending sections 2 and 4 (MCL 124.752 and 124.754).

Substitute (S-1).

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

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

**Senate Bill No. 1017, entitled**

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

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of

**Third Reading of Bills**

Senator Brown moved that the following bills be placed at the head of the Third Reading of Bills calendar:

**House Bill No. 5363**

**Senate Bill No. 682**

**Senate Bill No. 1315**

The motion prevailed.

The following bill was read a third time:

**House Bill No. 5363, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 51 and 53 (MCL 257.1851 and 257.1853), as amended by 2006 PA 108.

The question being on the passage of the bill,

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

**Roll Call No. 280**

**Yeas—35**

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

**Nays—1**

Garcia

**Excused—2**

Clarke    Cropsey

**Not Voting—0**

In The Chair: Richardville

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

The recommendation was concurred in,  $\frac{2}{3}$  of the members serving voting therefor.

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

"An act to regulate the equipment, maintenance, operation, and use of school buses; to prescribe the qualifications of school bus drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties,".

The Senate agreed to the full title.

The following bill was read a third time:

**Senate Bill No. 682, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2009 PA 99, and by adding section 811r.

The question being on the passage of the bill,

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

**Roll Call No. 281**

**Yeas—27**

Allen	George	Jelinek	Patterson
Barcia	Gilbert	Kahn	Richardville

Birkholz	Gleason	Kuipers	Sanborn
Bishop	Hardiman	McManus	Stamas
Brown	Hunter	Nofs	Thomas
Cassis	Jacobs	Olshove	Van Woerkom
Cherry	Jansen	Pappageorge	

**Nays—9**

Anderson	Clark-Coleman	Prusi	Switalski
Basham	Garcia	Scott	Whitmer
Brater			

**Excused—2**

Clarke	Cropsey
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1315, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 18223 (MCL 333.18223), as amended by 1986 PA 174.

The question being on the passage of the bill,

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

**Roll Call No. 282****Yeas—36**

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

**Nays—0****Excused—2**

Clarke	Cropsey
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**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title of the bill.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

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

**Senate Resolution No. 41**

**Senate Resolution No. 75**

**Senate Resolution No. 88**

The motion prevailed.

**House Concurrent Resolution No. 58.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Health Sciences Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Saginaw Valley State University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Health Sciences Facility (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Saginaw Valley State University Health Sciences Facility shall not exceed \$28,000,000 (the Authority share is \$20,999,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$7,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$20,999,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,440,000 and \$1,883,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Saginaw Valley State University, and the State Budget Director.

The House of Representatives has adopted the concurrent resolution.

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

Senator Brown moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senators Barcia, Birkholz, Gleason, Jacobs, Jansen and Pappageorge were named co-sponsors of the concurrent resolution.

#### **Senate Concurrent Resolution No. 41.**

A concurrent resolution to memorialize the President, the Congress, and the Federal Communications Commission of the United States to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

(For text of resolution, see Senate Journal No. 46, p. 839.)

The House of Representatives has adopted the concurrent resolution and named Reps. Crawford, Hildenbrand, Horn, Kurtz, LeBlanc, Lori, Mayes, Meekhof, Rogers and Walsh as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

### **Introduction and Referral of Bills**

Senators Jacobs, Switalski, Anderson, Brater, Hunter, Clark-Coleman and Prusi introduced

#### **Senate Bill No. 1361, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55a.

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

Senators Anderson, Switalski, Basham, Whitmer, Barcia, Cherry, Brater, Prusi, Jacobs, Clark-Coleman and Hunter introduced

#### **Senate Bill No. 1362, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55b.

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

Senators Hunter, Brater, Prusi, Jacobs, Clark-Coleman, Basham, Switalski, Anderson, Cherry and Barcia introduced

#### **Senate Bill No. 1363, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55c.

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

Senators Anderson, Switalski, Basham, Whitmer, Barcia, Cherry, Brater, Prusi, Jacobs, Clark-Coleman and Hunter introduced

#### **Senate Bill No. 1364, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55d.

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

Senators Whitmer, Prusi, Jacobs, Brater, Clark-Coleman, Basham, Switalski, Cherry, Barcia, Hunter and Anderson introduced

#### **Senate Bill No. 1365, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55e.

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

Senators Olshove, Switalski, Anderson, Brater, Hunter, Clark-Coleman and Prusi introduced

**Senate Bill No. 1366, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55f.

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

Senators Jacobs, Prusi, Brater, Clark-Coleman, Switalski, Cherry, Barcia, Hunter and Anderson introduced

**Senate Bill No. 1367, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 55g.

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

Senators Jacobs, Switalski, Anderson, Brater, Hunter, Clark-Coleman and Prusi introduced

**Senate Bill No. 1368, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 54 (MCL 169.254), as amended by 1995 PA 264.

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

Senators Gilbert, Richardville, Nofs and Brown introduced

**Senate Bill No. 1369, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 409 (MCL 208.1409), as amended by 2008 PA 572.

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

Senators Brown and Pappageorge introduced

**Senate Bill No. 1370, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509q (MCL 168.509q), as amended by 2005 PA 71, and by adding section 496a.

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

**House Bill No. 6168, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 9928 (MCL 600.9928).

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

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

**House Bill No. 6169, entitled**

A bill to amend 1956 PA 5, entitled "Michigan uniform municipal court act," (MCL 730.501 to 730.534) by adding section 8a.

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

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

**House Bill No. 6170, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

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

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

**House Bill No. 6197, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 1213 (MCL 700.1213), as amended by 2000 PA 54, and by adding section 2723.

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

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

### Statements

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

The motion prevailed.

Senator Scott's statement is as follows:

President Woodrow Wilson said, "We are here in order to enable the world to live more amply, with greater vision, with a finer spirit of hope and achievement." We can help our constituents and improve their lives by acting on auto insurance reform.

We work hard to improve the business climate in Michigan and to attract new businesses. We also need to work hard on auto insurance reform to improve the economic lives of our citizens. Our citizens deserve the same consideration that we give others.

Giving our citizens a break by lowering premiums that are far too costly for those with perfectly good driving records will give them more money to spend. Giving them more disposable income can only help our state's economy. We try to make it less costly to do business in Michigan. We should also try to make it less costly to live in Michigan, and reforming auto insurance is one way to make it cheaper to live in our state.

We are seeing some relief from high prices at the gas pumps right now. Let's also give our constituents relief from the high cost of auto insurance.

Senator Cassis' statement is as follows:

One of the hallmarks of our government is a free press. Reporters and editorial writers keep public officials accountable. Lawmakers and the news media both have a responsibility to guard the public purse and to make sure that tax dollars are spent wisely. Several newspapers, even one that differs with its former owner, have done an outstanding job recently by discussing this subject.

They continue to ask tough questions and share insightful commentary with their readers, the taxpayers of Michigan. In a May 26 editorial, the *Livingston Daily Press* said the Michigan Economic Development Corporation "seems more focused on telling good stories than on making sure that the stories are actually good."

The *Detroit Free Press* recently published a story that questioned the effectiveness of large-scale loans and grants that were awarded and the idea of expanding and diversifying the state's job base. The story suggested that real job growth was almost nonexistent. The Auditor General agrees and issued a withering assessment of the Michigan Strategic Fund.

As described in the *Lansing State Journal* editorial, "In the careful, dry language of an audit, the report concluded that the Michigan Strategic Fund did not really know if companies claiming tax credits had met the conditions of their deals with the state."

The *Livingston Daily Press* believes that it is a stunning allegation and says this "has been characteristic of all too many facets of the state's economic development programs." The newspaper offers plenty of common sense about the economic development programs currently under scrutiny. All of us in this chamber were stunned earlier this year when it was revealed that a convicted embezzler was the recipient of a \$9.1 million tax credit through MEGA, another MEDC program. Most of the headlines focused on the undetected criminal record of the company's founder. As bad as that was, it was just part of a bigger problem. After all, no state money reached his company.

The *Livingston Daily Press* understands what is more disturbing. It cites a news conference statement by Governor Jennifer Granholm that the company had been doing phenomenal things. Given that the state agency had supposedly been working closely with the company for a year, it is fair to ask about the justification for such a comment. The concern is that MEDC's program administrator had been more interested in providing success stories than in actually discovering if the stories are worthwhile.

The *Livingston* editorial board hit the nail on the head when it said, "If state government is truly committed to running effective programs, it should determine and publish the genesis of the phenomenal remark. Don't count on it. Accountability and transparency don't seem to be at the top of this administration's list. That, in fact, has been at the top of our list of complaints about the so-called film tax credits, which are really a hefty subsidy."

Some powerful names have questioned the motives behind legislative oversight and media scrutiny. In the May 30 editorial, the *Livingston Daily Press* said it all. I encourage the media to continue to follow up, as will the State Legislature.

Senator Jacobs' statement is as follows:

As I know many of us are getting ready to go to Mackinac, I wanted to read my good-news statement for the week, so that when we go, we go with lots of good feelings about what's going on in the state. In Sunday's *Free Press*, there was an article about the winners in the inaugural Motivate Michigan competition for college students. The winners were University of Michigan juniors Tarun Koshy and Nicholas Williams. They won for their "Thunder Down Under" idea that

would manufacture and place underwater turbines in Michigan's rivers to create alternative energy and jobs. If you think this is a crazy idea, don't because they used the idea of underwater turbines in the Hudson River, which they heard about on a Discovery Channel show, as the foundation for their proposal.

This contest has generated the kind of bold new thinking that we need right now to reinvent Michigan. The contest began in January with more than 300 students. It was sponsored by a number of businesses and groups, including Southfield-based CIBER, a global information technology firm, Comerica Bank, Meijer, the Detroit Economic Club, and Microsoft.

These two students won a \$20,000 scholarship prize. But an even more important prize for the rest of us comes at the end of the article which says, "Williams, an engineer who assumed he would have to leave the state for a job, is rethinking that should their idea find traction. 'If I could own a business, that would be cool,' he said."

Keeping our talented young people here in Michigan is one thing that we have to do in order to turn our state around. We should do all we can to encourage our young people to stay here with their intelligence, their energy, and their new ideas.

The article goes on to state that CIBER has offered to help Mr. Williams and Mr. Koshy take their idea to leaders here in Michigan to see if it can be commercialized. We need to encourage our business leaders to listen to these ideas, and work with our young entrepreneurs to make their ideas work, or point them in the right directions, but other directions that will keep them in-state if their ideas cannot work as they imagine.

If these students come to Lansing and to government with their ideas, we need to open our doors and listen to them and offer whatever help we can. Our students are on the right track, and they are the future of this state. We need to do whatever we can to encourage them, and keep this kind of good news coming.

Colleagues, drive safely. I will see you on the island.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Brown moved that when the Senate adjourns today, it stand adjourned until Tuesday, June 8, at 10:00 a.m. The motion prevailed.

#### **Committee Reports**

The Committee on Commerce and Tourism reported

##### **Senate Bill No. 1343, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 434 (MCL 208.1434), as amended by 2009 PA 240.

With the recommendation that the bill pass.

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

Jason E. Allen  
Chairperson

To Report Out:

Yeas: Senators Allen, Nofs, Stamas and Clarke

Nays: None

The bill was referred to the Committee of the Whole.

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Commerce and Tourism submitted the following:

Meeting held on Tuesday, June 1, 2010, at 2:30 p.m., Room 100, Farnum Building

Present: Senators Allen (C), Nofs, Stamas and Clarke

Excused: Senator Hunter

#### **COMMITTEE ATTENDANCE REPORT**

The Committee on Transportation submitted the following:

Meeting held on Tuesday, June 1, 2010, at 1:03 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Gilbert (C), Kahn, Van Woerkom, Basham and Gleason

**Scheduled Meetings****Appropriations -****Subcommittee -**

**State Police and Military Affairs** - Tuesday, June 22, 1:00 p.m., Wednesday, June 23, 3:00 p.m. and Thursday, June 24, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2768)

**Transportation** - Tuesday, June 8, and Wednesday, June 9, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-7708)

Senator Brown moved that the Senate adjourn.  
The motion prevailed, the time being 11:06 a.m.

In pursuance of the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Tuesday, June 8, 2010, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate